



Gatwick Airport Northern Runway Project

Statement of Common Ground Between Gatwick Airport Limited and Mid Sussex District Council – Tracked Version

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 comprises several documents, to which this document is one. The Statement of Commonality provides details of the structure and status of the SoCG between all the relevant Interested Parties, including the local authorities. Naturally, the level of detail across the suite of SoCG 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 Mid Sussex District Council. 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 [relevant](#) 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 Mid Sussex District Council; and therefore, have not been the subject of any discussions between the parties or have been previously discussed and addressed through the DCO process. As such, those matters should be assumed to be agreed, unless otherwise raised in due course by any of 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 agricultural land use and recreation matters.

Table 2.1 Statement of Common Ground – Agricultural Land Use and Recreation 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>					

2.2. Air Quality

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

Table 2.24 Statement of Common Ground – Air Quality Matters

Reference	Matter	Stakeholder Position	Gatwick Airport Limited Position	Signposting	Status
Baseline					
There are no issues relating to the baseline for this topic within this Statement of Common Ground.					
Assessment Methodology					
2.2.2.1	Assessment Scenarios – there are a number of clarifications required to understand the Assessment Scenarios utilised in the air quality assessment. Such as those scenarios where both construction and operational activities happen at the same time. There are also variations between application documents on how scenarios are described.	<p>The concern is that the scenarios assessed in the ES do not provide a realistic worst case assessment.</p> <p>Updated position (Deadline 1): A key part of this concern is around the modelled scenarios assessed. It is welcomed that GAL propose to provide further information at the next air quality TWG. This matter will remain under discussion until this TWG has been held.</p> <p>Updated position (Deadline 5) Gatwick Airport Limited (GAL) sets out in paragraph 3.7.7 of their Response to Deadline 3 Submissions [REP4-031] that the air quality matters submitted by the Joint Local Authorities at Deadline 3 (Appendix A) [REP3-117] will be responded to by Deadline 5. This Appendix of air quality queries prepared by AECOM included a wide range of technical matters. Without a response from GAL further progress cannot be made. It is anticipated that further progress can be made before the next Examination Deadline.</p>	<p>ES Chapter 13: Air Quality has provided an assessment of air quality impacts from all related sources (road vehicles, aircraft and airport sources) following the methodology agreed with the local councils. The assessment has been based on the best estimate of emissions and conservative assumptions where applicable, presenting reasonable worst case effects in line with best practice guidance and available data.</p> <p>Conservative assumptions have also been built into the air quality assessment to reduce uncertainty in any future scenario such as background values being frozen to 2030 and no improvements in aircraft emissions being accounted for in the air quality modelling.</p> <p>Paragraph 13.7.16 in ES Chapter 13: Air Quality outlines the approach for future road traffic emissions including how the approach is conservative, since road traffic emissions are anticipated to improve in line with the Transport Decarbonisation Plan.</p> <p>The assessment concludes that the impact of the Proposed Development would not be significant.</p> <p>Updated position (Deadline 1): A technical note summarising the assessment scenarios has been provided at Deadline 1, within Appendix D of the Supporting Air Quality Technical Notes to the SoCGs (Doc Ref. 10.4).</p> <p>Updated position (April 2024):The Applicant notes that the JLAs have provided a submission on air quality at Deadline 3. The Applicant will review this submission and respond accordingly.</p> <p>Updated position (Deadline 5): The Applicant has provided a response to the air quality matter submitted by the JLAs at Appendix A: Response to West Sussex Joint Local Authorities</p>	<p>ES Chapter 13 Air Quality [APP-038]</p> <p>Appendix D of the Supporting Air Quality Technical Notes to the SoCGs [REP1-050](Doc Ref. 10.4).</p> <p>Appendix A: Response to West Sussex Joint Local Authorities – Air Quality to The Applicant’s Response to Deadline 4 Submissions (Doc Ref. 10.38).</p>	Under discussion

			<p><u>– Air Quality to The Applicant’s Response to Deadline 4 Submissions (Doc Ref. 10.38). The Applicant will respond at Deadline 6 to the JLAs’ review submitted at Deadline 4 [REP4-053].</u></p>		
2.2.2.2	<p>Study Areas – Further information on the road traffic study area within the air quality assessment is required. Needed to understand which routes have been affected by changes in traffic</p>	<p>Without this information it is not possible to fully understand the air quality assessment of road traffic air quality effects. i.e. which routes are affected in which scenario.</p> <p>Updated position (Deadline 1): The information requested is the full ARN shown on a figure for each of scenarios modelled. With the ARNS showing locations with increased traffic flows within the ARN as red and locations with decreases in traffic flows as green.</p> <p>Updated position (Deadline 5): <u>Gatwick Airport Limited (GAL) sets out in paragraph 3.7.7 of their Response to Deadline 3 Submissions [REP4-031] that the air quality matters submitted by the Joint Local Authorities at Deadline 3 (Appendix A) [REP3-117] will be responded to by Deadline 5. This Appendix of air quality queries prepared by AECOM included a wide range of technical matters. Without a response from GAL further progress cannot be made. It is anticipated that further progress can be made before the next Examination Deadline.</u></p>	<p>ES Chapter 12: Traffic and Transport provides full details of the assessment methodology and potential traffic and transport effects of the Project during construction and operation.</p> <p>The wider study area used in the air quality assessment includes all roads within the 11 km by 10 km domain centred on the airport plus the Affected Road Network (ARN) defined by the transport data using the Institute of air Quality Management (IAQM) and Environmental Protection UK (EPUK) guidance. Section 13.5.5 to Section 13.5.10 of the air quality assessment details the wider study area.</p> <p>ES Chapter 13: Air Quality has indicated that there are no significant effects as a result of the Project and the Project is not predicted to impact compliance with the air quality standards.</p> <p>Updated position (Deadline 1): <u>GAL has provided an updated ARN figure at Deadline 1, contained within the ES Air Quality Figures [REP1-018]. The Applicant notes that the JLAs have provided a submission on air quality at Deadline 3. The Applicant will review this submission and respond accordingly.</u></p> <p>Updated position (Deadline 5): <u>The Applicant has provided a response to the air quality matter submitted by the JLAs at Appendix A: Response to West Sussex Joint Local Authorities – Air Quality to The Applicant’s Response to Deadline 4 Submissions (Doc Ref. 10.38). The Applicant will respond at Deadline 6 to the JLAs’ review submitted at Deadline 4 [REP4-053].</u></p>	<p>ES Chapter 12 Traffic and Transport [APP-037]</p> <p>ES Chapter 13 Air Quality [APP-038]</p> <p><u>ES Air Quality Figures Part 2 [REP1-018]</u></p> <p><u>Appendix A: Response to West Sussex Joint Local Authorities – Air Quality to The Applicant’s Response to Deadline 4 Submissions (Doc Ref. 10.38)</u></p>	Under discussion
2.2.2.3	<p>Model verification – remains a series of queries to be considered to establish if the air quality model verification is robust. For example, no reference is made to 2022 data which should have been available during the preparation of the air quality assessment</p>	<p>The concern is that air quality predictions may not be as robust.</p> <p>Updated position (Deadline 1): We welcome the provision of model files. There are a few residual queries from this review and the review of verification appendix. These include: further details on why so many sites were excluded from the verification and how we identify which receptors received which verification factor. Confirmation on why a later 2022 baseline year was not used too.</p> <p>Updated position (Deadline 5): <u>Gatwick Airport Limited (GAL) sets out in paragraph 3.7.7 of their Response to Deadline 3 Submissions [REP4-031] that the air quality matters submitted by the Joint Local Authorities at</u></p>	<p>Full details of the model verification process are included in Section 3 within the ES Appendix 13.6.1. Table 3.2.2 provides a list of all sites excluded along with justification and Table 3.3.2 provides a comparison between modelled and monitored NO_x and NO₂ concentrations.</p> <p>The verification methodology was agreed with local councils at the modelling methodology workshop in November 2022. Model files and results were provided to the TWG via email 18th August 2023.</p> <p>The baseline year of 2018 was selected based on traffic and monitoring data availability and was discussed and agreed to be</p>	<p>ES Appendix 13.6.1 Air quality Data and Model Verification [APP-159]</p> <p>ES Chapter 13 Air Quality [APP-038]</p> <p>Appendix A of the Supporting Air Quality Technical Notes to the SoCGs</p>	Under discussion

		<p>Deadline 3 (Appendix A) [REP3-117] will be responded to by Deadline 5. This Appendix of air quality queries prepared by AECOM included a wide range of technical matters. Without a response from GAL further progress cannot be made. It is anticipated that further progress can be made before the next Examination Deadline.</p>	<p>used with the local authorities. This provides a reference level against which any potential changes in air quality can be assessed. Paragraph 13.5.18 of air quality assessment provides full details of the selected baseline year (APP-038).</p> <p>Updated position (Deadline 1): A figure illustrating the verification zones has been provided at Deadline 1 in Appendix A of the Supporting Air Quality Technical Notes to the SoCGs (Doc Ref. 10.4).</p> <p>Updated position (April 2024): The Applicant notes that the JLAs have provided a submission on air quality at Deadline 3. The Applicant will review this submission and respond accordingly.</p> <p>Updated position (Deadline 5): The Applicant has provided a response to the air quality matter submitted by the JLAs at Appendix A: Response to West Sussex Joint Local Authorities – Air Quality to The Applicant’s Response to Deadline 4 Submissions (Doc Ref. 10.38). The Applicant will respond at Deadline 6 to the JLAs’ review submitted at Deadline 4 [REP4-053].</p>	<p>[REP1-050](Doc Ref. 40.4)</p> <p>Appendix A: Response to West Sussex Joint Local Authorities – Air Quality to The Applicant’s Response to Deadline 4 Submissions (Doc Ref. 10.38)</p>	
<p>2.2.2.4</p>	<p>Habitat Regulation Assessment - The HRA utilises the predicted air quality results for NOx, ammonia and nitrogen deposition to determine whether there are habitat integrity risks to European designated sites. The HRA concludes there are none in relation to air quality both for the proposed development in isolation and in combination. However, this is based on the scenarios assessed within the air quality chapter that need further review to determine if the scenarios represent a realistic worst case.</p>	<p>The concern is that the scenarios utilised do not represent a realistic worst case for the Proposed Development.</p> <p>Updated position (Deadline 1): A key part of this concern is around the modelled scenarios assessed. It is welcomed that GAL propose to provide further information at the next air quality TWG. This matter will remain under discussion until this TWG has been held.</p> <p>Updated position (Deadline 5): Gatwick Airport Limited (GAL) sets out in paragraph 3.7.7 of their Response to Deadline 3 Submissions [REP4-031] that the air quality matters submitted by the Joint Local Authorities at Deadline 3 (Appendix A) [REP3-117] will be responded to by Deadline 5. This Appendix of air quality queries prepared by AECOM included a wide range of technical matters. Without a response from GAL further progress cannot be made. It is anticipated that further progress can be made before the next Examination Deadline.</p>	<p>Section 2 of the Habitats Regulations Assessment sets out the assessment scenarios assessed. A robust assessment presenting reasonable worst case effects has been provided in line with best practice guidance and available data.</p> <p>Paragraphs 2.2.12 to 2.2.18 in the HRA assessment set out the detail of the assessment years assessed. The two assessment years (2032 and 2038) represent the anticipated worst-case scenario with respect to operational emissions resulting from the Project.</p> <p>As set out in Paragraph 4.5.8 of the HRA assessment, the effect from traffic-related pollution during the construction period is screened out from further assessment given no quantifiable increases in traffic on roads within 200m of the designated sites.</p> <p>Agreement has been reached with Natural England on the method used for the HRA assessment and Natural England’s Relevant Representations detail that no further information is required with regard to the HRA assessment.</p> <p>Updated position (April 2024): A technical note summarising the assessment scenarios has been provided at Deadline 1, within Appendix D of the Supporting Air Quality Technical Notes to</p>	<p>ES Appendix 9.9.1 Habitats Regulation Assessment Part 1 [APP-134]</p> <p>ES Appendix 9.9.1 Habitats Regulation Assessment Part 2 [APP-135]</p> <p>ES Chapter 12 Traffic and Transport [APP-037]</p> <p>Natural England Relevant Representation [RR-3223]</p> <p>Appendix D of the Supporting Air Quality Technical Notes to the SoCGs [REP1-050]</p>	<p>Under discussion</p>

			<p>the SoCGs [REP1-050]. The Applicant notes that the JLAs have provided a submission on air quality at Deadline 3. The Applicant will review this submission and respond accordingly.</p> <p>Updated position (Deadline 5): The Applicant has provided a response to the air quality matter submitted by the JLAs at Appendix A: Response to West Sussex Joint Local Authorities – Air Quality to The Applicant’s Response to Deadline 4 Submissions (Doc Ref. 10.38). The Applicant will respond at Deadline 6 to the JLAs’ review submitted at Deadline 4 [REP4-053].</p>	<p>Appendix A: Response to West Sussex Joint Local Authorities – Air Quality to The Applicant’s Response to Deadline 4 Submissions (Doc Ref. 10.38)</p>	
2.2.2.5	Provision of Further Information	<p>Further information, particularly in relation to figures, is required to be able to link air quality results to specific receptor locations and to understand how model verification has been applied to receptor locations in the study area.</p> <p>Updated position (Deadline 1): We welcome the provision of model files. There are a few residual queries from this review and the review of verification appendix. These include: further details on why so many sites were excluded from the verification and how we identify which receptors received which verification factor. Confirmation on why a later 2022 baseline year was not used too. Additionally, a figure that includes the receptor IDs is needed to link to the predicted results tables in the appendices. It is welcomed that GAL propose to provide further information.</p> <p>Updated position (Deadline 5): Gatwick Airport Limited (GAL) sets out in paragraph 3.7.7 of their Response to Deadline 3 Submissions [REP4-031] that the air quality matters submitted by the Joint Local Authorities at Deadline 3 (Appendix A) [REP3-117] will be responded to by Deadline 5. This Appendix of air quality queries prepared by AECOM included a wide range of technical matters. Without a response from GAL further progress cannot be made. It is anticipated that further progress can be made before the next Examination Deadline.</p>	<p>Full details of the model verification process are included in Section 3 within the ES Appendix 13.6.1. Table 3.3.1 provides details on the verification zones used.</p> <p>The verification methodology was agreed with local councils at the modelling methodology workshop in November 2022. Model files and results were provided to the TWG via email 18th August 2023</p> <p>ES Appendix 13.9.1 provides the air quality results for all modelled receptors and scenarios.</p> <p>GAL is happy to liaise with the councils on further clarification requested on model verification.</p> <p>Updated position (Deadline 1): A figure illustrating the verification zones has been provided at Deadline 1 in Appendix A of the Supporting Air Quality Technical Notes to the SoCGs (Doc Ref. 10.4). The Applicant notes that the JLAs have provided a submission on air quality at Deadline 3. The Applicant will review this submission and respond accordingly.</p> <p>Updated position (Deadline 5): The Applicant has provided a response to the air quality matter submitted by the JLAs at Appendix A: Response to West Sussex Joint Local Authorities – Air Quality to The Applicant’s Response to Deadline 4 Submissions (Doc Ref. 10.38). The Applicant will respond at Deadline 6 to the JLAs’ review submitted at Deadline 4 [REP4-053].</p>	<p>ES Appendix 13.6.1 Air quality Data and Model Verification [APP-159]</p> <p>ES Appendix 13.9.1: Air Quality Results Tables and Figures - Parts 1 to 6 [APP-162 to APP-167]</p> <p>Appendix A of the Supporting Air Quality Technical Notes to the SoCGs [REP1-050] (Doc Ref. 10.4)</p> <p>Appendix A: Response to West Sussex Joint Local Authorities – Air Quality to The Applicant’s Response to Deadline 4 Submissions (Doc Ref. 10.38)</p>	Under discussion
2.2.2.6	Model Verification	<p>An updated air quality model verification has been presented in the ES compared to the Preliminary Environmental Information Report (PEIR). This has improved the verification, but it is still necessary to establish if the air quality model verification is robust. In particular, further information is requested on the large numbers of air quality monitors excluded from</p>	<p>Full details of the model verification process are included in Section 3 within the ES Appendix 13.6.1. Table 3.2.2 provides a list of all sites excluded along with justification and Table 3.3.2 provides a comparison between modelled and monitored NO_x and NO₂ concentrations.</p>	<p>ES Chapter 13 Air Quality [APP-038]</p> <p>ES Appendix 13.6.1 Air quality Data and</p>	

		<p>the assessment and why a more up to date baseline year of 2022 was not used compared to the 2018 year utilised (using 2016 extrapolated traffic data).</p> <p><u>Updated position (Deadline 5): Gatwick Airport Limited (GAL) sets out in paragraph 3.7.7 of their Response to Deadline 3 Submissions [REP4-031] that the air quality matters submitted by the Joint Local Authorities at Deadline 3 (Appendix A) [REP3-117] will be responded to by Deadline 5. This Appendix of air quality queries prepared by AECOM included a wide range of technical matters. Without a response from GAL further progress cannot be made. It is anticipated that further progress can be made before the next Examination Deadline.</u></p>	<p>The verification methodology was agreed with local councils at the modelling methodology workshop in November 2022. Model files and results were provided to the TWG via email 18th August 2023.</p> <p>The baseline year of 2018 was selected based on traffic and monitoring data availability and was discussed and agreed to be used with the local authorities. This provides a reference level against which any potential changes in air quality can be assessed. Paragraph 13.5.18 of air quality assessment provides full details of the selected baseline year.</p> <p><u>Updated position (April 2024): The Applicant notes that the JLAs have provided a submission on air quality at Deadline 3. The Applicant will review this submission and respond accordingly.</u></p> <p><u>Updated position (Deadline 5): The Applicant has provided a response to the air quality matter submitted by the JLAs at Appendix A: Response to West Sussex Joint Local Authorities – Air Quality to The Applicant’s Response to Deadline 4 Submissions (Doc Ref. 10.38). The Applicant will respond at Deadline 6 to the JLAs’ review submitted at Deadline 4 [REP4-053].</u></p>	<p>Model Verification [APP-159]</p> <p><u>Appendix A: Response to West Sussex Joint Local Authorities – Air Quality to The Applicant’s Response to Deadline 4 Submissions (Doc Ref. 10.38)</u></p>	
2.2.2.7	Technical Details	<p>Clarifications on a range of technical details are required, including on rates of future air quality improvement, pollutants assessed, construction plant (i.e. asphalt plant), heating plant and road traffic modelling. Further information is requested to help understand if a realistic worst case has been assessed.</p> <p><u>Updated position (Deadline 1): A key part of this concern is around the modelled scenarios assessed. It is welcomed that GAL propose to provide further information at the next air quality TWG. This matter will remain under discussion until this TWG has been held. Further details can be provided to GAL for discussion on other clarifications.</u></p> <p><u>Updated position (Deadline 5): Gatwick Airport Limited (GAL) sets out in paragraph 3.7.7 of their Response to Deadline 3 Submissions [REP4-031] that the air quality matters submitted by the Joint Local Authorities at Deadline 3 (Appendix A) [REP3-117] will be responded to by Deadline 5. This Appendix of air quality queries prepared by AECOM included a wide range of technical matters.</u></p>	<p>ES Chapter 13: Air Quality has provided an assessment of air quality impacts from all related sources (road vehicles, aircraft and airport sources) following the methodology agreed with the local councils. A robust assessment presenting reasonable worst case effects has been provided in line with best practice guidance and available data. The assessment concludes that the impact of the Proposed Development would not be significant.</p> <p>GAL engaged with key stakeholders through the topic working groups and during such engagement, efforts were made to gain agreement with local authorities on key modelling points. Methodology transparency has been demonstrated and model files and results were provided to the TWG via email on 18th August 2023.</p> <p>Details on the Non Road Mobile Machinery (NRMM) (asphalt plant, concrete batching etc) and how it has been assessed can be found in Section 3.12 of the air quality assessment methodology.</p> <p>Details on the airport heating plant and road traffic modelling and how they have been assessed can be found in the air quality assessment methodology.</p>	<p>ES Chapter 13 Air Quality [APP-038]</p> <p>ES Appendix 13.4.1: Air Quality Assessment Methodology [APP-158]</p> <p>Appendix D of the Supporting Air Quality Technical Notes to the SoCGs [REP1-050] (Doc Ref. 10.4)</p> <p><u>Appendix A: Response to West Sussex Joint Local Authorities – Air Quality to The Applicant’s</u></p>	Under discussion

		<p>Without a response from GAL further progress cannot be made. It is anticipated that further progress can be made before the next Examination Deadline.</p>	<p>GAL is happy to liaise with the councils on further information requested.</p> <p>Updated position (Deadline 1): A technical note summarising the assessment scenarios has been provided at Deadline 1, within Appendix D of the Supporting Air Quality Technical Notes to the SoCGs (Doc Ref. 10.4).</p> <p>Updated position (April 2024): The Applicant notes that the JLAs have provided a submission on air quality at Deadline 3. The Applicant will review this submission and respond accordingly.</p> <p>Updated position (Deadline 5): The Applicant has provided a response to the air quality matter submitted by the JLAs at Appendix A: Response to West Sussex Joint Local Authorities – Air Quality to The Applicant’s Response to Deadline 4 Submissions (Doc Ref. 10.38). The Applicant will respond at Deadline 6 to the JLAs’ review submitted at Deadline 4 [REP4-053].</p>	<p>Response to Deadline 4 Submissions (Doc Ref. 10.38)</p>	
	<p>Air Quality and Emissions Mitigation Guidance for Sussex</p>	<p>The applicant has not clearly demonstrated regard to the Sussex Air Quality and Emissions Mitigation Guidance or the Defra air quality damage cost guidance in assessing air quality impacts and mitigation measures. The health/damage costs are not included in the DCO documents despite confirmation from the applicant that they would be undertaking a TAG (Transport Analysis Guidance) assessment which would identify the air quality damage costs of the Project. The underlying rationale of the Sussex Guidance is to quantify health damage costs associated with the transport emissions from the proposed development (NO2, M10/2.5) in order to offset these damages to protect human health. This approach is in line with the principals of Defra’s Clean Air Strategy.</p> <p>Updated position (Deadline 5): The Joint Local Authorities have submitted detailed reviews of the Air Quality Action Plan [REP2 -004]. Please see REP4-053 for this detailed review. Without a response from GAL further progress cannot be made. It is anticipated that further progress can be made before the next Examination Deadline.</p> <p>The JLAs response at D4 [REP4-042 para 2.34- 2.38] also discusses how the AQAP fails to address local air quality effects in line with the Air Quality and Emissions Mitigation Guidance for Sussex (the “Sussex Guidance”).</p>	<p>Updated position (Deadline 5): The Applicant will respond at Deadline 6 to the JLAs’ review submitted at Deadline 4 [REP4-053].</p>		

		<p>The purpose of the Sussex Guidance is to assess the health impacts from the additional emissions associated with the development and to provide mitigation a local level proportionate to the value of the damage to health.</p> <p>The Applicant doesn't accept that any additional Project related mitigation is necessary because they have not identified significant impacts. This approach is not consistent with the principles of the Sussex Guidance, which aims to offset the health effects of non-threshold pollutants irrespective of the significance assessment. The JLAS have addressed this point in their D4 response [REP4-042 para 2.39- 2.43]</p> <p>A response from GAL on these D4 submissions is awaited to progress discussions.</p>			
Assessment					
<p>2.2.3.1</p>	<p>Uncertainty and Controlled Growth</p>	<p>The future air quality predictions are in part, reliant, on modal shift assumptions. To understand how much air quality may deteriorate if measures are not successful, information is required on how sensitive predications are to modal shift objectives not being achieved.</p> <p>Updated position (Deadline 1): It is noted that an appraisal of air quality damages has been presented in Table 7.2.1 of Needs Case Appendix 1 – National Economic Impact Assessment (APP-251). It is also noted that measures to mitigate air quality have been identified. It is understood from the December TWG air quality meeting that an AQAP will be produced by GAL. Within this AQAP it is requested that GAL demonstrate how the overall monetary disbenefits identified will be redressed by the measures proposed.</p> <p>As a matter of clarification it is noted that road traffic NO_x and PM_{2.5} Other on-site operations are predicted to improved, can GAL outline the source of this improvement?</p> <p>Updated position (Deadline 5): Gatwick Airport Limited (GAL) sets out in paragraph 3.7.7 of their Response to Deadline 3 Submissions [REP4-031] that the air quality matters submitted by the Joint Local Authorities at Deadline 3 (Appendix A) [REP3-117] will be responded to by Deadline 5. This Appendix of air quality queries prepared by AECOM included a wide range of technical matters.</p> <p>The Joint Local Authorities have also submitted a detailed review of the Air Quality Action Plan [REP2 -004]. Please see REP4-053 for this detailed review.</p>	<p>The mode share commitments within the Surface Access Commitments (SACs) document (APP-090) represent the position GAL is confident it can achieve, based on the modelling of mode choice and transport network operation. Further details are provided in Report 7.4 of the Transport Assessment (AS-079). The range of interventions to improve sustainable travel has been tested to inform the mode share commitments reported in the Application. The SAC also includes a section on GAL's further aspirations, which includes more ambitious mode share targets which it will be working towards, but it has set the committed mode shares explicitly to ensure that the core surface access outcomes set out in Environmental Statement are delivered. The SAC contains measures to monitor and ensure that the mode commitments are met.</p> <p>Conservative assumptions have also been built into the air quality assessment to reduce uncertainty in any future scenario such as background values being frozen to 2030 and no improvements in aircraft emissions being accounted for in the air quality modelling.</p> <p>The assessment of air quality (APP-038) is measured against the relevant air quality standards. The draft Section 106 agreement includes commitment to monitoring of air quality at current and proposed monitoring sites against relevant air quality standards. Results will be reported to local authorities.</p> <p>Updated position (Deadline 1): The draft Outline AQAP will be provided to the LAs by 26th March (to align with Deadline 2), with</p>	<p>ES Report 7.4 Transport Assessment [AS-079]</p> <p>ES Appendix 5.4.1: Surface Access Commitments [APP-090]</p> <p>ES Chapter 13 Air Quality [APP-038]</p> <p>Schedule 1 and Appendix 5 of the Draft Section 106 Agreement [REP2-004]</p> <p>Appendix A: Response to West Sussex Joint Local Authorities – Air Quality to The Applicant's Response to Deadline 4 Submissions (Doc Ref. 10.38)</p>	<p>Under discussion</p>

		<p>Without a response from GAL further progress cannot be made. It is anticipated that further progress can be made before the next Examination Deadline.</p>	<p>the intention of submitting the outline version into the Examination in due course taking account of any feedback received.</p> <p>Updated Position (April 2024): The Applicant has provided a draft Air Quality Action Plan (AQAP) at Appendix 5 of the Draft Section 106 Agreement [REP2-004]. The document sets out measures and monitoring commitments related to air quality and odour management to be undertaken by GAL which are secured under the DCO or s106 Agreement. Section 1.2 of the draft AQAP summarises air quality improvements.</p> <p>Updated position (Deadline 5): The Applicant has provided a response to the air quality matter submitted by the JLAs at Appendix A: Response to West Sussex Joint Local Authorities – Air Quality to The Applicant’s Response to Deadline 4 Submissions (Doc Ref. 10.38). The Applicant will respond at Deadline 6 to the JLAs’ review submitted at Deadline 4 [REP4-053].</p>		
2.2.3.2	Additional Information	<p>A range of further information and clarifications that are required to fully understand the air quality assessment methodology and assessment outcomes presented in the ES.</p> <p>Updated position (Deadline 1): Further details can be provided to GAL for discussion on other clarifications.</p> <p>Updated position (Deadline 5): Gatwick Airport Limited (GAL) sets out in paragraph 3.7.7 of their Response to Deadline 3 Submissions [REP4-031] that the air quality matters submitted by the Joint Local Authorities at Deadline 3 (Appendix A) [REP3-117] will be responded to by Deadline 5. This Appendix of air quality queries prepared by AECOM included a wide range of technical matters. Without a response from GAL further progress cannot be made. It is anticipated that further progress can be made before the next Examination Deadline.</p>	<p>GAL is happy to liaise with the councils on further clarification requested.</p> <p>Updated position (April 2024): The Applicant notes that the JLAs have provided a submission on air quality at Deadline 3. The Applicant will review this submission and respond accordingly.</p> <p>Updated position (Deadline 5): The Applicant has provided a response to the air quality matter submitted by the JLAs at Appendix A: Response to West Sussex Joint Local Authorities – Air Quality to The Applicant’s Response to Deadline 4 Submissions (Doc Ref. 10.38). The Applicant will respond at Deadline 6 to the JLAs’ review submitted at Deadline 4 [REP4-053].</p>	<p>Appendix A: Response to West Sussex Joint Local Authorities – Air Quality to The Applicant’s Response to Deadline 4 Submissions (Doc Ref. 10.38)n/a</p>	Under discussion
2.2.3.3	Emissions Ceiling Calculations	<p>Linked to the concern about the assessment scenarios considered in the air quality assessment, the same concern applies to the emissions ceiling calculations, specifically how realistic these are, particularly when there are construction and operational activities ongoing and the emissions ceiling calculations treat these separately. Additionally, further clarification is needed on some counterintuitive changes predicted in the emissions ceiling calculations.</p> <p>Updated position (Deadline 1): It is proposed that further discussions on the Emission Ceiling Calculations are undertaken to clarify the specifics of</p>	<p>ES Chapter 13: Air Quality has provided an assessment of air quality impacts from all related sources (road vehicles, aircraft and airport sources) following the methodology agreed with the local councils. A robust assessment presenting reasonable worst case effects has been provided in line with best practice guidance and available data. The assessment concludes that the impact of the Proposed Development would not be significant.</p> <p>Conservative assumptions being applied in the assessment include background values being frozen to 2030 and no improvements in aircraft emissions being accounted for in the air quality modelling.</p>	<p>ES Chapter 13 Air Quality [APP-038]</p> <p>ES Appendix 13.4.1: Air Quality Assessment Methodology [APP-158]</p> <p>Transport Assessment [AS-079]</p>	Under discussion

		<p>the changes that appear counterintuitive. It is proposed this is done after GAL have presented on modelled scenarios at the next air quality TWG.</p> <p>Updated position (Deadline 5): Gatwick Airport Limited (GAL) sets out in paragraph 3.7.7 of their Response to Deadline 3 Submissions [REP4-031] that the air quality matters submitted by the Joint Local Authorities at Deadline 3 (Appendix A) [REP3-117] will be responded to by Deadline 5. This Appendix of air quality queries prepared by AECOM included a wide range of technical matters. Without a response from GAL further progress cannot be made. It is anticipated that further progress can be made before the next Examination Deadline.</p>	<p>Traffic modelling has been undertaken for two construction scenarios, airfield construction and surface access (highways) construction. Further detail is contained in the Transport Assessment. The construction scenarios assume the peak construction traffic flows applied to the first year of airfield (2024) and surface access (2029) construction which is a conservative assumption since emissions and background concentrations are anticipated to improve in future years.</p> <p>As set out in paragraph 13.5.53 of ES Chapter 13: Air Quality, the 2029 surface access construction scenario represents years 2029-2032, during which there will be an overlap with the operation of the Project. The 2029 surface access construction scenario is a combined scenario considering the contribution from both construction and operational traffic over this period to represent a realistic worst case assessment.</p> <p>GAL proposes to set out the model scenarios and provide that summary at TWGs to be arranged for Q1 2024.</p> <p>Details on the methodology and assumptions for the emissions inventory for the ES are presented in the methodology ES Appendix 13.4.1. The assessment has been based on the best estimate of emissions and conservative assumptions where applicable.</p> <p>Updated position (April 2024): A technical note summarising the assessment scenarios has been provided at Deadline 1, within Appendix D of the Supporting Air Quality Technical Notes to the SoCGs [REP1-050].</p> <p>Updated position (Deadline 5): The Applicant has provided a response to the air quality matter submitted by the JLAs at Appendix A: Response to West Sussex Joint Local Authorities – Air Quality to The Applicant’s Response to Deadline 4 Submissions (Doc Ref. 10.38). The Applicant will respond at Deadline 6 to the JLAs’ review submitted at Deadline 4 [REP4-053].</p>	<p>Appendix D of the Supporting Air Quality Technical Notes to the SoCGs [REP1-050]</p> <p>Appendix A: Response to West Sussex Joint Local Authorities – Air Quality to The Applicant’s Response to Deadline 4 Submissions (Doc Ref. 10.38)</p>	
Mitigation and Compensation					
2.2.4.1	Air Quality Action Plan - A combined operational air quality action plan (AQAP) has not been prepared to draw together carbon action plan and surface access commitments. It is	<p>This is a matter of local concern as shown in the local guidance prepared by Sussex authorities in 2021.</p> <p>Updated position (Deadline 1): This response does not align with the commitment provided by GAL in the December 2023 Air Quality TWG to provide an AQAP. Please can GAL confirm this response is out of date.</p>	<p>ES Chapter 13: Air Quality has indicated that there are no significant effects as a result of the Project and the Project is not predicted to impact compliance with the air quality standards.</p> <p>This notwithstanding, the assessment in Section 13.9 of ES Chapter 13: Air Quality sets out the proposed measures with the</p>	<p>ES Chapter 13 Air Quality [APP-038]</p> <p>ES Appendix 5.4.2: Carbon Action Plan [APP-091]</p>	Under discussion

	<p>also noted that the approach differs from previous discussions where a draft AQAP was provided in 2022. The proposed air quality action plan could be informed by monetisation of air quality impacts</p>	<p>Updated position (Deadline 5): The Joint Local Authorities have submitted a detailed review of the Air Quality Action Plan [REP2 -004]. Please see REP4-053 for this detailed review. Without a response from GAL further progress cannot be made. It is anticipated that further progress can be made before the next Examination Deadline.</p> <p>The Legal Partnership Authorities (LPAs) comments at D4 on the ExA's Written Questions [REP4-069 AQ1.5] also discusses a number of key issues within the draft AQAP including:</p> <ul style="list-style-type: none"> The draft AQAP only refers to the carbon action plan, surface access commitments and Construction code of Practice. There is no commitment to no additional mitigation beyond that designed into the scheme or required by regulation. The applicant's assessment of significance is based solely on meeting current air quality standards, which is then used as justification for providing no additional mitigation. This flawed approach does not take into account the latest scientific evidence relating to the health effects of non-threshold pollutants or the latest UK policy guidance which aims for reductions in pollution exposure over time and expects new developments to help facilitate these improvements even where significant effects are not identified. The Applicant proposes that the AQAP would be produced 5 years after the commencement date rather than from the outset of commencement. The AQAP does not identify which measures are intended to mitigate the increased Project related pollution or include performance indicators, such as delivery timescales and level of pollution reduction expected to be delivered by these measures. <p>A Response from GAL on these D4 submissions is awaited to progress discussions.</p>	<p>aim of reducing the airport contribution to local air quality regardless of significance.</p> <p>Measures that will be in place through the construction of the Project including mitigation and monitoring of dust are detailed in Section 5.8 of the ES Appendix Construction Period Mitigation and are included in the Code of Construction Practice, to be secured under a Requirement of the Draft DCO.</p> <p>The Carbon Action Plan sets out outcomes that GAL is committing to deliver for key airport operational and construction emissions sources. Commitments on surface access emissions are set out in the Surface Access Commitments.</p> <p>Measures and monitoring commitments will be secured via the DCO and updated draft Section 106 agreement. The commitments will provide suitable monitoring to allow for the local authorities to carry out their LAQM requirements.</p> <p>This approach taken for the ES is consistent with the principles of the Clean Air Strategy and guidance set out in the Sussex Guidance; it follows requirements for EIA and NPSs; and provides detailed commitments for suitable measures to be secured through the DCO. Table 13.4.1 of ES Chapter 13: Air Quality considers the Sussex Guidance.</p> <p>Table 7.2.1 of Needs Case Appendix 1 – National Economic Impact Assessment includes the TAG assessment identifying the air quality damage costs of the Project.</p> <p>Updated position (Deadline 1): GAL will provide a draft Outline AQAP to the LAs by 26th March (to align with Deadline 2), with the intention of submitting the Outline AQAP into the Examination in due course taking account of any feedback received.</p> <p>Updated Position (April 2024): The Applicant has provided a draft Air Quality Action Plan (AQAP) at Appendix 5 of the Draft Section 106 Agreement [REP2-004]. The document sets out measures and monitoring commitments related to air quality and odour management to be undertaken by GAL which are secured under the DCO or s106 Agreement.</p> <p>Updated position (Deadline 5): The Applicant will respond at Deadline 6 to the JLAs' review submitted at Deadline 4 [REP4-053].</p>	<p>ES Appendix 13.8.1: Air Quality Construction Period Mitigation [APP-161]</p> <p>ES Appendix 5.3.2: Code of Construction Practice (REP1-021 Dec Ref. 5.3)</p> <p>ES Appendix 5.4.1: Surface Access Commitments [APP-090]</p> <p>Table 7.2.1 of ES Needs Case Appendix 1 – National Economic Impact Assessment [APP-251]</p> <p>Draft DCO (REP3-006 Dec Ref. 2.1)</p> <p>Schedule 1 and Appendix 5 of the Draft Section 106 Agreement [REP2-004]</p>	
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<p>2.2.4.2</p>	<p>Operational air quality monitoring – linked to the uncertainty around the effectiveness of modal shift measures. There is no information of how air quality data will be reviewed to check that change are not more adverse than predicted, nor what measures would be taken is a significant adverse deterioration was monitored.</p>	<p>The concern is that it is unclear how operational monitoring would trigger air quality mitigation.</p> <p>Updated position (Deadline 1): Whilst there are provisions to monitor air quality from GAL it is unclear what actions would be taken if greater changes in air quality occur than predicted in the ES and what air quality triggers would be used to identify this. This could be addressed as part of the AQAP that GAL committed to provide in the Air Quality TWG in December 2023.</p> <p>Updated position (Deadline 5): The Joint Local Authorities have submitted a detailed review of the Air Quality Action Plan [REP2 -004]. Please see REP4-053 for this detailed review. Without a response from GAL further progress cannot be made. It is anticipated that further progress can be made before the next Examination Deadline.</p>	<p>ES Chapter 13: Air Quality has provided an assessment of air quality impacts from all related sources (road vehicles, aircraft and airport sources) following the methodology agreed with the local councils. The assessment has been based on the best estimate of emissions and conservative assumptions where applicable, presenting reasonable worst case effects in line with best practice guidance and available data.</p> <p>Conservative assumptions have also been built into the air quality assessment to reduce uncertainty in any future scenario such as background values being frozen to 2030 and no improvements in aircraft emissions being accounted for in the air quality modelling. The results of the ES show there are no significant effects being predicted. Since no significant effects have been predicted for air quality, no further mitigation or monitoring is required.</p> <p>The assessment in Section 13.9 of ES Chapter 13: Air Quality summarises the operational phase air quality monitoring.</p> <p>This notwithstanding, the assessment in Section 13.9 of ES Chapter 13: Air Quality sets out the proposed measures with the aim of reducing the airport contribution to local air quality regardless of significance.</p> <p>Measures that will be in place through the construction of the Project including mitigation and monitoring of dust are detailed in Section 5.8 of the ES Appendix Construction Period Mitigation and are included in the Code of Construction Practice, to be secured under a Requirement of the Draft DCO.</p> <p>The Carbon Action Plan sets out outcomes that GAL is committing to deliver for key airport operational and construction emissions sources. Commitments on surface access emissions are set out in the Surface Access Commitments.</p> <p>Measures and monitoring commitments will be secured via the DCO and updated draft Section 106 agreement. The commitments will provide suitable monitoring to allow for the local authorities to carry out their LAQM requirements.</p> <p>The draft Section 106 agreement includes commitment to monitoring of air quality at current and proposed monitoring sites against relevant air quality standards. Results will be reported to the local authorities.</p>	<p>ES Chapter 13 Air Quality [APP-038]</p> <p>ES Appendix 5.4.2: Carbon Action Plan [APP-091]</p> <p>ES Appendix 13.8.1: Air Quality Construction Period Mitigation [APP-161]</p> <p>ES Appendix 5.3.2: Code of Construction Practice (REP1-021Dec Ref. 5-3)</p> <p>ES Appendix 5.4.1: Surface Access Commitments [APP-090]</p> <p>Draft DCO (REP3-006Dec Ref. 2-1)</p> <p>Schedule 1 and Appendix 5 of the Draft Section 106 Agreement [REP2-004]</p>	<p>Under discussion</p>
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			<p>Updated position (Deadline 1): GAL will provide a draft Outline AQAP to the LAs by 26th March (to align with Deadline 2), with the intention of submitting the Outline AQAP into the Examination in due course taking account of any feedback received.</p> <p>Updated Position (April 2024): The Applicant has provided a draft Air Quality Action Plan (AQAP) at Appendix 5 of the Draft Section 106 Agreement [REP2-004]. The document sets out measures and monitoring commitments related to air quality and odour management to be undertaken by GAL which are secured under the DCO or s106 Agreement.</p> <p>Updated position (Deadline 5): The Applicant will respond at Deadline 6 to the JLAs' review submitted at Deadline 4 [REP4-053].</p>		
2.2.4.3	Construction Traffic Management Plan (CTMP) and Construction Workforce Travel Plan (CWTMP)	<p>Additional information on the monitoring of the effectiveness of the CTMP and CWTMP is requested. This is requested to understand how any deviation from the plan(s) will be addressed to protect air quality.</p> <p>Updated position (Deadline 1): Concerning the CTMP and CWTMP it is not clear what air quality monitoring and air quality triggers will be used to identify where air quality is worse than predicted in the ES and what actions would then be taken.</p> <p>Updated position (Deadline 5): Gatwick Airport Limited (GAL) sets out in paragraph 3.7.7 of their Response to Deadline 3 Submissions [REP4-031] that the air quality matters submitted by the Joint Local Authorities at Deadline 3 (Appendix A) [REP3-117] will be responded to by Deadline 5. This Appendix of air quality queries prepared by AECOM included a wide range of technical matters. The Joint Local Authorities have also submitted a detailed review of the Air Quality Action Plan [REP2 -004]. Please see REP4-053 for this detailed review. Without a response from GAL further progress cannot be made. It is anticipated that further progress can be made before the next Examination Deadline.</p> <p>In relation to airport growth we have reviewed the clarification paragraphs within Transport Assessment Report [APP-258] and in particular paragraph 152 which sets out:</p> <p><i>‘The construction arrangements at that time have therefore been overlaid on the strategic model for the 2029 with Project scenario, as at this time the northern runway is assumed to have opened [emphasis added] and additional demand would be present on the highway network.’</i></p>	<p>The impact from construction traffic due to movement of construction materials will be managed in accordance with a Construction Traffic Management Plan (CTMP). The impact of construction workforce travelling to and from the Airport will be managed in accordance with a Construction Workforce Travel Plan (CWTP), both of which will be developed by GAL and its contractors during detailed design / pre-construction stage in accordance with the Outline Construction Traffic Management Plan and Outline Construction Workforce Plan.</p> <p>The detailed CTMP and CWTP will be developed during detailed design and pre-construction stage in consultation with the relevant highway authority and the National Highways.</p> <p>Updated Position (April 2024): The Applicant has provided a draft Air Quality Action Plan (AQAP) at Appendix 5 of Draft Section 106 Agreement [REP2-004]. Section 2 of the AQAP sets out measures and monitoring commitments related to the construction phase, controlled by the Code of Construction Practice (CoCP) [REP1-021] secured by Requirement 7 of the Draft DCO. The current monitoring arrangements will allow the collection of air quality concentrations in the vicinity of the airport to support the understanding of air pollution effects in the construction period. The data will be used to compare against national standards.</p> <p>Updated position (Deadline 5): The Applicant has provided a response to the air quality matter submitted by the JLAs at Appendix A: Response to West Sussex Joint Local Authorities – Air Quality to The Applicant’s Response to Deadline 4</p>	<p>ES Appendix 5.3.2 Code of Construction Practice Annex 2 – Outline Construction Workforce Travel Plan [APP-084]</p> <p>ES Appendix 5.3.2 Code of Construction Practice Annex 3 – Outline Construction Traffic Management Plan [APP-085]</p> <p>Appendix 5 of the Draft Section 106 Agreement [REP2-004]</p> <p>ES Appendix 5.3.2: Code of Construction Practice [REP1-021]</p>	Under discussion

		<p><u>In this paragraph GAL appear to be stating that the operation of the northern runway forms part of the future baseline upon which Highways construction works have then been assessed. If this correct the applicant have treated part of the Project for which DCO is being sought as committed development, where permission has already been obtained.</u></p> <p><u>This is inappropriate and the Applicant should consider the effects on the road network and air quality from the Project as a whole from the combination of operational and construction activities. Specifically, comparing a future baseline without the operation of the northern runway against a situation where the northern runway is in operation and the Highways works are underway (i.e. the Project). This would show the change in traffic and air quality associated with the combined operational and construction effects associated with the Project that the DCO is being sought.</u></p> <p><u>Without this scenario the air quality effects of the Project in 2029 cannot be assessed and the significance of air quality effects determined. This is because the study area for the Projects combined operational and construction effects is unknow, nor have the receptors that would be affected been identified (human health or designated habitats) nor is the level of traffic change and the associated change in air quality known.</u></p> <p><u>A traffic dataset and air quality assessment update is required to appropriately consider the combined effects of the Project in 2029.</u></p>	<p><u>Submissions (Doc Ref. 10.38). The Applicant will respond at Deadline 6 to the JLAs' review submitted at Deadline 4 [REP4-053].</u></p>		
	<p><u>Monitoring effectiveness of CTMP and CWTP</u></p>	<p><u>There is a lack of information on the monitoring of the effectiveness of the CTMP and CWTP to understand how any deviation from the plans will be addressed to protect air quality.</u></p> <p><u>Updated position (Deadline 5): The Applicant's response refers to the draft AQAP (Appendix 5 of Draft S106 Agreement [REP2-004]) which provides no other information, detail or commitments than that included in ES Chapter 13 or the CoCP and therefore still does not address the issue</u></p> <p><u>Gatwick Airport Limited (GAL) sets out in paragraph 3.7.7 of their Response to Deadline 3 Submissions [REP4-031] that the air quality matters submitted by the Joint Local Authorities at Deadline 3 (Appendix A) [REP3-117] will be responded to by Deadline 5. This Appendix of air quality queries prepared by AECOM included a wide range of technical matters, including CTMP. Without a response from GAL further progress cannot be made. It is anticipated that further progress can be made before the next Examination Deadline.</u></p>	<p><u>Updated position (Deadline 5): The Applicant has provided a response to the air quality matter submitted by the JLAs at Appendix A: Response to West Sussex Joint Local Authorities – Air Quality to The Applicant's Response to Deadline 4 Submissions (Doc Ref. 10.38). The Applicant will respond at Deadline 6 to the JLAs' review submitted at Deadline 4 [REP4-053].</u></p>	<p><u>Appendix A: Response to West Sussex Joint Local Authorities – Air Quality to The Applicant's Response to Deadline 4 Submissions (Doc Ref. 10.38)</u></p>	<p><u>Under Discussion</u></p>

Other

There are no other issues relevant to this topic in this Statement of Common Ground.

2.3. Capacity and Operations

2.3.1 **Table 2.3** sets out the position of both parties in relation to capacity and operations matters.

Table 2.3 Statement of Common Ground – Capacity and Operations Matters

Reference	Matter	Stakeholder Position	Gatwick Airport Limited Position	Signposting	Status
<i>Please see the joint Statement of Common Ground prepared in relation to Capacity and Operations (Doc Ref. 10.1.18).</i>					

2.4. Climate Change

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

Table 2.4 Statement of Common Ground – Climate Change Matters

Reference	Matter	Stakeholder Position	Gatwick Airport Limited Position	Signposting	Status
Baseline					
2.4.1.1	Baseline Information – time periods for climate change projections are not far enough into the future to represent the worst case scenarios	<p>The most distant time period chosen for assessment was 2040-2069 (2060s) (paragraph 15.5.2 of ES Chapter 15 Climate Change), however, some asset components are assumed to be operational in perpetuity. These climate change projections are not adequately far enough into the future to represent the worst case scenario.</p> <p>Updated position (Deadline 1): It is acknowledged that the Applicant did undertake a thorough climate data gathering exercise sufficient to inform the assessment and meet planning requirements.</p> <p>Updated position (Deadline 3): <u>This principal matter of agreement has now been removed.</u></p> <p>Updated Position (Deadline 5): Addressed.</p>	<p>The most distant time period chosen for the assessment was 2050-2079 (2060s), not 2040-2069. This time period was selected to represent a reasonable worst-case scenario at the highest resolution that is available. The UKCP18 12km projections used within the assessment do not go beyond 2080. This dataset also include a range of useful variables to support the assessment (e.g. the number of hot days). The probabilistic projections do not contain these variables. In addition to this, it is recommended by the Met Office that consistency is maintained between the time periods used within an assessment. The most pessimistic RCP scenario was also employed to provide an indication of potential worst-case scenario conditions. Climate projections up to 2100 are used in ES Chapter 12: Traffic and Transport and ES Chapter 11: Water Environment in accordance with DMRB guidance.</p>	<p>ES Chapter 12: Traffic and Transport [APP-037]</p> <p>ES Chapter 11: Water Environment [APP-036]</p>	Agreed
Assessment Methodology					
2.4.2.1	Climate variables	<p>There was a lack of consideration of a number of climate variables including storm events, wildfire and fog, which is a key omission in the Climate Change Resilience Assessment. The applicant should give further consideration to the risks associated with these variables and include them in the report where appropriate.</p> <p>Updated position (Deadline 1): It is acknowledged that the Applicant will update the SoCG with the newly available wildfire data and add in additional information on fog.</p> <p>Noted and accepted regarding storm events.</p> <p>Updated Position (Deadline 5): <u>The 'Examination Technical Note – Climate Change 2: Wildfire and fog risks' has been reviewed and is considered to address this issue.</u></p>	<p>Storm events are considered through the inclusion of extreme rainfall (increased probability of extreme weather events (Risks 2, 13-15 in Appendix 15.8.1 Climate Change Resilience Assessment) and high winds (risks 18-21 in Appendix 15.8.1 Climate Change Resilience Assessment) within the assessment. The risks associated with these hazards have been assessed as medium risks. Additional information on changes in wind speeds can be found in Chapter 15 (Paragraph 15.5.28). Reductions in wind speeds are anticipated in winter and summer. Quantitative data on changes in lightning across the UK are not provided by UKCP18 at the 12km scale. A summary of the Met Office findings for changes in lightning across the UK is provided in Chapter 15 (Paragraph 15.5.27). Risks 22 and 23 in Appendix 15.8.1 Climate Change Resilience Assessment provide information on the potential impacts, resilience measures and risks associated with increased lightning strikes.</p> <p>Additional data is now available for wildfire that was not available at the time of submission of the DCO application, GAL will review this information, and respond to MSDC RR (6.1.3) in due course.</p>	<p>ES Appendix 15.8.1 Climate Change Resilience Assessment [APP-187]</p> <p>ES Chapter 15 Climate Change [APP-040]</p>	Agreed

			GAL is considering the need for a qualitative assessment for fog and will respond to MSDC RR (6.1.3) in due course.		
2.4.2.2	Risks	<p>The applicant should provide more information about the risk categories and definitions used for the Climate Change Resilience Assessment and Urban Heat Island Assessment and include the relevant risk frameworks in all documents (including the appendices) in which they are referenced.</p> <p>Updated position (Deadline 1): It is acknowledged that the Applicant provides information on the risk categories and definitions used for the CCRA and UHI assessment.</p>	The risk ratings are a combination of likelihood and consequence which are defined within Tables 15.8.1 and 15.8.2 of Chapter 15 of the ES (Climate Change). The risk matrix used also matches that included within the 2021 ARP3 Document for Gatwick. Using the same definitions and terminology ensures that the methodology for the assessment and the approach to managing any impacts is consistent.	ES Chapter 15 Climate Change [APP-040]	Agreed
Assessment					
2.4.3.1	Inconsistency and lack of detail in some climate impact statements.	<p>The climate impact statements (detailed in ES chapter 15 Table 15.8.5 and Table 15.8.6) are lacking in consistency in the way they are articulated in that some are missing an 'impact'. They have a cause e.g. 'increased flooding' and an 'event' e.g. flooding of electrical equipment' but no end 'impact' e.g. resulting in increased maintenance requirements or resulting in operational downtime. This end result is what should determine the consequence rating and could arguably have led to an underestimation of risk.</p> <p>Updated position (Deadline 1): Whilst there are different approaches to undertaking climate change risk assessments, and further detail and clarity around impact statements would be helpful, the Applicant's assessment of operational impacts does constitute a robust assessment that meets the planning requirements and the work undertaken is consistent with the relevant local council's policies regarding climate change.</p> <p>Updated position (Deadline 3): This principal matter of agreement has now been removed.</p> <p>Updated Position (Deadline 5): Addressed.</p>	The anticipated impacts of climate change are provided for all risks identified within the CCRA. In Chapter 15 of the ES (Climate Change) this is included within Tables 15.8.5 and 15.8.6 within the 'Climate Change Impact' column and in Appendix 15.8.1 (Climate Change Resilience Assessment) within Table 2.1.1 in the 'Climate Change Impact' column. Risk ratings would not change following a clarification of specific impacts and therefore no material impact on the assessment will arise.	<p>Tables 15.8.5 and 15.8.6 of ES Chapter 15 Climate Change [APP-040]</p> <p>Table 2.1.1 of Appendix 15.8.1 Climate Change Resilience Assessment [APP-187]</p>	Agreed
2.4.3.2	Disagree with the assessment that 'cumulative effects are nor relevant'	<p>We understand that a conclusion may be drawn that cumulative impacts from nearby projects maybe be 'insignificant', but we disagree with the statement that 'An assessment of cumulative effects is not relevant'. For example, nearby projects could exacerbate the urban heat island impact of the project or increase the impact of flooding to the site or access to the site.</p> <p>Updated position (Deadline 1): It is acknowledged that the Applicant did not assess for cumulative effects outside of the project site boundary, as the CCR only assessed those within this area.</p>	The Zone of Influence considered within the cumulative effects assessment was the project site boundary for the CCR assessment. This does not include nearby projects therefore it was not relevant to assess the potential impact of additional projects on the UHI. The UHI effect was found to be low and therefore it would be unlikely that any nearby development would exacerbate this.	ES Appendix 15.8.1 Climate Change Resilience Assessment [APP-187]	Agreed

		<p>Updated position (Deadline 3): This principal matter of agreement has now been removed.</p> <p>Updated Position (Deadline 5): Addressed.</p>			
Mitigation and Compensation					
2.4.4.1	Lack of identification of additional mitigation / adaptation measures.	<p>Whilst the Applicant may not have assessed any of the risks as 'significant', the identification of further mitigation or adaptation measures seems to be an omission in the report. If there are design decisions or operational management measures that can be put in place to increase resilience they should be noted and communicated along with an indication of who is responsible and the timing of implementation. For example, Appendix 5.3.2 Code of Construction Practice lists a number of 'options for climate resilience measures' which should also be included in this report.</p> <p>Updated position (Deadline 1): It is acknowledged that the Applicant has outlined mitigation and adaptation measures for the project in the report and appendixes, in addition to referencing existing policies and plans in place at GAL.</p> <p>Updated position (Deadline 3): This principal matter of agreement has now been removed.</p> <p>Updated Position (Deadline 5): Addressed.</p>	<p>Further adaptation measures are not formally identified (under the heading of 'further mitigation') as no significant risks were identified within the assessment which would require mitigation that is not already embedded within the Project. However, mitigation measures are included within relevant chapters/documents. The Code of Construction Practice includes an overview of relevant mitigation measures. This document is referenced within Chapter 15 of the ES (Climate Change). The Gatwick Airside Operations Adverse Weather Plan (GAL, 2021) sets out additional measures that should be followed during other extreme weather events. The Outline Climate Resilience Design Principles captured within the Design and Access Statement detail how elements of the design have been developed to account for climate change adaptation and would be implemented at the time of construction.</p> <p>An additional summary of mitigation measures/commitments made in relation to mitigation can be found in the Mitigation Route Map.</p> <p>Additionally, several mitigation measures are already embedded within the project. These are detailed within Table 15.8.4 and 15.9.1 in Chapter 15 of the ES (Climate Change).</p>	<p>ES Appendix 5.3.2: Code of Construction Practice (REP1-021)</p> <p>ES Chapter 15 Climate Change [APP-040]</p> <p>Design and Access Statement Volume 5 [APP-257]</p> <p>ES Appendix 5.2.3 Mitigation Route Map [APP-078]</p>	Agreed
2.4.4.2	Route Map	<p>The applicant should make the link clearer between ES Chapter 15 Climate Change and Appendix 5.2.3 Mitigation Route Map and ensure they are consistent.</p> <p>Updated position (Deadline 1): Noted, no further comment.</p> <p>Updated Position (Deadline 5): Addressed.</p>	<p>ES Chapter 15: Climate Change Chapter makes reference to relevant chapters/documents within the DCO application that specify relevant mitigation and management approaches in relation to climate change. The measures within the Mitigation Route Map are consistent with those included in Chapter 15 (Climate Change) in Table 15.8.4 and Table 15.9.1.</p>	<p>Table 15.8.4 and Table 15.9.1 of ES Chapter 15 Climate Change [APP-040]</p> <p>Appendix 5.2.3 Mitigation Route Map [APP-078]</p>	Agreed
Other					
There are no other matters relevant to this topic in this Statement of Common Ground.					

2.5. Construction

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

Table 2.5 Statement of Common Ground – Construction Matters

Reference	Matter	Stakeholder Position	Gatwick Airport Limited Position	Signposting	Status
2.5.1.1	Construction Traffic Management Plan (CTMP) and Construction Workforce Travel Plan (CWTP)	<p>Additional information on the monitoring of the effectiveness of the CTMP and CWTMP is requested. This is requested to understand how any deviation from the plan(s) will be addressed to protect air quality.</p> <p>Updated position (Deadline 1): Concerning the CTMP and CWTMP it is not clear what air quality monitoring and air quality triggers will be used to identify where air quality is worse than predicted in the ES and what actions would then be taken.</p> <p>Updated position (Deadline 5): The information in the draft AQAP refers back to measures in the Code of Construction Practice [REP1-021]) without addressing the concerns raised by the Authorities that these measures lack sufficient detail.</p> <p>In terms of clarifying traffic growth in the future baseline and vehicle trips associated with the Project during construction and operation, the adequacy of the ES for the air quality assessment is addressed in 2.2.4.3 above.</p> <p>Gatwick Airport Limited (GAL) sets out in paragraph 3.7.7 of their Response to Deadline 3 Submissions [REP4-031] that the air quality matters submitted by the Joint Local Authorities at Deadline 3 (Appendix A) [REP3-117] will be responded to by Deadline 5. This Appendix of air quality queries prepared by AECOM included a wide range of technical matters, including CTMP. Without a response from GAL further progress cannot be made. It is anticipated that further progress can be made before the next Examination Deadline.</p>	<p>The impact from construction traffic due to movement of construction materials will be managed in accordance with a Construction Traffic Management Plan (CTMP). The impact of construction workforce travelling to and from the Airport will be managed in accordance with a Construction Workforce Travel Plan (CWTP), both of which will be developed by GAL and its contractors during detailed design / pre-construction stage in accordance with the Outline Construction Traffic Management Plan and Outline Construction Workforce Plan.</p> <p>The detailed CTMP and CWTP will be developed during detailed design and pre-construction stage in consultation with the relevant highway authority and the National Highways.</p> <p>Updated Position (April 2024): The Applicant has provided a draft Air Quality Action Plan (AQAP) at Appendix 5 of Draft Section 106 Agreement [REP2-004]. Section 2 of the AQAP sets out measures and monitoring commitments related to the construction phase, controlled by the Code of Construction Practice (CoCP) [REP1-021] secured by Requirement 7 of the Draft DCO. The current monitoring arrangements will allow the collection of air quality concentrations in the vicinity of the airport to support the understanding of air pollution effects in the construction period. The data will be used to compare against national standards.</p>	<p>ES Appendix 5.3.2 Code of Construction Practice Annex 2 – Outline Construction Workforce Travel Plan [APP-084]</p> <p>ES Appendix 5.3.2 Code of Construction Practice Annex 3 – Outline Construction Traffic Management Plan [APP-085]</p> <p>Appendix 5 of the Draft Section 106 Agreement [REP2-004]</p> <p>ES Appendix 5.3.2: Code of Construction Practice [REP1-021]</p>	Under discussion
2.5.1.2	Outline Construction Management Plan	<p>The Outline Construction Management Plan (Appendix 5.3.2) does not provide sufficient certainty that impacts from construction traffic on Mid Sussex highway network will be mitigated.</p> <p>Updated position (Deadline 1): It is noted that the CTMP, Appendix A sets out the routes that will be 'restricted access' routes. Proposed restrictions on Radford Road and Balcombe Road are supported.</p> <p>Paragraph 6.4.2 indicates that further work is required to identify the finer details of local road restrictions.</p> <p>Require that the provision of the CMTP is secured through the DCO.</p>	<p>The impact from construction traffic due to movement of construction materials will be managed in accordance with a Construction Traffic Management Plan (CTMP). The impact of construction workforce travelling to and from the Airport will be managed in accordance with a Construction Workforce Travel Plan (CWTP), both of which will be developed by GAL and its contractors during detailed design / pre-construction stage in accordance with the Outline Construction Traffic Management Plan and Outline Construction Workforce Plan.</p> <p>The detailed Construction Traffic Management Plan (CTMP) and Construction Workforce Travel Plan (CWTP) will be developed during detailed design and pre-construction stage in consultation with the relevant highway authority and the National Highways.</p>	<p>ES Appendix 5.3.2 Code of Construction Practice Annex 2 – Outline Construction Workforce Travel Plan [APP-084]</p> <p>ES Appendix 5.3.2 Code of Construction Practice Annex 3 – Outline Construction Traffic Management Plan [APP-085]</p>	Under discussion

		<p><u>Updated position (Deadline 5): Concerns remain about the lack of clarity about how contingency construction routes may be used. The criterion suggested by the Applicant at April 2024 that they could be used for “local suppliers” could potentially involve the use of local roads and could have impacts on local residents.</u></p>	<p><u>Updated position (April 2024): The CTMP issued post DCO approval will provide the criteria for when local roads will need to be used e.g for local suppliers, emergency situations and when construction is on the local road.</u></p>		
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2.6. Cumulative Effects and Interrelationships

2.6.1 Table 2.6 sets out the position of both parties in relation to cumulative effects and interrelationships matters.

Table 2.6 Statement of Common Ground – Cumulative Effects and Interrelationships Matters

Reference	Matter	Stakeholder Position	Gatwick Airport Limited Position	Signposting	Status
2.6.1.1	Capacity of Crawley Sewerage Treatment Works,	<p>The Authorities have not yet been assured by the Applicant that Thames Water has confirmed that the impact of the DCO's increased wastewater flows, together with those from planned development in the area have been taken into account.</p> <p>If upgrades to the Works are deemed necessary, there is no clarity on whether this could impact on phasing for other developments.</p> <p>Confirmation from Thames Water.</p> <p>Updated Position (Deadline 5): The Applicant has now notified the ExA and is consulting on a Change to the DCO to provide an on-airport foul water treatment works. MSDC will review the information with regard to the impact of these works.</p>			Under Discussion

2.7. Draft DCO and Explanatory Memorandum

2.7.1 Table 2.7 sets out the position of both parties in relation to Draft DCO and Explanatory Memorandum matters.

Table 2.7 Statement of Common Ground – Draft DCO and Explanatory Memorandum Matters

Reference	Matter	Stakeholder Position	Gatwick Airport Limited Position	Signposting	Status
2.7.1.1	The drafting of the draft DCO	As currently drafted the Development Consent Order does not provide sufficient controls to manage development proposals. Updated position (Deadline 1): Noted	The Council's specific concerns are responded to below.	Draft DCO (REP3-006)	N/A
2.7.1.2	Definition of "commencement"	The definition of "commencement" and, in particular, the implications arising from certain operations which fall outside that definition, and which do not appear to be controlled (article 2(1), interpretation). Updated position (Deadline 1): All references in this column to the draft Development Consent Order ("dDCO") are to Version 3.0 of the dDO [PDLA-004] dated February 2024. This column provides a summary of the Council's position in respect of the points detailed in Table 2.7. Further detail, particularly in respect of points not addressed in Table 2.7, will be submitted at Deadline 1. It is noted that each of the 15 exceptions to the definition of "commencement" is either included in at least one of the following made DCOs: Sizewell C, Manston Airport, and M25 Junction 28, or "aligns with emerging drafting submitted in the Luton Airport Expansion" dDCO. The SoCG and Explanatory Memorandum ("EM") [AS-006] identify precedents; however, this is not enough. For instance, it does not follow that a provision relevant to the authorisation of a nuclear-powered generating station in Suffolk or the alteration of a motorway junction in Essex is relevant to the instant project. The relevance must be explained and the inclusion of the provision justified. The same point applies to provisions based on those which are included in airport DCOs, made or otherwise. <i>Advice Note Fifteen: Drafting Development Consent Orders</i> (republished July 2018 (version 2)) is clear on this point. It states – "If a draft DCO includes wording derived from other made DCOs, this should be explained in the Explanatory Memorandum. <u>The Explanatory Memorandum should explain why that particular wording is relevant to the proposed draft DCO, for example detailing what is factually similar for both the relevant consented NSIP and the Proposed Development. It is not sufficient for an Explanatory Memorandum to simply state that a particular</u>	The drafting of the definition of "commence" has advanced since the version commented upon. There are now 15 exceptions at sub-paragraphs (a) to (o) of article 2(1). These exceptions are all preceded by at least one of the Sizewell C (article 2), Manston Airport (article 2) or M25 J28 (article 2) DCOs or align with emerging drafting submitted in the Luton Airport Expansion application (Schedule 2, Part 1). The only additional provision is sub-paragraph (n) (establishment of temporary haul roads), which has been included as a separate limb for clarity, though the stated activity falls within the scope of other more generally worded exceptions from "commencement" in precedent DCOs (e.g. 'construction of temporary structures'). As per paragraph 3.4.1 of the Explanatory Memorandum to the Draft Development Consent Order ("ExM"), it is reasonable and proportionate to include the specified exceptions to enable the efficient use of time in the construction timetable prior to the triggering of "commencement" under the DCO. All pre-commencement activities will be subject to the Code of Construction Practice and its associated management plans (see requirement 7) and must be carried out in accordance with the Carbon Action Plan (see requirement 21). The activities specified in this definition were selected to accord with precedent and as activities which can be (and, in many cases, must be) carried out early in the construction timetable. As per the ExM, the activities do not give rise to materially new or materially different environmental effects to those assessed in the ES. The ES assesses the environmental impacts from preparatory and construction activities for the project, and the activities captured by the exceptions to the definition of "commence" have been assessed as part of this exercise. However, given that the exceptions are categories of activities which form part of the wider preparatory and	Draft DCO (REP3-006) Doc-Ref-2.1 Paragraph 3.4.1 of the Explanatory Memorandum to the Draft Development Consent Order [AS-006] ES Chapter 5 Project Description (REP1-016) Doc-Ref-5.1	Not Agreed

		<p><u>provision has found favour with the Secretary of State previously; the ExA and Secretary of State will need to understand why it is appropriate for the scheme applied for. Any divergence in wording from the consented DCO drafting should also be explained. Note, though, that policy can change and develop".</u> (Paragraph 1.5, emphasis added).</p> <p>In the light of the above, it is clear the applicant should give reasons specific to each exception being suggested, rather than seeking to rely on the generic reference to precedent made in the EM and SoCG.</p> <p>The Council notes pre-commencement activities are subject to the COCP; however, this is not clear from Requirement 7 (code of construction practice) and it should be made explicit on the face of the dDCO. The limitations of the COCP, and the Council's concerns about that document, are described elsewhere in this document.</p> <p>Paragraph 3.4.1 of the EM [AS-006] states the excluded operations "do not give rise to any materially new or materially different environmental effects to those assessed in the Environmental Statement (Doc Ref. 5.1), being either de minimis or having minimal potential for adverse effects, in line with the Planning Inspectorate's Advice Note 15". Paragraph 3.4.1 then goes on to refer to them as "low impact preparatory works".</p> <p>Certain of the excluded operations would seem capable of giving rise to significant effects and it is not clear how the dDCO restricts these works to "low impact preparatory works". To give one example, sub-paragraph (k) ("erection of temporary buildings and structures") does not place any limit on the size of the "buildings and structures" or indicate what "temporary" might mean. An explanation is needed.</p> <p>Regarding temporary exempted works generally (for instance, as well as the temporary buildings and structures already referred to, sub-paragraph (n) provides for the "establishment of temporary haul roads" and sub-paragraph (o) for the "temporary display of site notices, advertisements or information") it is not clear how these will be dealt with when they are no longer needed. Again, this needs to be made clear on the face of the dDCO.</p> <p>The Council is surprised by the applicant's conclusion that no passage from the ES can be cited in respect of any exception (noting that, to give one example, the exception could provide for a temporary building of limitless size). The Council considers this approach to pre-commencement activities to be too casual and owing to this, and the lack of certainty as to what the exceptions to "commencement" would entail,</p>	<p>construction works timetable, there are not specific passages of the ES which can be cited in respect of each individual exception. Certain of the pre-commencement activities which can be identified with particular certainty at this stage are described from Paragraph 5.3.8 of ES Chapter 5: Project Description.</p> <p><u>Updated position (April 2024):</u></p> <p><u>The Applicant reiterates that the approach of excepting certain construction activities from triggering "commencement" of the DCO is well precedented in made DCOs. The Council's comments on the relevance of precedent are noted, but the Applicant considers that it is useful to bring this to the ExA's attention to demonstrate where drafting approaches are commonly deployed by promoters and accepted by the Secretary of State. The justification for excepting activities from "commencement" accompanies the references to precedent in paragraph 3.4.1 of the Explanatory Memorandum to the Draft Development Consent Order [REP1-007].</u></p> <p><u>In respect of the Council's comment on the CoCP, this is already apparent on the face of the DCO. Requirement 7 specifies that "Construction of the authorised development must be carried out in accordance with the code of construction practice unless otherwise agreed with CBC" (emphasis added). There is no reference to commencement. Therefore, any part of the authorised development being carried out is subject to the CoCP. Duplicative wording in a separate location of the draft DCO is unnecessary.</u></p> <p><u>All pre-commencement activities will be subject to the CoCP and its associated management plans (see requirement 7); the written schemes of investigation for Surrey and West Sussex (see requirement 14); the Carbon Action Plan (see Requirement 21) and the flood resilience statement (see Requirement 24). These control measures provide sufficient assurance that impacts of pre-commencement works will be adequately managed.</u></p>		
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		<p>considers these works should be subject to the approval of either the local planning authority or local highway authority, depending on the type of works involved.</p> <p>Updated Position: Deadline 5 (6 June 2024) <u>The Applicant states “Certain of the pre-commencement activities which can be identified with particular certainty at this stage are described from paragraph 5.3.8 of ES Chapter 5: Project Description. [REP1-017]”. In that document, Table 5.3.1: Indicative Sequencing of Construction Works identifies the following pre-commencement activities –</u></p> <ul style="list-style-type: none"> <u>pre-construction activities (including surveys for any Unexploded Ordnance (UXO) and any necessary pre-construction surveys). This would seem to fall within sub-paragraph (b) of the definition of “commence” in article 2(1) (interpretation);</u> <u>establishment of compounds. This would seem to fall within sub-paragraph (m) of the definition of “commence”;</u> <u>fencing. This would seem to fall within sub-paragraph (e) of the definition of “commence”; and</u> <u>diversion works and re-provision of essential replacement services. These would seem to fall within sub-paragraph (h) of the definition of “commence”.</u> <p>- <u>No mention of the remaining elements of the definition of “commence” is included in Table 5.3.1.</u></p> <p>- <u>The Council therefore maintains its position as set out in Update 1: the applicant should give reasons specific to each exception being suggested. For instance, no justification is given for the inclusion of the “erection of temporary buildings and structures” (sub-paragraph (k) and no idea is provided regarding the size of these or what “temporary” might mean. Regarding the “establishment of temporary haul roads” (sub-paragraph (n)), and the “temporary display of site notices” it is not clear how these will be dealt with when they are no longer needed.</u></p>			
2.7.1.3	Article 3	<p>The drafting of article 3 (development consent etc. granted by Order).</p> <p>Updated position (Deadline 1): A drafting point regarding article 3(2): the EM says this paragraph is precedented in art.3(2) of the Manston Airport DCO 2022; however, while Gatwick refers to “Any enactment applying to land within or adjacent to the Order limits ...” Manston refers to “Any enactment applying to land within, adjoining or sharing a common boundary with the Order limits”.</p>	<p>Several precedent DCOs contain a separate article authorising the operation and use of the authorised development – see, for example, article 7 of the Sizewell C DCO: “<i>The undertaker is authorised to operate and use the authorised development for which development consent is granted by this Order.</i>”</p>	<p>Draft DCO (REP3-006 Dec Ref. 2.1)</p>	<p>Not Agreed</p>

		<p>The Council would be grateful if the applicant could confirm why it departed from the cited precedent.</p> <p>Updated Position: Deadline 5 (6 June 2024)</p> <p>The Applicant states “Certain of the pre-commencement activities which can be identified with particular certainty at this stage are described from paragraph 5.3.8 of ES Chapter 5: Project Description. [REP1-017]”. In that document, Table 5.3.1: Indicative Sequencing of Construction Works identifies the following pre-commencement activities –</p> <ul style="list-style-type: none"> • pre-construction activities (including surveys for any Unexploded Ordnance (UXO) and any necessary pre-construction surveys). This would seem to fall within sub-paragraph (b) of the definition of “commence” in article 2(1) (interpretation); • establishment of compounds. This would seem to fall within sub-paragraph (m) of the definition of “commence”; • fencing. This would seem to fall within sub-paragraph (e) of the definition of “commence”; and • diversion works and re-provision of essential replacement services. These would seem to fall within sub-paragraph (h) of the definition of “commence”. <p>No mention of the remaining elements of the definition of “commence” is included in Table 5.3.1.</p> <p>The Council therefore maintains its position as set out in Update 1: the applicant should give reasons specific to each exception being suggested. For instance, no justification is given for the inclusion of the “erection of temporary buildings and structures” (sub-paragraph (k) and no idea is provided regarding the size of these or what “temporary” might mean. Regarding the “establishment of temporary haul roads” (sub-paragraph (n)), and the “temporary display of site notices” it is not clear how these will be dealt with when they are no longer needed.</p>	<p>In drafting article 3 of the draft DCO, it was considered that it was clearer and more succinct to subsume the separate authorisation of operation and use into a single provision in article 3.</p> <p>Updated position (April 2024):</p> <p>The Applicant considers that “adjacent” is more appropriate than the wording cited in the Manston Airport Development Consent Order 2022. It is not clear to the Applicant the distinction between land “adjoining” the Order limits and land “sharing a common boundary with the Order limits” from the Manston Order. Use of “adjacent” captures enactments which affect land adjoining the Order limits and land otherwise very near to the Order limits, both of which may still (if not taking effect subject to the provisions of the Order) hinder the carrying out of the authorised development (e.g. by preventing access to the site).</p> <p>The Applicant notes that the drafting in article 3(2) of the draft DCO (including “or adjacent”) is well precedented in made DCOs, including article 3(9) of the National Grid (Yorkshire Green Energy Enablement Project) Development Consent Order 2024, article 4(2) of the A66 Northern Trans-Pennine Development Consent Order 2024 and article 3(2) of the Boston Alternative Energy Facility Order 2023.</p>		
2.7.1.4	Article 9	<p>The drafting of article 9 (planning permission) and confirmation regarding which planning permission and conditions the applicant is concerned about.</p> <p>Updated position (Deadline 1): To allow the Council to understand the full implications of article 9(3) and (4), the Council requests the applicant provides a full list of the existing planning permissions (including deemed planning permission) which are at issue. Once that information is provided, the Council will be better able to say whether those provisions are acceptable.</p> <p>Regarding article 9(4), who will decide what “incompatible” means and how that will be conveyed to other parties (e.g. the local planning authority)?</p>	<p>Please refer to paragraphs 4.24 – 4.28 of the ExM, which explains the rationale for article 9 in light of the recent Supreme Court decision in <i>Hillside Parks Ltd v Snowdonia National Park Authority</i> [2022] UKSC 30. Other recently submitted DCO applications make similar provision, including the draft Luton Airport Expansion DCO (article 45) and Lower Thames Crossing DCO (article 56).</p> <p>As regards the cited wording which disapplies incompatible conditions of previously granted planning permissions, similar wording features in article 45(2)(c) of the draft Luton Airport Expansion DCO.</p> <p>In response to the further queries:</p>	<p>Draft DCO (REP3-006 Dec Ref. 2.1)</p> <p>Paragraphs 4.24 – 4.28 of the Explanatory Memorandum to the Draft Development Consent Order [AS-006]</p>	Not Agreed

	<p>Regarding article 9(5), the Council disagrees with the applicant's analysis that retaining permitted development rights would "allow for minor works to be separately consented without needing to rely on an amendment to the Order, which would be disproportionate and impractical".</p> <p>First, the Council considers the potential scope of development permitted by the provisions cited in article 9(5) cannot be dismissed as "minor works" and is unconvinced these should be retained. Second, if further development, which is not authorised by the DCO, is to take place at the airport, it should be subject to control by the local planning authority. Third, if the applicant wants the DCO to authorise yet further works, these should be included in Schedule 1 in the usual way (and their effects assessed). This approach is consistent with <i>Advice note thirteen: Preparation of a draft order granting development consent and explanatory memorandum</i> (Republished February 2019 (version 3)) which states (at paragraph 2.9) the dDCO should include the following –</p> <ul style="list-style-type: none"> • "A full, precise and complete description of each element of the NSIP, preferably itemised in a Schedule to the DCO; and • A full, precise and complete description of each element of any necessary "associated development". <p>The retention of permitted development rights could, contrary to <i>Advice note thirteen</i>, result in a partial and incomplete description of the proposed development being included in the dDCO.</p> <p><u>Updated Position: Deadline 5 (6 June 2024)</u></p> <p><u>The Council is mainly concerned with paragraphs (4) and (5), neither of which is included in the corresponding provisions of the Lower Thames Crossing or Luton draft DCOs. (See article 56 of the former [REP10-005] and article 45 of the latter [REP11- 092]).</u></p> <p><u>Article 9(4): regarding paragraph (4), the Applicant has confirmed in its answer to ExQ1 GEN1.2 [REP3-091]- "The operation of the repositioned northern runway, once implemented, would be incompatible with the restrictions on its use under the 1979 planning permission. As such, Article 9(4) would be engaged and that use restriction under the 1979 planning permission would cease to have effect". In its Deadline 4 response to this answer, the Council states the power under paragraph (4) should be limited to the identified mischief i.e. the relevant conditions of the 1979 planning permission. The Council considers there is no justification for this power, which is extraordinary for a private company, to be cast any wider.</u></p> <p><u>Article 9(5): the Council maintains the position, which has been articulated in previous submissions, that the exceptions concerning permitted development rights within article 9(5) (and requirements 4 and 10) should be removed and drafting included which provides the permitted development rights do not apply. (Please see, for example, column 6 of</u></p>	<ol style="list-style-type: none"> 1) The drafting at article 9(1) of the draft DCO is a model provision (article 36) which is well-established in numerous precedent DCOs. The drafting is by reference to section 264 of the Town and Country Planning Act 1990 ("TCPA 1990") and the effect is to ensure that permitted development rights attaching to the undertaker in relation to operational land have effect as they would do if planning permission had been granted for the authorised development. "Operational land" is defined in section 263 TCPA 1990. 2) Sub-paragraphs (2) and (3) address legal risk arising from the <i>Hillside</i> decision and ensure that (i) the authorised development can continue to be carried out notwithstanding an incompatible planning permission and (ii) planning permissions granted and initiated prior to commencement of the authorised development under the DCO can continue to be lawfully implemented thereafter. Whether activities authorised by the DCO are taking place pre- or post-commencement do not affect these principles. 3) As above. 4) 'Incompatibility' is as discussed in the <i>Hillside</i> decision. A planning permission would be 'incompatible' with the development authorised by the DCO if it were physically impossible to build out both developments (e.g. due to overlapping consented structures). <p>There is no sub-paragraph (9) in article 9 of the current draft DCO and it is presumed that this point is in reference to sub-paragraphs (5) and (6) of the present drafting. These make clear that the DCO does not restrict the future exercise by the undertaker of permitted development rights. This is necessary to ensure that GAL as airport operator can continue to rely on its extant permitted development rights to facilitate the ongoing operation of the airport and allow for minor works to be separately consented without needing to rely on an amendment to the Order, which would be disproportionate and impractical.</p> <p><u>Updated position (April 2024):</u></p> <p><u>The Applicant refers to the explanation provided at paragraph 4.1.24 of its Written Summary of Oral Submissions from Issue Specific Hearing 2: Control Documents / DCO [REP1-057].</u></p> <p><u>The Applicant does not consider that a prescribed mechanism is required as regards potential incompatibility dealt with by article 9(4). The question of incompatibility under article 9(4) is only likely to arise in the event that enforcement action is pursued in respect of</u></p>		
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		<p>Appendix M to the West Sussex LIR [REP1-069], action point 10 of Legal Partnership Authorities Responses to Applicants Written Summary of Oral Submissions and Responses to Actions (from Issue Specific Hearings 1-5) [REP2-081], and paragraph 4.2 of Issue Specific Hearing 2: Control Documents and the DCO Post Hearing Submission [REP2-212].</p>	<p>an extant planning permission. In such circumstances, it would be for the defendant party to rely on article 9(4) and particularise how it affects the enforcement action in question.</p> <p>As regards article 9(5), all works forming part of the Project have been included in the Applicant's application. As per the Applicant's response to Action Point 10 in The Applicant's Response to Actions from Issue Specific Hearing 2: Control Documents / DCO [REP1-063], many of the works forming part of the DCO application could otherwise have been carried out by the Applicant under its permitted development rights. The Applicant has chosen to seek a DCO for the Project as a whole, holistically, and accepts that the Project should be controlled as a whole through the DCO and related control documents.</p> <p>However, this approach does not mean that the Applicant should be deprived of its permitted development rights over the operational airport in future if the DCO is granted, as now appears to be the Council's suggestion. The Applicant does not consider it appropriate for a DCO, which is granted in respect of a defined project which will be built out and in due course completed, to disapply permitted development rights relating to that site for the purpose of future, distinct development. The rationale for the provision by Government (under the authority of Parliament) of permitted development rights to airport operators such as the Applicant is to allow them to carry out development in support of the effective and efficient running of an airport. This rationale remains – and is indeed amplified – if this DCO is granted and the northern runway is brought into routine use.</p> <p>In any event, article 9(5) merely restates and clarifies what the Applicant considers to be the existing position at law, and the Applicant does not consider that a DCO without this wording would restrict the subsequent use of permitted development rights. However, it is considered preferable to clarify this expressly.</p>		
2.7.1.5	Article 14(5)	<p>The standard to which alternative routes must be provided under article 14(5) (temporary closure of streets).</p> <p>Updated position (Deadline 1): New sub-paragraph after sub-paragraph (5) The Council cannot envisage a situation when it would not want an alternative temporary route to be provided and considers it would be more straightforward if this was made clear in the DCO.</p> <p>“Must not be of a lower standard”</p>	<p>The drafting of article 14 has advanced since the version commented on by the Councils.</p> <p>New sub-paragraph after sub-paragraph (5)</p> <p>The additional wording proposed to be included after existing sub-paragraph (5) is not considered necessary. Sub-paragraph (4) already provides that: "The undertaker must not temporarily alter, divert, prohibit the use of or restrict the use of any street without the</p>	<p>Draft DCO (REP3-006Dec-Ref. 2.1)</p>	Not Agreed

		<p>The Council notes the applicant's response and is considering its position.</p> <p><u>Deeming provision</u> The extension of deadline from 28 to 56 days is welcomed; however, the Council maintains its in-principle objection to the deeming provision.</p> <p><u>Updated Position: Deadline 5 (6 June 2024)</u></p> <p><u>Deeming provision</u></p> <p><u>Regarding deemed consent, the Council agrees with the position set out in row 9 of Appendix M to the Joint West Sussex LIR [REP1-069]: the deeming provision should be deleted. The Council's notes the Applicant's position that a "failure to respond to requests for consent/approval in a timely manner can lead to significant delays in a construction timetable".</u></p> <p><u>The Council does not disagree with this; however, owing to the fact that (per paragraph (3)), the consenting authority must not unreasonably withhold or delay consent, the scenario envisaged by the applicant is unlikely to arise. In any event, it is unreasonable to include the deeming provision and the "unreasonably withhold or delay consent" wording.</u></p> <p><u>Turning to the precedents mentioned by the applicant, the inclusion of a "deeming provision" does not appear to have been controversial in any of those projects and so the issue was not considered in detail by the Examining Authority or Secretary of State. The position is clearly different here.</u></p> <p><u>"Must not be of a lower standard"</u></p> <p><u>The Council is no longer pursuing this point.</u></p>	<p>consent of the street authority, which may attach reasonable conditions to any consent but such consent must not be unreasonably withheld or delayed". Should the street authority wish to request an alternative route to the temporarily altered/diverted/restricted etc. street be provided, it can do so as a condition to its consent (provided that such a condition is reasonable in the circumstances).</p> <p>Materially similar formulations of article 14 (without the additional proposed wording) were included in precedent DCOs including the M25 Junction 10/A3 Wisley Interchange (article 14) and A38 Derby Junctions (article 15) DCOs. It is also noted that a similar approach has been taken in the emerging draft Luton Airport Expansion DCO (article 13).</p> <p><u>"Must not be of a lower standard"</u></p> <p>The further proposed amendment in bold to what is now sub-paragraph (5) ("and must not be of a lower standard") is not justified. Where a street is being temporarily altered, diverted or restricted (etc.), it is not reasonable to require that the temporary diversion be of the same standard as the main permanent route. Indeed, this is unlikely to be the case.</p> <p><u>Deeming provision</u></p> <p>Several provisions of the DCO (including this article 14) contain deeming provisions where the consent of a third-party body is required. A failure to respond to requests for consent in a timely manner can lead to significant delays in a construction timetable. Use of deeming provisions in respect of some key consents is therefore considered reasonable and in alignment with the objectives of the Planning Act 2008 to ensure efficient delivery of nationally significant infrastructure projects. To reflect the Councils' concern regarding deemed approval, the time period after which consent is deemed given has been extended to 56 days rather than the 28 days included in the version of the DCO upon which the Councils have commented.</p> <p><u>Updated position (April 2024):</u></p> <p><u>New sub-paragraph after sub-paragraph (5)</u> <u>The Council's position on this is noted, but the Applicant does not consider it useful to any party to limit the relevant Council's discretion to address a variety of situations that may arise under</u></p>		
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			<p>article 14 when the existing drafting would already facilitate the solution the Councils are seeking (i.e. temporary diversions on a case-by-case basis should the relevant street authority consider this necessary). In any event, it is noted that Horsham District Council is not a street authority and therefore does not appear to have a relevant interest in this provision.</p> <p>"Must not be of a lower standard" Noted.</p> <p>Deeming provision The Applicant reiterates its position that deeming provisions are justified and appropriate. A failure to respond to requests for consent/approval in a timely manner can lead to significant delays in a construction timetable. Use of deeming provisions in respect of some key consents/approvals is therefore considered reasonable and in alignment with the objectives of the Planning Act 2008 to ensure efficient delivery of nationally significant infrastructure projects.</p> <p>The time period after which consent is deemed given has been extended to 56 days in response to the Councils' previous comments and the Applicant considers that this period is sufficient for matters subject to deemed consent to be thoroughly considered and a decision reached, even if further information is requested of the undertaker.</p> <p>It is noted that deeming provisions are well precedented in recently made DCOs, including the National Grid (Yorkshire Green Energy Enablement Project) Development Consent Order 2024, the A12 Chelmsford to A120 Widening Development Consent Order 2024 and the Boston Alternative Energy Facility Order 2023 (all of which, it is noted, use a shorter period than the draft DCO of 28 days after which consent is deemed to have been granted).</p>		
2.7.1.6	Article 23	<p>The drafting of article 23, which concerns trees and hedgerows.</p> <p>Updated position (Deadline 1): If "the removal of hedgerows, trees and shrubs" (i.e one of the exceptions from the definition of "commence" per article 2(1)(f)) is to be controlled by article 25, the Council considers this should be made explicit in the article itself.</p> <p>The applicant suggests that updated article 25 will refer to tree and hedge works needing to be carried out in accordance with BS 3998:2010 (or more recent industry best practice). However, the most recent dDCO</p>	<p>While "removal of hedgerows, trees and shrubs" is excluded from the definition of "commence" in article 2 as noted, the present article (now article 25) will still govern how these activities are carried out, article 25 providing the underlying authority for these activities.</p> <p>The wording relating to "important hedgerows" has been removed from the latest draft of article 25, following confirmation that no such</p>	Draft DCO (REP3-006Dec-Ref. 2.1)	Not Agreed

		<p>[PDLA-004] does not include this (well-precedented) wording and the Council would be grateful if the applicant could explain its position.</p> <p>Paragraph 22.1 of Advice Note Fifteen: Drafting Development Consent Orders (Republished July 2018 (version 2)) states –</p> <p>“It is recommended that DCO Articles of this kind [i.e. which articles which provide for interference with hedgerows] are made relevant to the specific hedgerows intended for removal. To support the ExA, the Article should include a Schedule and a plan to specifically identify the hedgerows to be removed (whether in whole or in part). This will allow the question of their removal to be examined in detail. Alternatively, the Article within the DCO could be drafted to include powers for general removal of hedgerows (if they cannot be specifically identified) but this must be subject to the later consent of the local authority”.</p> <p>Article 25 is inconsistent with this recommendation: it does not include a schedule or plan, yet it seeks to remove (under article 25(5)) any obligation to secure consent. No reasonable justification is given for this inconsistency. The Council considers the hedgerow-related provisions need to be recast to make them consistent with paragraph 22.1.</p> <p><u>Updated Position: Deadline 5 (6 June 2024)</u></p> <p><u>While the Council welcome the amendments made to article 25, the Council considers they do not go far enough.</u></p> <p><u>The most significant omission is the need for article 25 (in accordance with the relevant guidance, Advice Note Fifteen: Drafting Development Consent Orders) to either – (i) include a schedule and a plan which identifies the hedgerows to be removed (whether in whole or in part) or (ii) make the power for general removal of hedgerows subject to local authority consent.</u></p> <p><u>Detailed justification and suggested amendments are included in row 31 of Appendix M [REP1-069], which the Council agrees with.</u></p>	<p>hedgerows are anticipated to be affected by the proposed development.</p> <p>Defining "hedgerow" by reference to the Hedgerow Regulations 1997 is well-established in many DCO precedents, including the Sizewell C (article 81), Southampton to London Pipeline (article 42) and Manston Airport (article 34) DCOs. Including a bespoke definition would be a significant departure from precedent and is not considered to be justified.</p> <p>The drafting of article 25 has advanced since the version commented upon by the Councils. For example, article 25(1)(b) now includes "<i>or property within the authorised development</i>". GAL will carefully consider the other proposed additions and will include them in the next draft of the DCO where reasonable and justified. It is not anticipated that there will be any concerns with tree and hedge works needing to be carried out in accordance with BS 3998:2010 (or more recent industry best practice).</p> <p>By way of initial comment on the remaining suggested additions, the new proposed sub-paragraph (3) does not appear necessary because:</p> <ul style="list-style-type: none"> • it is unclear what is meant by "<i>relative bodies</i>"; • (3)(a) is not needed because authority is only conferred on the undertaker to fell or lop in the circumstances specified in sub-paragraphs (1)(a) and (b); • (3)(b) is not needed because the DCO will not obviate the need for consents required for protected species or laws related thereto; • (3)(c) is not needed because the draft DCO does not contain drafting obviating the need to obtain a felling licence and such a licence would therefore be required prior to felling; and <p>(3)(d) is not needed because the existence and protection afforded by tree preservation orders is not disturbed by the DCO (in the absence of express provision).</p> <p><u>Updated position (April 2024):</u></p> <p><u>The Applicant does not consider it necessary to include additional unprecedented text in article 25 confirming the existing position that article 25 will control any works to hedgerows, trees and shrubs.</u></p>		
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			<p><u>The Council's reference to Advice Note Fifteen is noted but the Applicant draws the Council's attention to the fact that this offers only a recommendation in respect of articles of this kind, rather than a binding rule or precedent.</u></p> <p><u>Indeed, the weight of precedent in made DCOs is for articles that authorise the removal of hedgerows within the Order limits without subsequent local authority consent. For example, article 17(6) of the A66 Northern Trans-Pennine Development Consent Order 2024, article 31(4) of the Drax Power Station Bioenergy with Carbon Capture and Storage Extension Order 2024 and article 34(4) of the Manston Airport Development Consent Order 2022 all authorise the removal of any hedgerow within the Order limits. None of these precedents refer to a plan specifically identifying hedgerows to be removed.</u></p> <p><u>The Applicant's article 25 offers greater protection than these precedents in that it provides that the undertaker may only fell, lop or remove a hedgerow if it reasonably believes it to be necessary to prevent the hedgerow from obstructing or interfering with the construction, maintenance or operation of the authorised development or related apparatus, rather than the broader precedented wording that the removal is "required". The Applicant's article 25 also offers the largely unprecedented protection that works must be carried out in accordance with BS 3998:2010, as previously requested by the Councils, and includes the standard entitlement to compensation should persons be harmed by the works authorised by the article. The Applicant therefore considers that article 25 as currently drafted is proportionate and justified and rejects the alternative articles proposed.</u></p>		
2.7.1.7	Schedule 1	<p>The inclusion of Work Nos. 26, 27, 28 and 29 (which all concern hotels) in Schedule 1 (authorised development).</p> <p>Updated position (Deadline 1): Planning Act 2008. There does not appear to be an explanation in the EM. A satisfactory explanation is needed. Moreover, the Council is concerned about the prospect of these works evading proper environmental controls. Owing to these facts, the Council considers these Works should be deleted from the dDCO.</p> <p><u>Updated Position: Deadline 5 (6 June 2024)</u></p> <p><u>The Council's latest position on this issue is summarised at row 3 of the Legal Partnership Authorities' Deadline 1 document "Issue Specific Hearing 1: Case for Proposed Development Post Hearing Submission" [REP1-211], which states –</u></p>	<p>Section 115 of the 2008 Act provides that development consent may be granted for "associated development" alongside "development for which development consent is required". "Associated development" is defined as development associated with the principal development.</p> <p>As per the 'Guidance on associated development applications for major infrastructure projects' (Department for Communities and Local Government – April 2013), it is for the Secretary of State to decide on a case-by-case basis whether development constitutes "associated development". By reference to the 'core principles' that the guidance notes the Secretary of State will take into account:</p> <ul style="list-style-type: none"> • Associated development should support the construction or operation of the principal development or help address its 	N/A	Not Agreed

		<p>"The Authorities recognise that it is proposed that the 4 hotels should be "Associated Development" and so authorised by the development consent order. Whilst the Applicant argues that this development supports operation of airport, reduces impacts and is subordinate, the Authorities (and in particular Crawley Borough Council) have concerns regarding the need to ensure that Control Documents include adequate controls, especially on the provision of additional on-airport parking at hotels. The Authorities' view is that any such parking should be operational parking only so as to support the Applicant's Surface Access Commitments. This is particularly important as the hotels will, in due course, exist as commercial operations operated by other parties and so there is no reason that they should be exempt from the Local Planning Authorities wider policies in relation to car parking merely by virtue of their conception under the DCO for authorising consent. The Authorities also need to be assured that all other aspects that would be addressed were the hotels to come forward as TCPA development (such as design/materials and sustainable construction/energy use) will be adequately controlled if they are to be authorised by the DCO."</p>	<p>impacts. Hotel accommodation on-site supports the operation of the airport in providing necessary accommodation for passengers. It further helps to address the airport's impacts, as alluded to in the Councils' comment, by reducing the need for transport between accommodation and the airport.</p> <ul style="list-style-type: none"> • Associated development should be subordinate to the principal development. The hotels are subordinate to the use of the airport and facilitate this use. They are not an aim in themselves. • Development should not be treated as associated development if its purpose is solely to cross-subsidise the principal development. That is not the case here. • Associated development should be proportionate to the nature and scale of the principal development. The hotels are a proportionately small part of the overall proposed development. <p>In light of the above application of the 'core principles', GAL considers that it is open to the Secretary of State to conclude that the hotels are "associated development", and that such a conclusion is clearly justified.</p> <p>Updated position (April 2024): The Applicant's original response (directly above) explained how the hotels met the meaning of "associated development" by reference to the relevant guidance. If the Council disagrees with this analysis, please provide detailed justification by reference to this guidance and the reasoning above.</p> <p>It is not clear on what basis that Council asserts that hotel works may "evad[e] proper environmental controls". These works would form part of the authorised development under the DCO and therefore be subject to the requirements, including the CoCP by virtue of requirement 7. Further detail is requested from the Council as to the precise nature of their concern.</p>		
2.7.1.8	Schedule 2	<p>The drafting of several requirements (Schedule 2) including: the drafting of "start date" (R.3(2) (time limits and notifications); the 14-day notification period in R3(2); why some documents must be produced "in accordance with" the certified documents and others must be produced either "in general accordance" or "in substantial accordance" with them; paras 12 (construction traffic management plan) & 13 (Construction workforce travel plan) – "following consultation with the relevant local planning authority on matters related to its function."; the drafting of R.14</p>	<p>The precise nature of the Council's concerns in respect of the cited drafting is not clear from this comment – please clarify.</p> <p>Where appropriate and reasonable, some requirements allow (i) activities to be carried out either "in general accordance" or "substantially in accordance" with specified control documents or (ii) subsequent details/plans to be submitted which are "in general</p>	<p>Draft DCO (REP3-006Dec Ref. 2.1)</p> <p>Paragraphs 9.4 – 9.36 of the Explanatory Memorandum to the Draft Development</p>	Not Agreed

		<p>(archaeological remains); and of those which concern noise (e.g. R.15 (air noise envelope), R.18 (noise insulation scheme)); the ambiguous drafting in R.19 (airport operations); para 21 (carbon action plan) ambiguous "general accordance" is vague.</p> <p>Updated position (Deadline 1): Requirements: general</p> <p>The Council notes the response in Row 20.29 in Table 20 of the Issues Tracker; however, it does not consider it answers its question. Put another way, the Council would like to understand why "in general accordance" has been used in Requirements 8(3), 10(2), 11(2), 21 and 22(2); and why "substantially in accordance" has been used in Requirements 7, 8(4), 12(2), 13(2) and 22(3).</p> <p>Requirement 3: start date By Requirement 3(1), development must commence within 5 years of the "start date" i.e. the later of the day after (a) the day on which the period for legal challenge of the Order under the 2008 Act has expired; and (b) the final determination of any legal challenge under the 2008 Act. The Council objects to the extended duration of "start date", which should be when the order comes into force.</p> <p>Requirement 3: notice period etc.</p> <p>By Requirement 3(2), the relevant planning authority must be given 14 days' notice of commencement of each part of the authorised development. The Council considers a more generous notice period should be included. The Council also considers the local highway authority, which is also a discharging authority for certain requirements, should be notified of commencement.</p> <p>Updated Position: Deadline 5 (6 June 2024)</p> <p>Requirement 3: start date <u>Regarding "start date", see the answer in row 2.7.1.13 above.</u></p> <p>Requirement 3: notice period</p> <p>The Council considers –</p> <ul style="list-style-type: none"> <u>a more generous notice period for the commencement of each part of the authorised development should be provided.</u> <u>the other local authorities should also be notified of commencement (the administrative burden of doing so will be negligible).</u> <u>before Requirement 3, there should be a requirement which provided that no part of the authorised development can commence until a masterplan for each part of the development</u> 	<p>accordance" or "substantially in accordance" with prior documents/strategies.</p> <p>Use of these terms in the former context allows for departures which are minor or inconsequential and not of substance, without giving rise to a criminal offence. It is beneficial to draft control documents in clear and straightforward language. Strict compliance with such wording may not always be possible. Without the wording above, in such circumstances the relevant requirement would be too easily breached and a criminal offence too easily committed. The wording above therefore ensures a proportionate approach.</p> <p>Use of these terms in the latter context allows for minor improvements (e.g. due to advances in technology or best practice) to the principles underlying the original document/strategy upon submission of the subsequent details. In any event, the submitted details will be subject to the approval of the relevant body under the terms of the requirement.</p> <p>Paragraphs 9.4 – 9.36 of the ExM contain further details in respect of each requirement.</p> <p>Updated position (April 2024):</p> <p><u>Requirements: general</u></p> <p><u>The drafting of the requirements in Schedule 2 to the draft DCO has advanced significantly since these comments. References to "general accordance" have been replaced and, where appropriate to provide for a degree of flexibility, "substantially in accordance" has been used. This is subject to the new definition of this phrase in article 2 (interpretation).</u></p> <p><u>Requirement 3: start date</u></p> <p><u>It is appropriate and necessary for the time period to commence on the "start date" (as defined in the draft DCO) due to the increasing prevalence of judicial review challenges by objector groups to high-profile DCOs. The government's policy paper 'Getting Great Britain building again: Speeding up infrastructure delivery' (2023) notes that "over half of all legal challenges to NSIP decisions have been brought since 2020" and that even unsuccessful legal challenges can "set a project back years in delays"¹. It is inappropriate for the period within which the undertaker can begin development to be</u></p>	<p>Consent Order [AS-006]</p>	
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¹ <https://www.gov.uk/government/publications/getting-great-britain-building-again-speeding-up-infrastructure-delivery/getting-great-britain-building-again-speeding-up-infrastructure-delivery>

[has been submitted to and approved in writing by the relevant planning authority. \(Example drafting is set out in the Authorities' answer to DCO.1.40 \(R3\).](#)

[Further detail on these points is set out in the Legal Partnership Authorities' response to ExQ1 DCO.1.40 \(R3\) \[REP3- 135\] in respect of the amendments that should be made to this requirement. Requirement 15 \(air noise envelope\)](#)

[The Council notes the Applicant's response; however, it considers the requirement should make provision for local authority control.](#)

[At Deadline 4, the Joint Local Authorities submitted their Introduction to a proposal for an Environmentally Managed Growth Framework \[REP4-050\] \("the Introduction"\), which explains that the DCO requirements which include controls related to environmental effects provide the Applicant with too much flexibility. The Introduction states the Joint Local Authorities consider a bespoke Environmentally Managed Growth Framework should apply to the proposed development and that a worked-up Framework will be submitted to the Examination as soon as possible. The Framework will apply to the air noise envelope \(requirements 15 and 16\), and to requirements 19 \(airport operations\), 20 \(surface access\), and 21 \(carbon action plan\).](#)

[Requirement 19 \(airport operations\)](#)

[The Council maintains its position regarding paragraph \(2\) being too broad. The Council disagrees that its proposed wording "lacks precision" since it is similar to the wording used in condition 3 of the 1979 planning permission.](#)

[The Council agrees with the position set out in the Legal Partnership Authorities Response to the Applicant's Schedule of Changes, which is included at Appendix A of \[REP4-042\].](#)

[Regarding paragraph 4\(a\), the proposed drafting is again too broad. For instance, condition 3 \(runway use\) of the 1979 planning permission allows use of the emergency runway when the "main runway is temporarily non operational by reason of an accident or a structural defect or when maintenance to the main runway is being undertaken".](#)

[The Council considers it would be reasonable if similar wording were incorporated into paragraph 4\(a\). Condition 3 also requires GAL to notify the local planning authority in advance of when maintenance is to be carried out. A similar provision should be included in Requirement 19. The Council does not agree to the inclusion of paragraph \(4\)\(b\) because it could have the effect of overriding the prohibition under paragraph \(3\). The Council does not consider this approach to be reasonable. It is noted that while the Explanatory Memorandum \[REP3-008\] summarises paragraph \(3\), it does not justify the inclusion of paragraph \(4\).](#)

[In the light of the above comments, the Authorities' proposed amendments to existing Requirement 19 are set out in row 92 of Appendix](#)

[reduced \(potentially substantially\) while legal challenges are finally determined.](#)

[Requirement 3: notice period etc.](#)

[The notice provisions have developed significantly since the Council's comment and the Council is invited to review the latest version of the **draft DCO** submitted at Deadline 3 \[REP3-006\].](#)

		<p>A to [REP4-042]. The Council obviously agrees with these proposed amendments.</p> <p>The points made above under "Requirement 15 (air noise envelope)" regarding the Environmentally Managed Growth Framework also apply to this requirement.</p>			
2.7.1.9	Schedule 11	<p>The 8-week deadline in Schedule 11 (procedure for approvals, consents and appeals) for determining significant applications (e.g., the waste recycling facility).</p> <p>Updated position (Deadline 1): For certain major works which are listed in Schedule 1 (including, but not limited to Work Nos. 26 to 29) the standard 6-week/ 8-week deadline is unreasonably short. The Council notes paragraph 1(2)(a) and (b) of Part 1 of Schedule 1 is subject to the applicant agreeing to an extension. There is no guarantee that an extension would be agreed and no obligation for the applicant to act reasonably in considering any request for extension.</p> <p>The Council considers it would be more straightforward if the major works had their own deadlines. More detail on this point will follow at Deadline 1.</p> <p>The Council disagrees that such an approach would cause unnecessary delay. Major applications under the TCPA 1990 regime can take 13 weeks (or longer) to determine. Providing a 6 or 8 week deadline runs the risk of the application having to be refused and the parties spending time and resources on an appeal which might have been avoided if the Schedule included a reasonable timeframe for determination.</p> <p>Updated Position: Deadline 5 (6 June 2024)</p> <p>Regarding the Applicant's reluctance to include a longer deadline for determining major works, while the Council notes the Applicant states the undertaker is "going to take a pragmatic approach to agreeing any request from the discharging authority for an extension of time". This gives cold comfort when the period for determining major works is either 6 weeks or 8 weeks, which is substantially shorter than if a local planning authority were to discharge a major works application under the Town and Country Planning Act 1990. The Council reiterates its position that major works should have their own deadline.</p>	<p>The 8-week period (or 6-week where the discharging authority need not consult with any other body) is the default period within which the discharging authority must respond. If further information is requested from the undertaker by the discharging authority, the 8/6 weeks run from the day immediately following that on which said further information is supplied. If a longer period is required, the undertaker and discharging authority can agree such longer period in writing (paragraphs 1(2)(a) and (b), Part 1, Schedule 11).</p> <p>Given the above, the specified periods provide sufficient time for the discharging authority to scrutinise applications pursuant to the requirements of the draft DCO. Any longer period would unduly and unnecessarily delay progress in implementing the authorised development.</p> <p>Updated position (April 2024): The Council's comment is noted. However, it is likely that the undertaker would agree an extension with the discharging authority were this required following an application being made for "major works". The alternative would be that the application would be refused by the discharging authority or not decided in time, either of which could only be escalated through the appeal process in paragraph 4 of Schedule 11 to the draft DCO. This process would likely require significant time and expenditure and the undertaker would be mindful of that before triggering those provisions. The undertaker is therefore realistically going to take a pragmatic approach to agreeing any request from the discharging authority for an extension of time. In any event, the Applicant considers that the standard 6 or 8 week deadline is perfectly adequate for detailed consideration of details that may be subject to approval.</p>	Draft DCO (REP3-006 Dec-Ref-2.1)	Not Agreed

2.8. Ecology and Nature Conservation

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

Table 2.8 Statement of Common Ground – Ecology and Nature Conservation Matters

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

2.9. Forecasting and Need

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

Table 2.9 Statement of Common Ground – Forecasting and Need Matters

Reference	Matter	Stakeholder Position	Gatwick Airport Limited Position	Signposting	Status
<i>Please see the joint Statement of Common Ground prepared in relation to Forecasting and Need (Doc Ref. 10.1.198).</i>					

2.10. Geology and Ground Conditions

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

Table 2.10 Statement of Common Ground – Geology and Ground Conditions 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. Greenhouse Gases

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

Table 2.11 Statement of Common Ground – Greenhouse Gases Matters

Reference	Matter	Stakeholder Position	Gatwick Airport Limited Position	Signposting	Status
Baseline					
There are no issues relating to the baseline for this topic within this Statement of Common Ground.					
Assessment Methodology					
2.11.2.1	Cumulative impact	<p>GAL have not assessed the cumulative impact of the project in the context of the overall UK airport expansion in passenger numbers.</p> <p>Updated position (Deadline 1): No Comment.</p> <p>Updated position (Deadline 3): This principal matter of agreement has now been removed.</p> <p>Updated Position (Deadline 5): Addressed.</p>	<p>It is considered within the assessment that Jet Zero, and the underlying modelling carried out by UK Government as part of this, provides a more comprehensive cumulative assessment of aviation emissions than could be carried out by the Applicant. This is noted in ES Paragraph 16.10.4 that references the IEMA Guidance noting that “The inappropriateness of undertaking a cumulative appraisal (other than by contextualising against Carbon Budgets) is reflected in the IEMA guidance. This guidance notes that ‘effects from specific cumulative projects...should not be individually assessed, as there is no basis for selecting any particular (or more than one) cumulative project that has GHG emissions for assessment over any other’.”</p>	<p>ES Chapter 16: Greenhouse Gases [APP-041]</p>	Agreed
2.11.2.2	Assessment methodology	<p>No carbon calculations for well to tank emission and conversions from CO2 to CO2e have been undertaken. Such calculations, could potentially increase the total emissions by around 20%. Therefore, millions of tonnes of CO2e are not accounted for, which is non-compliant with the GHG Protocol Corporate Accounting Standard and GHG accounting best practice.</p> <p>Updated position (Deadline 1): This comment was about WTT as well which was not addressed. It is acknowledged that excluding specific emission sources from the assessment is valid for the purpose of conducting a like-for-like comparison against a carbon budget/trajectory.</p> <p>However, given that transparency is a fundamental principle of GHG accounting, GAL should openly report these potential emission sources at least qualitatively.</p> <p>Updated position (Deadline 3): Under the IEMA GHG Assessment methodology used in the ES, the Applicant must update the assessment to evidence that exclusions are <1% of total emissions and where all such exclusions total a maximum of 5%.</p> <p>Updated Position (Deadline 5):</p>	<p>The modelling process estimated fuel consumption from aviation, and that this was then converted to estimated tCO2e using the appropriate conversion factor. All aviation emissions within the ES are reported to reflect tonnes of carbon dioxide equivalent (tCO2e).</p> <p>Updated position (April 2024) It is acknowledged that the inclusion of WTT for Construction, ABAGO, and Surface Access would be useful for contextualisation against the UK Carbon Budgets. The WTT emissions for these will be calculated and provided at Deadline 4.</p>	n/a	Not Agreed

		<p><u>In Deadline 4, the Applicant has provided WTT estimates for construction, ABAGO, surface access, and aviation. These updates increase the total emissions from the project between 2018 and 2050 by 3,978,000 tCO₂e, representing a 19.83% increase.</u></p> <p><u>To contextualise these emissions against the carbon budget, the Applicant references DUKES 2023 Chapter 3: Oil and Oil Products, estimating that around 36% of WTT aviation emissions occur within the UK boundary. Using this justification, the Applicant compares only this portion of aviation WTT emissions to the carbon budget, along with the WTT emissions from construction, ABAGO, and surface access.</u></p> <p><u>The Applicant then presents only the net impact, stating it accounts for 0.649% of the UK's 6th carbon budget, without displaying the total future impact of the airport as done in the ES.</u></p> <p><u>The Applicant should further forecast the percentage impact on future estimated carbon budgets using the CCC projections to estimate the project's impact on future carbon budgets to understand if it is decarbonising in line with the estimated net zero trajectory.</u></p>			
2.11.2.3	Guidance	<p>The applicant has not considered all the latest up-to-date guidance on this issue. There is no reference to PAS2080:2023 (publicly available standard Carbon Management in buildings and Infrastructure), nor the latest Intergovernmental Panel on Climate Change (IPCC) AR6 report. PAS2080:2023 places more emphasises on decisions and actions that reduce whole-life carbon more than PAS2080:2016 referred to in the report. The AR6 report considers many new updates concerning GHG Assessment, which should be reviewed.</p> <p>Updated position (Deadline 1): No Comment.</p> <p>Updated Position (Deadline 5): <u>Addressed.</u></p>	<p>The Environmental Statement was submitted in July 2023, with the updated PAS2080 published in March 2023. The modelling and assessment of impact was complete prior to March 2023, and whilst GAL is considering the update, it is not expected that the update will materially affect the assessment or the conclusions drawn from the assessment.</p>	n/a	Agreed
2.11.2.4	Baseline Information review	<p>The scope of the GHG emissions arising from airport buildings and ground operations does not cover maintenance, repair, replacement or refurbishment emissions. Therefore, this would under-count the operational GHG emissions.</p> <p>Updated position (Deadline 1): Under the IEMA GHG Assessment methodology used in the ES, the Applicant must update the assessment to evidence that exclusions are <1% of total emissions and where all such exclusions total a maximum of 5%.</p>	<p>The methodology for the assessment was structured to follow the ANPS classification of emissions into four categories, and the assessment of Construction impacts was limited within the ES to those impacts prior to opening. The assessment was not seeking to provide a Whole Life Carbon assessment of the Project - a point explicitly noted within the ES.</p> <p>Maintenance and repair of the newly constructed elements within the Project will be required. A full life cycle carbon assessment would seek to quantify this over a defined study period, which would likely extend beyond the 2050 assessment period (which is</p>	ES Appendix 5.4.2 Carbon Action Plan [APP-091]	Agreed

		<p>Additionally, GAL should recognise the potential impact of emissions stemming from airport operations at least qualitatively for the sake of transparency. This acknowledgment aligns with one of the key principles of GHG accounting.</p> <p>Updated Position (Deadline 5) <u>In Deadline 4, the Applicant has submitted updated calculations estimating emissions from maintenance, repair, replacement, and refurbishment activities. These emissions account for approximately 2.12% of the total emissions. The Applicant demonstrates that these emissions fall below the IEMA threshold, and therefore, they are not required to be included in the total whole-life carbon assessment.</u></p>	<p>used based on assessing risk to UK achieving carbon targets). Within the timescales between opening year (2029) and the end of the assessment year (2050) it is considered unlikely that maintenance, repair, replacement, and refurbishment GHG emissions would be so great as to materially change the assessment of operational emissions. The mitigation set out in the Carbon Action Plan, specifically regarding to employing PAS2080 as a Carbon Management System, would necessitate GAL adopting a whole life carbon approach in the management and mitigation of emissions from Modules B2-B5 as part of their wider carbon management approach.</p> <p>Updated position (April 2024) <u>We intend to provide further analysis to inform the scale of emissions arising from maintenance, repair, replacement or refurbishment within the study period as part of a submission at Deadline 4.</u></p>		
2.11.2.5	Assessment of significant effects	<p>The GHG Assessment does not assess the cumulative impact of the project in the context of eight of the biggest UK airports planning to increase to approximately 150 million more passengers a year by 2050 relative to 2019 levels. This will greatly increase the UK's cumulative aviation emissions, which may have significant consequences for the UK's net zero trajectory.</p> <p>Updated position (Deadline 1): No Comment.</p> <p>Updated Position (Deadline 5): <u>Addressed.</u></p>	<p>It is considered within the assessment that Jet Zero, and the underlying modelling carried out by UK Government as part of this, provides a more comprehensive cumulative assessment of aviation emissions than could be carried out by the Applicant. This is noted in ES Paragraph 16.10.4 that references the IEMA Guidance noting that "The inappropriateness of undertaking a cumulative appraisal (other than by contextualising against Carbon Budgets) is reflected in the IEMA guidance. This guidance notes that 'effects from specific cumulative projects...should not be individually assessed, as there is no basis for selecting any particular (or more than one) cumulative project that has GHG emissions for assessment over any other'."</p>	ES Chapter 16: Greenhouse Gases [APP-041] n/a	Agreed
2.11.2.6	Assessment of significant effects	<p>No carbon calculations were carried out in the ES for well-to-tank emissions, which is non-compliant with the globally recognised GHG Protocol Corporate Accounting Standard and goes against the UK Government's carbon accounting methodology from BEIS (2022). This results in a gross underestimation of the GHG emissions associated with aviation since an approximately 20.77% (BEIS, 2023) uplift would be required on all aviation emissions. This would result in 1,106,530tCO₂e not being accounted for in 2028 during the most carbon-intensive year.</p> <p>Updated position (Deadline 1): It is acknowledged that excluding specific emission sources from the assessment is valid for the purpose of conducting a like-for-like comparison against a carbon budget/trajectory. However, given that transparency is a fundamental principle of GHG</p>	<p>The assessment does not seek either to develop a Corporate Reporting Account (which is informed by the GHG Corporate Protocol Standard) nor a Whole Life Carbon Appraisal for the Project - the methodology has been developed to allow for the contextualisation exercise that forms part of the assessment. It is not debated that Well-to-tank emissions arise in the supply chain for fuels and methodologies for estimating these (as an uplift to direct emissions) are well established.</p> <p>However, the approach adopted is based on the assessment process which is contextualising emissions against a) the UK carbon budget and b) the Jet Zero Strategy. The context for Jet Fuel usage is specifically challenging due to the proportion of this</p>	n/a	Not Agreed

		<p>accounting, GAL should openly report these potential emission sources at least qualitatively.</p> <p>Updated Position (Deadline 5): In Deadline 4, the Applicant has provided WTT estimates for construction, ABAGO, surface access, and aviation. These updates increase the total emissions from the project between 2018 and 2050 by 3,978,000 tCO₂e, representing a 19.83% increase.</p> <p>To contextualise these emissions against the carbon budget, the Applicant references DUKES 2023 Chapter 3: Oil and Oil Products, estimating that around 36% of WTT aviation emissions occur within the UK boundary. Using this justification, the Applicant compares only this portion of aviation WTT emissions to the carbon budget, along with the WTT emissions from construction, ABAGO, and surface access.</p> <p>The Applicant then presents only the net impact, stating it accounts for 0.649% of the UK's 6th carbon budget, without displaying the total future impact of the airport as done in the ES.</p> <p>The Applicant should further forecast the percentage impact on future estimated carbon budgets using the CCC projections to estimate the project's impact on future carbon budgets to understand if it is decarbonising in line with the estimated net zero trajectory.</p>	<p>fuel that is imported from outside the UK (approximately 70% in recent years [Ref 1]) and as a result WTT emissions would predominantly fall outside the scope of the UK carbon budgets and the Net Zero commitment. Additionally the aviation strategy set out in Jet Zero does not include WTT within the main emissions calculation methodology. For these reasons WTT has been excluded from the aviation impact assessment. For consistency across the assessment methodology it has also been removed from other aspects of the GHG assessment.</p> <p>Ref 1: https://www.gov.uk/government/statistics/petroleum-chapter-3-digest-of-united-kingdom-energy-statistics-dukes</p> <p>Updated position (April 2024) Please refer to the response at 2.11.2.2.</p>		
2.11.2.7	Assessment of significant effects	<p>It is not clear if a conversion was undertaken from CO₂ to CO₂e for aviation emissions, which would result in a 0.91% increase in all aviation emissions (BEIS, 2023).</p> <p>Updated position (Deadline 1): It looks like the wrong comment has been responded to here.</p> <p>Updated Position (Deadline 5): Addressed.</p>	<p>The most distant time period chosen for the assessment was 2050-2079 (2060s), not 2040-2069. This time period was selected to represent a reasonable worst-case scenario at the highest resolution that is available. The UKCP18 12km projections used within the assessment do not go beyond 2080. This dataset also include a range of useful variables to support the assessment (e.g. the number of hot days). The probabilistic projections do not contain these variables. In addition to this, it is recommended by the Met Office that consistency is maintained between the time periods used within an assessment. The most pessimistic RCP scenario was also employed to provide an indication of potential worst-case scenario conditions. Climate projections up to 2100 are used in ES Chapter 12: Traffic and Transport and ES Chapter 11: Water Environment in accordance with DMRB guidance.</p> <p>Updated position (April 2024) Noted – the text above relates to the incorrect comment.</p> <p>All aviation emissions have been calculated and reported in tCO₂e using the BEIS GHG conversion factor as set out in</p>	<p>ES Chapter 12: Traffic and Transport [APP-037]</p> <p>ES Chapter 11: Water Environment [APP-036]</p> <p>Updated position (April 2024)</p> <p>Appendix 16.9.4: Assessment of Aviation Greenhouse Gas Emissions [APP-194]</p>	Not Agreed

[Appendix 16.9.4 Assessment of Aviation Greenhouse Gas Emissions.](#)

Assessment

There are no issues relating to this topic within this Statement of Common Ground.

Mitigation and Compensation

2.11.4.1	General	<p>The applicant does not confirm if they are committed to best practice by not demonstrating GAL's commitment to the Science Based Target initiative (SBTi), which would commit GAL to achieving a net zero trajectory aligned with the 1.5°C Paris Agreement across all emission scopes.</p> <p>Updated position (Deadline 1): No Comment</p> <p>Updated Position (Deadline 5): Addressed.</p>	<p>The assessment considers GHG impacts beyond just the corporate reporting scope of Gatwick Airport Ltd. The assessment does not require all parties responsible for the generation of GHG emissions to adopt a specific standard for reducing GHG emissions, instead it uses those commitments by GAL as one element within the broader assessment of GHG emissions. As such the adoption of SBTi is not, in and of itself, a requirement of the assessment process.</p>	n/a	Agreed
Other					
2.11.5.1	Jet Zero Aviation policy	<p>Assessment fails to consider the risks of the Jet Zero Aviation policy and how this could compromise the UK's net zero trajectory.</p> <p>Updated position (Deadline 1): No Comment.</p> <p>Updated position (Deadline 3): This principal matter of agreement has now been removed.</p> <p>Updated Position (Deadline 5): Addressed.</p>	<p>It is not for the applicant or for the examination to assess risks on the basis that government policy will fail.</p> <p>It is apparent that government is committed to its net zero target and to closely monitoring aviation and other trajectories to ensure compliance.</p>	n/a	Agreed
2.11.5.2	Assessment of significant effects	<p>Airport expansion, demand management, and reliance on nascent technology are three key areas raised by the UK's Climate Change Committee (CCC) that could jeopardise the UK's net zero trajectory. The GHG Assessment fails to consider the risks of the Jet Zero Aviation Policy and how this could compromise the UK's net zero trajectory. CCC has raised this concern with the UK Government.</p> <p>Updated position (Deadline 1): No Comment.</p> <p>Updated Position (Deadline 5): Addressed.</p>	<p>It is not for the applicant or for the examination to assess risks on the basis that government policy will fail.</p> <p>It is apparent that government is committed to its net zero target and to closely monitoring aviation and other trajectories to ensure compliance.</p>	n/a	Agreed
2.11.5.3	Mitigation, enhancement and monitoring	<p>Purchasing 'Renewable Energy Guaranteed of Origin' (REGO) certificates does not mean that GAL will receive 100% renewable electricity. In reality, on low wind and solar energy generation days, much of the electricity supplied on green energy tariffs still comes from fossil fuel production. Consequently, GAL cannot rely upon REGOs to justify its zero-carbon commitment.</p> <p>Updated position (Deadline 1): Aligned with SECR, GAL's reporting should clearly delineate the distinction between market-based emission factor reporting and localised values for REGOs. This clarity is essential to</p>	<p>The Carbon Action Plan commits Gatwick to a transition through carbon neutrality and towards Net Zero, and Absolute Zero, over time. It is entirely appropriate within this framework to consider the use of a range of market mechanisms at such stages as appropriate - and this includes the use of REGOs as part of this. The Carbon Action Plan notes GAL's commitments to use internationally recognised offsetting schemes (CAP Para 1.1.4). Within the CAP GAL also commits to investment in carbon removal mechanisms in preference to commonly used offsetting mechanisms.</p>	ES Appendix 5.4.2 Carbon Action Plan [APP-091]	Not Agreed

		<p>identify the extent of potential residual emissions stemming from electrical energy use.</p> <p>Updated Position (Deadline 5):-Addressed.</p>	<p>Updated position (April 2024) The assessment incorporates a range of different emissions sources, some of which are not addressed within SECR, which is intended for use as a corporate reporting methodology. GAL already provides reporting in line with its SECR requirements within its corporate Annual Report.</p>		
2.11.5.4	<p>The unsustainable growth of airport operations may result in significant adverse impacts to the climate.</p>	<p>To monitor and control GHG emissions during the project construction and operation it is suggested a control mechanism to similar to the Green Controlled Growth Framework submitted as part of the London Luton Airport Expansion Application, is provided. Within this document, the Applicant should define monitoring and reporting requirements for GHG emissions for the Applicant's construction activities, airport operations and surface access transportation. Where appropriate the Applicant should undertake emission offsetting in accordance with the Airport Carbon Accreditation Offset Guidance Document to comply with this mechanism.</p> <p>In addition, and where reasonably practical, the airport will seek to utilise local offsetting schemes that can deliver environmental benefits to the area and local community around the airport.</p> <p>Updated Position (Deadline 5): The Applicant should consider how it can foster sustainability into the projects governance processes to demonstrate that it will monitor and control GHG emissions during operation using control mechanism to similar to the Environmentally Managed Growth Framework.</p> <p>The JLAs submitted an introduction to their proposal for an Environmentally Manged Growth Framework at Deadline 4 [REP4-050].</p>	<p>Updated position (April 2024) The Climate Change Act places a duty on the Secretary of State to prepare "such proposals and policies as the Secretary of State considers will enable the carbon budgets that have been set under this Act to be met." (Section 13).</p> <p>That duty lies with the Secretary of State and it is apparent that the Government has put in place a clear framework of policy to ensure that the Government's duty and commitment is met. The Jet Zero Strategy forms part of that policy framework and, within it, the Government makes clear that its modelling demonstrates that the commitment can be met without demand management – i.e. without constraining the growth of airports. That conclusion is reached in the light of the acknowledged importance of aviation to the UK and the critical importance of the Government supporting growth in the aviation sector, whilst meeting its binding carbon reduction targets.</p> <p>The JZS is also clear that the Government is monitoring the position closely and will take further measures if necessary, if it becomes apparent that the trajectory of aviation emissions is not being achieved. In these circumstances, a control of the type proposed by the local authority in this case would cut across the balance being struck by government and would not meet the relevant tests of necessity or appropriateness.</p>		Not Agreed
2.11.5.5	<p>If the Applicant does not provide infrastructure or services to help decarbonise surface transport emissions it may have the potential to result in the underreporting of the Proposed Development's impact on the climate. The full impact of the Proposed Development on the government meeting its net zero targets cannot be identified.</p>	<p>The Applicant must actively promote the transition to a decarbonised economy, incentivising airport users to adopt low-carbon technologies like electric cars and public transportation systems. The Applicant should provide infrastructure within the Airport to support the anticipated uptake of electric vehicles and provide electric vehicle charging infrastructure.</p> <p>The Applicant should support a Green Bus Programme such as the expansion of the network of hydrogen buses used in the Gatwick/Crawley area into Mid Sussex with accompanying infrastructure</p> <p>Updated Position (Deadline 5): The Applicant has demonstrated in Deadline 3 that it is committed to providing charging infrastructure for electric vehicles used to access the Airport (both passenger and staff) to</p>	<p>Updated position (April 2024) The Transport Assessment [AS-079] and the Surface Access Commitments (SAC) [APP-090] set out how the Applicant's commitments to sustainable travel are binding under the DCO. Achieving the modes shares set out will significantly reduce surface transport emissions. We are continuing to invest in charging infrastructure for passengers and staff within a wider strategy for EVs on the campus as part of our Decade of Change programme independent of the DCO. This includes a partnership with Gridserve to provide an electric vehicle charging forecourt on airport, completed in early 2024. Our passenger valet parking service also offers an EV charging service. For operational</p>	<p>Transport Assessment [AS-079]</p> <p>Surface Access Commitments [APP-090]</p>	Agreed

		<p>facilitate the use of ultra-low and zero emission vehicles for those journeys that are made by car. The Applicant is also committed to investing £1m to Metrobus in hydrogen buses for the local network.</p>	<p>vehicles there is a programme underway to deliver the Applicant's and third party airfield EV charging requirements.</p> <p>The Applicant has invested or pledged over £1m to Metrobus in hydrogen buses for the local network serving the airport and continues to support the transition to ultra low or zero emission vehicles in local bus services and in the Applicant's own surface transport fleet.</p> <p>Decarbonisation of all surface transport is a matter for Government policy and the Applicant cannot mandate that all surface access journeys are by zero emission vehicles ahead of meeting those policy targets</p>	
2.11.5.6	GAL does not identify the risks associated with using carbon offset schemes	<p>GAL should state if they comply with the Airport Carbon Accreditation Offset Guidance Document which specifies the type of offsetting Schemes that need to be used. In addition, and where reasonably practical, GAL should seek to utilise local offsetting schemes that can deliver environmental benefits to the area and local community</p> <p>Updated Position (Deadline 5): Addressed.</p>	<p>Updated position (April 2024)</p> <p>At Gatwick today, through its Airport Carbon Accreditation Level 4+, the Applicant buys offsets covering residual Scope 1 and 2 GHG emissions (as well as business travel).</p> <p>In order for the Applicant to maintain its ACA certification, any offsets – removal and/or reduction – must be bought from schemes accredited by the ACA.</p> <p>ACA is the only global, airport-specific carbon standard which relies on internationally recognised methodologies. It provides airports with a common framework for active carbon management with measurable goalposts. The programme is site-specific allowing flexibility to take account of national or local legal requirements, whilst ensuring that the methodology used is always robust</p> <p>Details of Level 4+ available on the ACA website: https://www.airportcarbonaccreditation.org/about/7-levels-of-accreditation/</p> <p>With a view to achieving Net Zero for Scope 1 and 2 GHG emissions by 2030 (under both its existing Decade of Change commitments, and the equivalent under the Carbon Action Plan as part of the Project), the Applicant is in the process of transitioning from use of carbon reduction offsets to carbon removal offsets instead (as the use of carbon removal offsets would not meet the definition of Net Zero). For 2023, GAL purchased 25% removal offsets and 75% reduction offsets.</p> <p>Furthermore, the Applicant is investigating the development of a local removal project, independent of the Project. Any such project will need to be accredited by the ACA.</p>	Agreed

2.12. Health and Wellbeing

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

Table 2.12 Statement of Common Ground – Health and Wellbeing 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. Historic Environment

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

Table 2.13 Statement of Common Ground – Historic Environment Matters

Reference	Matter	Stakeholder Position	Gatwick Airport Limited Position	Signposting	Status
Baseline					
There are no issues relating to the baseline for this topic in this Statement of Common Ground.					
Assessment methodology					
There are no issues relating to the assessment methodology for this topic in this Statement of Common Ground.					
Assessment					
2.13.3.1	The assessment of the potential for noise impact on the historic Parks and Gardens	<p>The Council is not yet satisfied that there will not be more intensive use of flightpaths that are currently infrequently used (i.e. route 9/WIZAD). The Council is concerned that noise impacts on the Historic Parks and Gardens have not been robustly assessed.</p> <p>Updated position (Deadline 1): Further discussion regarding operational aspects of the Project are still under discussion, including future use of flightpaths.</p> <p>The council will review position following further TWGs on these matters programmed for Feb 2024.</p> <p>Figure 8.6.7 shows in 2032 area to south of Wakehurst Place i.e. park and garden will move from 11 –50 flights to 51 – 100.</p> <p>Table 8.9.1 [app-33] indicates that Wakehurst is currently overflow by 21 Gatwick flights increasing to 33 with project increase. Figure 8.6.7 shows the site is right on the edge of a higher level of overflight. Therefore, impact over wider site area could be much greater than the table indicates.</p> <p>Version 3 Deadline 3 Response MSDC does not consider that this matter has been addressed. The Applicants response to NV.1.10 in relation to WIZAD SID (page 94) [REP4-031] GAL states that the imposition of a limit on the number of aircraft movements that could use the WIZAD route would “act to unnecessarily limit the operations of the airport and the wider benefits that it will provide”. Contrary to previous statements by the Applicant, this appears to confirm what the JLAs have always believed, namely that greater planned use of the WIZAD route will be required in order to ensure that the NRP is capable of delivering the full uplift in runway movements claimed contrary to the Applicant’s previous claims that its use will remain purely as a tactical offload route [REP3-038, 14.1AF page 192]</p>	<p>While GAL has illustrated why it is reasonable to assume that average 60s DD separations would be achievable in future (ref: earlier responses), GAL has modelled the operation of both dual and single runway against future levels of demand using <u>current</u> departures separation performance to determine the likely impact this would have on holding times. While marginally higher than previously modelled, they remain within acceptable limits (as defined by capacity declaration parameters). It should be noted that, with this added level of complexity, the AirTop model is not able to reflect the true levels of throughput which can be achieved in dual runway ops with improved sequencing so the modelled holding times represent a worst case for dual runway ops. The level of improvement which can be gained with optimised sequencing has also been assessed.</p> <p>GAL would be pleased to discuss these issues further through the TWG and SoCG discussions.</p> <p>Updated response (April 2024) See the Applicant’s response to the ExA’s Written Questions (ExQ1) - Historic Environment submitted at Deadline 3 [REP3-095] regarding the application of the methodology for the assessment of air noise impacts on heritage assets. The use and general application of this methodology has been agreed with Historic England. Note that the historic park and garden at Wakehurst Place is not considered to be a ‘noise-sensitive’ heritage asset as per the criteria set out in the approved methodology for this assessment.</p>	<p>Statement of Common Ground between Gatwick Airport Limited and Historic England [REP1-035] ^{n/a}</p> <p>The Applicant’s Response to the ExA’s Written Questions (ExQ1) - Historic Environment [REP3-095]</p>	Under discussion
Mitigation and Compensation					
There are no issues relating to mitigation and compensation for this topic in this Statement of Common Ground.					

Other

There are no other issues relating to this topic in this Statement of Common Ground.

2.14. Landscape, Townscape and Visual

2.14.1 Table 2.14 sets out the position of both parties in relation to landscape, townscape and visual matters.

Table 2.14 Statement of Common Ground – Landscape, Townscape and Visual Matters

Reference	Matter	Stakeholder Position	Gatwick Airport Limited Position	Signposting	Status
Baseline					
There are no issues relating to the baseline for this topic in this Statement of Common Ground.					
Assessment methodology					
2.14.2.1	Assessment of tranquillity	<p>The Council is not satisfied that the value of AONB has been correctly categorised in the assessment criteria (Appendix 8.4.1, table 2.2.1). It is the view of MSDC that assessment of tranquillity has underplayed the magnitude of change arising from increase in overflights in nationally designated landscapes (Appendix 8.4.1, table 2.2.7).</p> <p>Updated position (Deadline 1): Whilst disturbance not perceivable to some means that it will be to others, particular in an area of where tranquillity is a valued characteristic (HAONB MGT Plan).</p> <p>In figure 8.6.7 [app- 061] Noting that there is no figure showing Gatwick only with project increase in overflight. In 2032 it shows area of northwestern side of AONB will move from 11 – 51 to 50 100 overflights as this area becomes larger. Figure shows that there could be double the number of flights over parts of the AONB, which will be significant, particular if number at the smaller end of the scale to begin with, as changes in noise will be more noticeable.</p> <p>Table 2.2.7 [APP-109] states 15 – 20% increase in overflights will have a negligible magnitude of change in perception of tranquillity, with a negligible to minor adverse effect. For the reason set out above this is not agreed.</p> <p>In areas not currently overflight just a small change is likely to have significantly more than a minor adverse effect.</p> <p>Not convinced that impacts will not be immediately identifiable, should currently infrequently used tracks be flown more often. The issue of routes flown will be subject to further TWGs in February. The council will review its position once these sessions have concluded.</p> <p>Version 3 Deadline 3 Response MSDC does not consider that this matter has been addressed. The Applicants response to NV.1.10 in relation to WIZAD SID (page 94) [REP4 -031] GAL states that the imposition of a limit on the number of aircraft movements that could use the WIZAD route would “act to</p>	<p>Nationally designated landscapes, including AONB’s, are defined as Very High or High value in Table 2.2.1 of ES Appendix 8.4.1: LTVIA Methodology. People within nationally designated landscapes are defined as High to Very High sensitivity within Table 2.2.7 of ES Appendix 8.4.1: LTVIA Methodology.</p> <p>ES Chapter 8, Section 8.9 includes a thorough assessment of effects on the perception of tranquillity within the High Weald AONB and other nationally designated landscapes as a result of an increase in the number of overflying aircraft up to 7,000 ft above local ground level compared to the future baseline situation in 2032 (See Table 8.9.1 for summary of representative assessment locations and overflight numbers). The maximum increase in daily overflights of 15 to 20% is defined in Table 2.2.7 as ‘increase in number of daily overflights discernible to people’. It is considered that the increase in overflights may be imperceptible to some receptors. The magnitude of change is generally considered to be negligible and the level of effect up to Minor adverse.</p> <p>Updated Response (April 2024) Please refer to the Applicant’s response to ExQ1 LV.1.6 for Deadline 3 in that it states:-</p> <p>No new flight paths are proposed as part of the Project. The increase in the number of overflights in 2032 compared to 2019 in the north-western part of the High Weald National Landscape includes as a result of aircraft using WIZAD (Route 9), which is illustrated in Figure 8.6.6 [APP-061]. The frequency of aircraft movements and general orientation of flights are illustrated in Figures 8.6.3 to 8.6.7 of the ES Landscape, Townscape and Visual Resources Figures [REP2-007] including three well known locations within the HWNL. Table 8.9.1 for summary of representative assessment locations and overflight numbers includes Wakehurst Place. At this location, the 2019 baseline number of Gatwick overflights is 21, in the future baseline this increases to 28.2 in 2032, and with the project in 2032 increases to 33.8).</p>	<p>ES Appendix 8.4.1: Landscape Townscape and Visual Impact Assessment Methodology [APP-109]</p> <p>ES Chapter 8 Landscape, Townscape and Visual Resources [APP-033]</p> <p>ES Landscape, Townscape and Visual Resources Figures [REP2-007]</p>	Not Agreed

		<p><u>unnecessarily limit the operations of the airport and the wider benefits that it will provide". Contrary to previous statements by the Applicant, this appears to confirm what the JLAs have always believed, namely that greater planned use of the WIZAD route will be required in order to ensure that the NRP is capable of delivering the full uplift in runway movements claimed contrary to the Applicant's previous claims that its use will remain purely as a tactical offload route [REP3-038, 14.1AF page 192</u></p>	<p><u>People generally experience a relatively high level of tranquillity in nationally designated landscapes of high scenic quality. These receptors are likely to be of high or very high sensitivity to change. Overflying aircraft at less than 7,000 feet above local ground level currently form a regular visible or audible feature that forms a slightly discordant aspect when experiencing the landscape. The special qualities that people living within and visiting the High Weald AONB experience, including distant scenic views and the landscape's relative tranquillity and dark skies, whilst affected to some extent as a result of an increase in the number of overflying aircraft, would still be positive qualities that would continue to be experienced.</u></p>		
Assessment					
2.14.3.1	<p>The assessment of the potential for noise impact on the High Weald AONB</p>	<p>The Council is not yet satisfied that there will not be more intensive use of flightpaths that are currently infrequently used (i.e. route 9/WIZAD). The Council is concerned that noise impacts on the High Weald Area of Outstanding Natural Beauty have not been robustly assessed.</p> <p>Updated position (Deadline 1): Further discussion regarding operational aspects of the Project is still under discussion, including future use of flightpaths.</p> <p>The council will review position following further TWGs on these matters programmed for Feb 2024.</p> <p>Version 3 Deadline 3 Response MSDC does not consider that this matter has been addressed. The Applicants response to NV.1.10 in relation to WIZAD SID (page 94) [REP4 -031] GAL states that the imposition of a limit on the number of aircraft movements that could use the WIZAD route would "act to unnecessarily limit the operations of the airport and the wider benefits that it will provide". Contrary to previous statements by the Applicant, this appears to confirm what the JLAs have always believed, namely that greater planned use of the WIZAD route will be required in order to ensure that the NRP is capable of delivering the full uplift in runway movements claimed contrary to the Applicant's previous claims that its use will remain purely as a tactical offload route [REP3-038, 14.1AF page 192</p>	<p>While GAL has illustrated why it is reasonable to assume that average 60s DD separations would be achievable in future (ref: earlier responses), GAL has modelled the operation of both dual and single runway against future levels of demand using current departures separation performance to determine the likely impact this would have on holding times. While marginally higher than previously modelled, they remain within acceptable limits (as defined by capacity declaration parameters). It should be noted that, with this added level of complexity, the AirTop model is not able to reflect the true levels of throughput which can be achieved in dual runway ops with improved sequencing so the modelled holding times represent a worst case for dual runway ops. The level of improvement which can be gained with optimised sequencing has also been assessed.</p> <p>GAL would be pleased to discuss these issues further through the TWG and SoCG discussions.</p> <p>Updated Response (April 2024) Please refer to the Applicant's response to ExQ1 LV.1.6 for Deadline 3 in that it states:</p> <p><u>No new flight paths are proposed as part of the Project. The increase in the number of overflights in 2032 compared to 2019, including as a result of aircraft using WIZAD (Route 9), is illustrated in Figure 8.6.6 [APP-061]. The WIZAD route involves an initial climb on westerly departures with a turn at approximately 2.3 miles onto a heading which routes the aircraft between Crawley and the northern edge of Horsham. The route onwards is across the High Weald National Landscape. ES Chapter 8: Landscape, Townscape and Visual Resources [APP-033] assesses impacts on the High</u></p>	n/a	Under discussion

			<p><u>Weald National Landscape having regard to a number of matters, including CAA guidance (CAP1616 Appendix B, para B30 and B56). The frequency of aircraft movements and general orientation of flights are illustrated in Figures 8.6.3 to 8.6.7 of the ES Landscape, Townscape and Visual Resources Figures [REP2-007] together with nationally designated landscapes and 10 popular and well known locations within them.</u></p> <p><u>The ES assesses effects on the perception of tranquility within the High Weald National Landscape as a result of an increase in the number of overflying aircraft up to 7,000 ft above local ground level compared to the future baseline situation in 2032 (see ES Chapter 8: Landscape, Townscape and Visual Resources [APP-033] Table 8.9.1 for summary of representative assessment locations and overflight numbers – this includes assessment at Wakehurst Place. At this location, the 2019 baseline number of Gatwick overflights is 21, in the future baseline this increases to 28.2 in 2032, and with the project in 2032 increases to 33.8).</u></p> <p><u>People generally experience a relatively high level of tranquility in nationally designated landscapes of high scenic quality. These receptors are likely to be of high or very high sensitivity to change. Overflying aircraft at less than 7,000 feet above local ground level currently form a regular visible or audible feature that forms a slightly discordant aspect when experiencing the landscape. The special qualities that people living within and visiting the High Weald AONB experience, including distant scenic views and the landscape’s relative tranquility and dark skies, whilst affected to some extent as a result of an increase in the number of overflying aircraft, would still be positive qualities that would continue to be experienced.</u></p>		
Mitigation and Compensation					
<i>There are no issues relating to mitigation and compensation for this topic in this Statement of Common Ground.</i>					
Other					
<i>There are no other issues relating to this topic in this Statement of Common Ground.</i>					

2.15. Major Accidents and Disasters

2.15.1 Table 2.15 sets out the position of both parties in relation to major accidents and disasters matters.

Table 2.15 Statement of Common Ground – Major Accidents and Disasters 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 noise and vibration matters.

Table 2.16 Statement of Common Ground – Noise and Vibration Matters

Reference	Matter	Stakeholder Position	Gatwick Airport Limited Position	Signposting	Status
Baseline					
2.16.1.1	Baseline	<p>Baseline data that feeds into the aircraft noise assessment should be provided. This includes Sound Exposure Level (SEL) and L_{Amax} data (A-weighted maximum sound level of a noise event) measured by Gatwick’s Noise and Track Keeping system that was used to validate the air noise model.</p> <p>Updated position (Deadline 1): The use of ANCON is not disputed; however, the level of detail provided on air noise modelling is not adequate for a DCO application.</p> <p>Details should be provided on measured SEL and L_{Amax} for each aircraft variant at each monitoring location along with user-defined approach and departure profiles for each aircraft variant. Details should be provided regarding the numerical accuracy of predictions in comparison to measured L_{Amax} and SEL for each aircraft at each monitoring location.</p> <p><u>Updated position (Deadline 5): ERCD Report 2002 does not contain the information requested. The information is important to understand the aircraft noise contours has not been provided by the Applicant and underpins the air noise assessment. The information was initially requested after the MSDC review of the PEIR and the Applicant has not fulfilled the request.</u></p>	<p>CAA ERCD gave a presentation to the TWG on 7th June 2022 on the ANCON model and its validation, and it was discussed at the TWG. The slide deck provided for this meeting included SEL and L_{max} levels from the Gatwick NTK and how they are used to validate the model every year. Further information has been added to the ES Appendix 14.9.2 Section 2.1 describing the air traffic forecasts used, the distribution across routes and runways, flight dispersion adopted, height and speed profiles, source terms for next generation aircraft and the ANCON model and referring to <i>ECRD Report 2002: Noise Exposure Contour for Gatwick Airport 2019</i> for further details.</p> <p>ERCD has been producing noise contours for Gatwick airport using the ANCON model since 1988 including annual contours every year. Up until 2015 the contours were produced for the DfT, and since then they have been carried out for GAL. ERCD has a team who maintain the model and calibrate it for Gatwick Airport using thousands of data points every year. ANCON is used on other UK airports as well as for international studies, and is considered the most accurate tool available to model noise from Gatwick Airport. It is strongly refuted that it is difficult to have confidence in the noise model based on the information provided.</p> <p><u>Updated Position (April 2024): The Applicant has provided full details of the aircraft types modelling each year in Supporting Noise and Vibration Technical Notes to Statements of Common Ground, Appendix F - Aircraft Fleets for Noise Modelling [REP3-071].</u></p> <p><u>We note ‘the use of ANCON is not in dispute’. We refer back to the various reports on the ANCON model including the following extracts from ANCON model and referring to <i>ECRD Report 2002: Noise Exposure Contour for Gatwick Airport 2019</i> referenced above:</u></p> <p><u>2.1 Noise contours were calculated with the UK civil aircraft noise model ANCON (version 2.4), which is developed and maintained</u></p>	<p>ES Appendix 14.9.2: Air Noise Modelling [APP-172]</p>	Not Agreed

			<p>by ERCD on behalf of the DfT. A technical description of ANCON is provided in R&D Report 9842 (Ref 5). The ANCON model is also used for the production of annual contours for Heathrow and Stansted airports, and a number of other UK airports.</p> <p>2.2 ANCON is fully compliant with the latest European guidance on noise modelling, ECAC.CEAC Doc 29 (Fourth edition), published in December 2016 (Ref 6). This guidance document represents internationally agreed best practice as implemented in modern aircraft noise models. The fourth edition introduced some minor changes to the modelling of start-of-roll noise, which were incorporated in the 2017 software update to ANCON (version 2.4).</p>		
Assessment Methodology					
2.16.2.1	Methodology used to model air noise	<p>Further detail of the methodology used to model air noise impacts is needed.</p> <p>Updated position (Deadline 1): The level of detail provided on air noise modelling is not adequate for a DCO application.</p> <p>Updated position (Deadline 5): ECRD Report 2002 does not contain the information requested. The information is important to understand the aircraft noise contours and underpins the air noise assessment. The information was initially requested after the MSDC review of the PEIR and the Applicant has continually not fulfilled the request.</p>	<p>ES Appendix 14.9.2 provides details of the air noise model and assessment. Various elements of the air noise model and its validation are described in the above responses.</p> <p>Updated Position (April 2024): Please see 2.16.1.1 above.</p>	ES Appendix 14.9.2 Air Noise Modelling [APP-172]	Not Agreed
2.16.2.2	Methodology used to model ground noise	<p>Further detail of the methodology used to model ground noise impacts is needed.</p> <p>Updated position (Deadline 1): The level of detail provided on ground noise modelling is not adequate for a DCO application.</p> <p>Updated position (Deadline 5): The Applicant has attempted to provide some indication on how engine testing would contribute to the LAeq,T metric with some rather outlandish assumptions. Paragraph 2.7.2 [REP1-050] states that peak engine testing noise levels would last for two minutes and events would occur, on average, 0.35 times per day. As such, engine testing LAeq,T noise has been calculated based on event lasting for 0.7 minutes (42 seconds); however, ground running events can last substantially longer. This is not an appropriate assessment of ground running noise. Engine ground running, auxiliary power unit, fire training ground activities and engine around taxi noise should all be included in LAeq,T ground noise predictions.</p>	<p>ES Appendix 14.9.3 provides details of the ground noise model and assessment.</p> <p>Updated Position (April 2024): The Applicant has provided Supporting Noise and Vibration Technical Notes to Statements of Common Ground, Appendix B - Ground Noise Fleet Assessment [REP3-071] and Supporting Noise and Vibration Technical Notes to Statements of Common Ground, Appendix E - Ground Noise Engine Ground Runs in Supporting Noise and Vibration [REP3-071] which together provide further details of ground noise and its mitigation.</p>	ES Appendix 14.9.3 Ground Noise Modelling [APP-173]	Not Agreed

2.16.2.3	Local planning policy	<p>Local planning policies relevant to noise and vibration are listed in ES Chapter 14, Table 14.2.2, of the ES but no information is provided on how these policies are addressed in the ES. Mid Sussex planning policy relating to noise has been incorrectly reported in this table.</p> <p>Updated position (Deadline 1): Local planning policies should be covered in detail with information provided regarding where they have been addressed in the ES.</p> <p>Updated position (Deadline 5): Local planning policies and how they have been addressed in the noise assessment should be covered.</p>	<p>The relevant planning policies relating to noise and vibration have been identified in the assessment and reference to them is made where relevant in the ES, e.g. Planning Advice Document Sussex is used to assess fixed sources of ground noise, see para 7.1.2 of ES Appendix 14.9.3: Ground Noise Modelling. Planning polies and how they <u>are</u> addressed in relation to the application is principally addressed in the Planning Statement.</p>	<p>ES Appendix 14.9.3: Ground Noise Modelling [APP-173]</p> <p>Planning Statement [APP-245]</p>	Not Agreed
2.16.2.4	Assessment Methodology	<p>Assessment criteria based around the Lowest Observed Adverse Effect Level (LOAEL) and Significant Observed Adverse Effect Level (SOAEL) focus on noise effects at residential receptors. Non-residential receptors should be considered on a case-by-case basis with assessment criteria defined depending on the non-residential use. For the ground noise and air noise assessments, changes in noise should be identified for receptors experiencing noise levels between LOAEL and SOAEL and for those experiencing noise levels exceeding SOAEL.</p> <p>Updated position (Deadline 1): Paragraph 14.4.76 [APP-039] states: “<i>For non-residential buildings specific noise assessment criteria are used where significant noise increases are expected above the threshold levels described above, with reference to their particular use, design and circumstances</i>”.</p> <p>No specific noise assessment criteria for non-residential receptors are defined. Additionally, the assessment of non-residential receptors is included in secondary noise metrics, which the Applicant identifies are not for identifying significant effects and are for context only.</p> <p>Updated Position (Deadline 5): It is noted that the Applicant has provided detailed non-residential screening criteria in The Applicant's Response to ExQ1 - Noise and Vibration [REP3-101]. The criteria are not agreed as it contains an error and criteria for schools is based on measured noise data at a school near London Luton Airport, which is not relevant to Gatwick.</p>	<p>The methodology for assessing non-residential receptors is summarised in ES para 14.4.76. Non-residential noise sensitive receptors include: Educational facilities (schools, colleges, nurseries) doctors medical centres, hospitals, auditoria (concert halls, theatres, sound recording and broadcasting studios), places of worship, offices, museums, community and village halls, courts, libraries, hotels etc. Noise assessment criteria for these can be drawn from various guidelines and in all cases are $L_{eq\ 16\ hour}$ 50dB or 55dB. Noise change criteria for significant effects are in all cases 3dB or more. Hence, it is reasonable to use the residential $L_{eq\ 16\ hr}$ 51dB LOAEL as a scoping threshold for non-residential receptors. As noted in ES para 14.4.76 for non-residential buildings, sensitivity to noise tends to depend not just on the building use, but also its construction and other factors. Therefore, where noise levels above the scoping criterion are identified they are assessed in a case by case basis.</p> <p>Construction noise has been modelled at all buildings regardless of use. The residential daytime and where relevant night-time LOAEL was used to scope impacts at all receptors including non-residential. Paragraphs 14.9.17 to 14.9.43 identify various schools, churches, open spaces, hotels and offices where these could be exceeded and Table 14.9.4 identified mitigation and on a case by case basis where impacts are likely.</p> <p>Non-residential receptors were considered in assessing the worst affected properties for baseline surveys, with measurements carried out and used to characterise the ambient noise levels at non-residential receptors in two of the 13 Noise Sensitive Receptor Areas used in the ground noise assessment. Ground noise has been modelled at all buildings regardless of use. The residential LOAELs were used to scope impacts at all receptors including non-residential. Appendix 14.9.3 provides predicted noise levels at schools, offices, a care home and an aquatic centre and assesses impacts where relevant on a case by case basis.</p>	<p>ES Chapter 14: Noise and Vibration [APP-039]</p> <p>ES Noise and Vibration Figures [APP-063 to APP-065]</p>	Not Agreed

			<p>The air noise assessment provides modelled noise levels at non-residential properties to scope impacts above the residential LOAELs. Figure 14.9.32 shows 50 noise sensitive community buildings (21 schools, one hospital, 18 places of worship and 7 community buildings) for which noise levels are predicted and assessed. The seven Community Representative Locations chosen to describe impacts in more detail in para 14.9.150 to 14.9.158 are non-residential (6 schools and one care home).</p> <p>Road traffic noise has been modelled at all buildings regardless of use. The residential LOAELs were used to scope impacts at all receptors including non-residential. Noise changes in the Riverside Garden Park have been assessed in detail. Potential noise impacts at two hotels and the Gatwick Airport Police Station are assessed on a case by case basis.</p> <p>Updated Position (April 2024): The Applicant has provided a further response on this including criteria for non-residential receptors and a full description of how they have been assessed in The Applicant's Response to ExQ1 - Noise and Vibration (Doc Ref 10.16), question NV.1.7.</p>		
2.16.2.5	Construction Noise	<p>No information is provided on how the LOAEL is defined at sensitive receptor locations in accordance with Table 14.4.4 in ES Chapter 14. It is unclear what construction activities are occurring within each assessment scenario.</p> <p>Updated position (Deadline 1): The process when defining LOAEL and SOAEL should be detailed including ambient noise levels at each receptor group and the corresponding ABC defined construction noise thresholds for relevant time periods.</p> <p>Updated position (Deadline 5): the Applicant has not addressed this matter</p>	<p>Paragraphs 14.9.8, 14.9.9, 14.9.13 and 14.9.14 of the ES Chapter 14 give construction noise LOAELs and SOAELs. These are derived from Table 14.4.4 using baseline (ambient) noise levels that were either measured in 2016 or modelled in the road traffic noise baseline model rounded to the nearest 5dB as required in the BS5228 ABC method.</p>	Paragraphs 14.9.8, 14.9.9, 14.9.13 and 14.9.14 of ES Chapter 14 Noise and Vibration [APP-039]	Not Agreed
2.16.2.6	Construction Vibration	<p>The construction vibration assessment only considers effects from sheet piling and does not consider vibration effects from vibratory compactors and rollers used in highway construction.</p> <p>Updated position (Deadline 5): potential exceedances of the SOAEL are identified in the assessment of vibration emissions from compactors and rollers. The Applicant should provide information as to how potential vibration impacts would be managed and levels monitored/controlled to ensure that the SOAEL is not exceeded in practice</p>	<p>Vibratory compactors and rollers used in the highway construction are not expected to be sufficiently close to noise sensitive receptors to give rise to significant vibration effects. A note providing further details on the use of vibratory compactors and rollers will be provided to the TWG.</p> <p>Updated Position (April 2024): The Applicant has provided an assessment of vibration from compaction and rollers which confirms this will not give rise to significant effects in Supporting Noise and Vibration Technical Notes to Statements of Common Ground, Appendix A - Construction Vibration [REP3-071].</p>	n/a	Under discussion

2.16.2.7	Aircraft Noise	<p>Details of the validation process, noise modelling process and any assumptions and limitations applied should be provided.</p> <p>Updated position (Deadline 1): Details should be provided of the validation process and noise modelling processes with any noise model assumptions and limitations.</p> <p>Updated position (Deadline 5): ECRD Report 2002 does not contain the information requested. The information is important to understand the aircraft noise contours and underpins the air noise assessment. The information was initially requested after the MSDC review of the PEIR and the Applicant has continually not fulfilled the request.</p>	<p>ES Appendix 14.9.3 provides details of the ground noise model and assessment.</p> <p>Updated Position (April 2024): Updated Position (Deadline 3): The Applicant has provided aircraft fleet for all years in Supporting Noise and Vibration Technical Notes to Statements of Common Ground, Appendix F - Aircraft Fleets for Noise Modelling [REP3-071]. See also our response to comment 2.16.1.1 above on validation of the model.</p>	<p>ES Appendix 14.9.3 Ground Noise Modelling [APP-173]</p>	Not Agreed
2.16.2.8	Aircraft Noise	<p>Aircraft fleets are not provided for the 92-day summer period. It is difficult to understand what has been modelled and how fleet transition would occur without provision of aircraft fleets. Aircraft fleets used in noise models should be provided along with an explanation of how the fleet is split between the two runways.</p> <p>Updated position (Deadline 1): Details of fleets for all assessment scenarios should be submitted along with how aircraft are distributed between the runways.</p> <p>Updated position (Deadline 5): Information on fleets has been accepted; however, the Applicant should identify why the composition of the slower transition fleet is so different to the composition of the central case fleet.</p>	<p>ES Appendix 14.9.3 provides details of the ground noise model and assessment.</p> <p>Updated Position (April 2024): The Applicant has provided aircraft fleet for all years in Supporting Noise and Vibration Technical Notes to Statements of Common Ground, Appendix F - Aircraft Fleets for Noise Modelling [REP3-071].</p>	<p>ES Appendix 14.9.3 Ground Noise Modelling [APP-173]</p>	Not Agreed
2.16.2.9	Aircraft Noise	<p>No details of the noise modelling or validation process are provided. It is difficult to have any confidence in the noise model without details of the validation process, noise modelling process and the assumptions and limitations that have been applied.</p> <p>Updated position (Deadline 1): Details should be provided of the validation process and noise modelling processes with any noise model assumptions and limitations.</p> <p>Updated position (Deadline 5): MSDC maintain their position that this information is important and underpins the air noise assessment.</p>	<p>The fleets forecast are described in the Forecast Data Book and ES Appendix 14.9.5: Air Noise Envelope Background, however, this does not include full tables of the ANCON model types on the average summer day and night periods, which will be provided to the noise TWG.</p> <p>Updated Position (April 2024): Updated Position (Deadline 3): The Applicant has provided aircraft fleet for all years in Supporting Noise and Vibration Technical Notes to Statements of Common Ground, Appendix F - Aircraft Fleets for Noise Modelling [REP3-071]. See also our response to comment 2.16.1.1 above on validation of the model.</p>	<p>ES Appendix 4.3.1: Forecast Data Book [APP-075]</p> <p>ES Appendix 14.9.5: Air Noise Envelope Background [APP-175]</p>	Not Agreed
2.16.2.10	Aircraft Noise	<p>It should be clarified what scenario has been considered when identifying receptors experiencing noise levels exceeding the SOAEL. It should be identified how many properties are exposed to noise levels exceeding the SOAEL for both the Central Case and the Slow Transition Case.</p>	<p>The population exceeding SOAEL for each fleet are provided as the upper and lower end of each range provided in each cell of Table 14.9.7.</p>	<p>ES Chapter 14 Noise and Vibration [APP-039]</p>	Not Agreed

		<p>Updated position (Deadline 1): This information should be provided in the ES so it is clear and understandable.</p> <p>Updated position (Deadline 5): <u>One scenario, which represents the most likely scenario, should be assessed. The air noise assessment should clearly assess population experiencing noise levels between LOAEL and SOAEL and population experiencing noise levels exceeding SOAEL.</u></p>	<p>Where properties experiencing significant increases are discussed and identified in paragraphs 14.9.102 to 14.9.105 these are for the slower transition case, i.e. the worst case. The day and night SOAEL contours for the two fleets are within 50-100m of each other in the majority of the populated areas, that are all rural with low population densities, so the equivalent populations to be identified for the Central Case fleet would be very similar but slightly lower in number.</p>		
2.16.2.11	Aircraft Noise	<p>The assessment of air noise only covers 2032 as it is identified as the worst-case; however, identification of significant effects for all assessment years should be provided.</p> <p>Updated position (Deadline 1): All assessment years (2029, 2032, 2038 and 2047) should be covered in the assessment to understand temporal effects on the local population.</p> <p>Updated position (Deadline 5): <u>MSDC maintain their position on this matter.</u></p>	<p>The noise modelling method is summarised in Section 2 of Appendix 14.9.2 and was explained in a CAA ERCD presentation and slide deck hand out to the TWG on 7th June 2022.</p> <p>GAL engaged with the LPAs before and after the PEIR to discuss and explain the scenarios modelled and reported in the ES. These comprise:</p> <ul style="list-style-type: none"> • 8 metrics - Leq 16 hr, Leq 8 hr night, N65 day, N60 night, Lden, LNight, Lmax and overflights; • 5 assessment years – 2019, 2029, 2032, 2038 and 2047 • 2 Fleet transition scenarios, the Central Case and Slower Transition Case. <p>These are presented in 71 figures in the ES relating to air noise impacts with the data tabulated in ES Appendix 14.9.2. LPAs have been given access to an air noise web viewer to download air noise contours. This is considered a suitable set of noise modelling scenarios to allow the ES <u>to explain</u> the likely significant effects of the Project.</p>	<p>ES Noise and Vibration Figures Part 1 [APP-063]</p> <p>ES Noise and Vibration Figures Part 2 [APP-064]</p> <p>ES Noise and Vibration Figures Part 3 [APP-065]</p> <p>ES Appendix 14.9.2: Air Noise Modelling [APP-172]</p>	Not Agreed
2.16.2.12	Aircraft Noise	<p>Context for the aircraft noise assessment is provided through consideration of the secondary metrics; however, no conclusions as to how secondary metrics relate to likely significant effects have been made. The use of secondary metrics within the overall assessment of likely significant effects is therefore unclear.</p> <p>Updated position (Deadline 1): Supplementary noise metrics should be used to supplement the primary metric assessment to identify likely significant effects.</p> <p>Updated position (Deadline 5): <u>MSDC maintain their position on this matter.</u></p>	<p>Paragraph 14.4.79 of the ES Chapter 14 explains: <i>The assessment of significance is based primarily on the predicted levels and changes in the primary noise metrics and the factors described above, but additional noise metrics (the secondary noise metrics) are used to provide more detail on the changes that would arise.</i></p> <p>Updated Position (April 2024): <u>This comment and others again asks for the significance of effect to be judged using the supplementary noise metrics. Supplementary noise metrics, N65, N60, Lden, LNight, Lmax and overflights have been used to illustrate change in the ES as required by guidance and that guidance is clear that Leq 16 hr and Leq 8 hour are the primary metrics on which to judge significance for air noise.</u></p>	<p>ES Chapter 14: Noise and Vibration [APP-039]</p>	Not Agreed

2.16.2.13	Ground Noise	<p>It is not clear if 'engine ground running', 'auxiliary power unit' and 'engine around taxi noise' is included in LAeq,T ground noise predictions. Consequently, ground noise LAeq,T levels may be understated. All ground noise sources should be included in LAeq,T predictions covering a reasonable worst-case day.</p> <p>Updated position (Deadline 1): The response does not address the comment.</p> <p>Updated position (Deadline 5): The Applicant has attempted to provide some indication on how engine testing would contribute to the LAeq,T metric with some rather outlandish assumptions. Paragraph 2.7.2 [REP1-050] states that peak engine testing noise levels would last for two minutes and events would occur, on average, 0.35 times per day. As such, engine testing LAeq,T noise has been calculated based on event lasting for 0.7 minutes (42 seconds); however, ground running events can last substantially longer. This is not an appropriate assessment of ground running noise. Engine ground running, auxiliary power unit, fire training ground activities and engine around taxi noise should all be included in LAeq,T ground noise predictions.</p>	<p>The 2016 ground noise survey is presented in ES Appendix 14.9.6 Ground Noise Baseline Report. See 13.19 above for noise modelling references.</p> <p>The overflight grid sizes has been reduced to 1km to improve resolution. See para 2.2.9 of ES Appendix 14.9.2: Air Noise Modelling.</p> <p>Updated Position (April 2024): The Applicant has provided further details of ground noise sources modelled and a calculation showing the contribution of engine ground running to Leq noise levels is insignificant in Supporting Noise and Vibration Technical Notes to Statements of Common Ground, Appendix E - Ground Noise Engine Ground Runs [REP3-071].</p>	<p>ES Appendix 14.9.6 Ground Noise Baseline Report [APP-176]</p> <p>ES Appendix 14.9.2: Air Noise Modelling [APP-172]</p>	Not Agreed
2.16.2.14	Ground Noise	<p>The Central Case has been considered for the ground noise assessment; however, higher levels of ground noise will be identified in the Slower Transition Case. Consequently, there is potential for receptors to experience significant noise effects that are identified in the Central Case assessment. Ground noise emissions during the Slower Transition Case should be assessed.</p> <p>Updated position (Deadline 5): The information provided in The Applicant's Response to ExQ1 - Noise and Vibration [REP3-101] does not fully address MSDC's position. Contour plots should be provided to allow better understanding of ground noise effects for each assessment year and scenario. It would be expected that LAeq and LAmaz contour plots are provided. LAeq contours should be provided from the LOAEL upwards in 3dB increments.</p>	<p>A sensitivity test of taxiing noise modelling with the slower transition fleet will be provided.</p> <p>Ground noise impacts are generally determined by the extent to which ground noise exceeds ambient noise, usually road traffic noise, so ground noise impacts are greatest when ground noise levels are highest in 2032.</p> <p>Ground noise contours were discussed with the TWG. Because ground noise impacts are determined by the change in ground noise and the extent to which it exceeds ambient noise, contours of ground noise levels can be misleading and are not considered helpful to depict area of impact in the ES.</p> <p>Updated Position (April 2024): The Applicant has provided an assessment of ground noise with the slower transition fleet showing it is not worse in Supporting Noise and Vibration Technical Notes to Statements of Common Ground, Appendix E - Ground Noise Engine Ground Runs [REP3-071].</p>	n/a	Under discussion
2.16.2.15	Ground Noise	<p>It is not clear if fire training activities at the new fire training ground are considered within the ground noise assessment. Noise emissions from fire training ground activities should be assessed.</p>	<p>The fire training ground will be re-located to be about 200m north of the Northern Runway within the air noise Leq 69dB daytime noise contour, and over 300m from the nearest noise sensitive receptor with 10m bunding screening noise propagation as described in Table 14.8.3 of Chapter 14 of the ES. Fire training</p>	Table 14.8.3 of ES Chapter 14 Noise and Vibration [APP-039]	Not Agreed

		<p>Updated position (Deadline 1): Fire training activities should be included in the ground noise model as a reasonable worst-case.</p> <p>Updated position (Deadline 5): It was requested in Table 4-7 of the Scoping Opinion [APP-095] that the relocated fire training ground was covered in the ground noise assessment. This request has been consistently ignored by the Applicant. It is not agreed that activities over a reasonable worst-case day would be insignificant in terms of LAeq,T noise levels.</p>	<p>activities will be in daytime only and are not expected to give rise to noise levels higher than taxiing or airborne aircraft at nearest receptors, so are not expected to give rise to significant noise effects.</p> <p>Updated Position (April 2024): The main noise source relating to the fire training ground, is the diesel engine of the vehicle carrying the firefighting apparatus. The assumed sound power of an APU, used in the predictions presented in Appendix 14.9.3, is 120 dBA and the same level would apply for a diesel engine associated with an HGV or similar vehicle. For a large taxiing aircraft, the assumed sound power level (Table 3.1.1 Appendix 14.9.3) is more than 20 dB higher than this which means that maximum noise levels from fire training activities could be expected to be more than 20 dB below the highest levels that could be expected at residential distances due to taxiing aircraft. The highest maximum levels have therefore already been assessed in the ES and, since noise from the fire training ground is expected to be so much lower, any contribution to daytime LAeq levels would be insignificant.</p>		
2.16.2.16	Ground Noise	<p>The assessment of ground noise only covers 2032 as it is identified as the worst-case; however, identification of likely significant effects for all assessment years should be provided.</p> <p>Updated position (Deadline 1): 2032 is not the worst-case year for ground noise as other assessment years show bigger increases in noise. All assessment years (2029, 2032, 2038 and 2047) should be covered in the assessment to understand temporal effects on the local population.</p> <p>Updated position (Deadline 5): MSDC maintain their position that all assessment years (including central case and slower transition case) should be covered in the ground noise assessment</p>	<p>A sensitivity test of taxiing noise modelling with the slower transition fleet will be provided.</p> <p>Ground noise impacts are generally determined by the extent to which ground noise exceeds ambient noise, usually road traffic noise, so ground noise impacts are greatest when ground noise levels are highest in 2032.</p> <p>Ground noise contours were discussed with the TWG. Because ground noise impacts are determined by the change in ground noise and the extent to which it exceeds ambient noise, contours of ground noise levels can be misleading and are not considered helpful to depict area of impact in the ES.</p> <p>Updated Position (April 2024): The Applicant has provided Supporting Noise and Vibration Technical Notes to Statements of Common Ground, Appendix B - Ground Noise Fleet Assessment [REP3-071] which provides an updated assessment of ground noise with the slower transition fleet. As in the ES Appendix 14.9.3 Ground Noise Modelling [APP-173] this provides predicted noise levels and changes in 2029, 2032, 2038 and 2047. In some cases the noise changes with the Project compared to the future baseline in 2038 and 2047 are 1 dB higher than in 2032, but in all cases the predicted absolute levels with the Project are lower. Because the ground</p>	n/a	Not Agreed

			noise assessment considers absolute levels and comparison with ambient noise, change is not the only consideration, and the impacts in 2038 and 2047 are not greater than impacts in 2032.		
2.16.2.17	Ground Noise	Context to the ground noise assessment is provided through consideration of the secondary metrics; however, no conclusions as to how secondary metrics relate to likely significant effects have been made. The use of secondary metrics within the overall assessment of likely significant effects is therefore unclear. Updated position (Deadline 1): Paragraph 14.4.84 [APP-039] states that: “Lmax levels have also been used to assist in determining significance of effects for particular intermittent noise sources such as Engine Ground Running and use of EATs.” Updated position (Deadline 5): The Applicant should clearly set out their methodology for the use of Lmax when identifying significant effects.	Paragraph 14.4.79 of the ES Chapter 14 explains: <i>The assessment of significance is based primarily on the predicted levels and changes in the primary noise metrics and the factors described above, but additional noise metrics (the secondary noise metrics) are used to provide more detail on the changes that would arise.</i> Updated Position (April 2024): Noted, the change in number of Lmax events above 65dB in the day and 60dB at night has also been used in addition to Leg levels in some cases in arriving at the overall assessment of significance. For example in the Charlwood, Riverside Horley, Bonnetts Lane, and Lowfield Heath Assessment Areas as discussed in Section 8 of ES Appendix 14.9.3 Ground Noise Modelling [APP-173]	Para 14.4.79 of ES Chapter 14: Noise and Vibration [APP-039]	Not Agreed
2.16.2.18	Surface Access Noise	One 20-minute survey and one 10-minute survey is not sufficient to provide data suitable for validation of the road traffic noise model and indeed these data are not used as such. There is therefore no validation of the road traffic noise model in terms of measured levels. Long-term monitoring should be undertaken to provide confidence in the road traffic noise model. Consultation on the monitoring methodology should be undertaken with Local Authorities. Updated position (Deadline 5): The additional information is accepted	The noise surveys carried out in Riverside Garden Park were undertaken to better understand the overall noise environment in the park, not to calibrate the road traffic noise model. The road traffic noise model results have been reviewed by AECOM. In the TWG meeting on 29/11/2022 the applicant responded to various queries on the traffic noise model raised by two traffic noise modelling experts from AECOM. The 2016 ground noise baseline noise survey included 2 sites near the A23 where traffic noise was measured over period of approximately 2 weeks. The survey results compare well with baseline traffic noise modelling results. These results will be provided in a technical note shared with NH and the TWG. Updated Position (April 2024): The Applicant has provided this information at Deadline 3 in Supporting Noise and Vibration Technical Notes to Statements of Common Ground, Appendix D - Traffic Noise Important Area Assessment [REP3-071].	ES Chapter 14: Noise and Vibration [APP-039]	Under discussion Agreed
Assessment					
2.16.3.1	Assessment of significant effects for air noise	How the significant effects have been identified and the robustness of conclusions. Provide a thorough assessment of significant effects that identifies how communities will be impacted by air noise.	ES Chapter 14 and its associated appendices and figures provide this assessment.	ES Chapter 14 Noise and Vibration [APP-039] ES Noise and Vibration Figures [APP-063 to APP-065]	Not Agreed

		<p>Updated position (Deadline 1): The air noise assessment does not provide enough information regarding the effects of air noise on local communities.</p> <p>Updated position (Deadline 5): Population and properties that would newly experience noise levels exceeding SOAEL should be identified for each assessment scenario and year. The change in air noise should be clearly detailed in a table for population experiencing noise levels between LOAEL and SOAEL and population experiencing noise levels exceeding SOAEL</p>		<p>ES Appendices 14.3.1 to 14.9.10 [APP-169 to APP-180]</p>	
2.16.3.2	Assessment of significant effects for ground noise	<p>How the significant effects have been identified and the robustness of conclusions.</p> <p>Provide a thorough assessment of significant effects that identifies how communities will be impacted by air noise.</p> <p>Updated position (Deadline 1): The ground noise assessment does not provide enough information regarding the effects of air noise on local communities.</p> <p>Updated position (Deadline 5): Engine ground running, auxiliary power unit, fire training ground activities and engine around taxi noise should all be included in LAeq,T ground noise predictions.</p>	<p>ES Chapter 14 and its associated appendices and figures provide this assessment.</p> <p>Updated Position (April 2024): The Applicant has provided an assessment of ground noise with the slower transition fleet which updates the results in the ES and shows it is not worse in Supporting Noise and Vibration Technical Notes to Statements of Common Ground, Appendix E - Ground Noise Engine Ground Runs [REP3-071].</p>	<p>ES Chapter 14 Noise and Vibration [APP-039]</p> <p>ES Noise and Vibration Figures [APP-063 to APP-065]</p> <p>ES Appendices 14.3.1 to 14.9.10 [APP-169 to APP-180]</p>	Not Agreed
2.16.3.3	Aircraft Noise	<p>Receptors newly experiencing noise levels exceeding the SOAEL are not identified. It is important to identify how many properties are newly exposed to noise levels exceeding the SOAEL to determine compliance with the Airports National Policy Statement (ANPS).</p> <p>Updated position (Deadline 1): This information should be clearly presented in the ES.</p> <p>Updated position (Deadline 5): The Applicant has not addressed this matter.</p>	<p>The increase in the population within SOAEL with the Project compared to without the Project in the noisiest year, 2032, can be seen by subtracting the population in Table 14.6.5 (baseline) from those in Table 14.9.7 (with Project). For both day and night, central case fleet and slower transition fleet this gives a population of approximately 100 <u>people</u>. All properties forecast to be above SOAEL with the Project in the noisiest year, 2032, with the slower transition fleet will be offered the Inner Zone noise insulation package consistent with the policy requirement to avoid significant adverse effects on health and quality of life.</p>	<p>Tables 14.9.5 and 14.9.7 of ES Chapter 14 Noise and Vibration [APP-039]</p>	Not Agreed
2.16.3.4	Ground Noise	<p>The ground noise assessment only accounts for the worst-case location (Rowley Cottages) and contextualises the 82 dB LAmax predictions by identifying car pass-by LAmax levels of 80 dB. However, there is no attempt to contextualise LAmax engine ground running noise at any other receptor location. The assessment of engine ground noise should cover all assessment locations.</p> <p>Updated position (Deadline 5): The logic that aircraft taxiing noise LAmax noise levels are high so ground running noise LAmax noise levels are not significant is inherently flawed.</p>	<p>A technical note will be provided to the TWG providing further details of engine ground running noise levels at other receptor locations which demonstrates the Project will not give rise significant effects from engine ground running.</p> <p>Updated Position (April 2024): The Applicant has provided further details of ground noise levels contextualised in all assessment areas as necessary in Supporting Noise and Vibration Technical Notes to Statements of Common Ground, Appendix E - Ground Noise Engine Ground Runs [REP3-071].</p>	n/a	Under discussion

Mitigation and Compensation					
2.16.4.1	Noise Envelope	<p>Significant concerns relating to the definition, management and enforcement of the Noise Envelope.</p> <p>Updated position (Deadline 1): Ground noise mitigation should be secured in the DCO.</p> <p>The Noise Envelope is not policy compliant and not fit for purpose.</p> <p>Updated position (Deadline 5): MSDC maintain their position on this matter</p>	<p>Noise Envelope governance was discussed at length in the Noise Envelope Group. Ground noise will continue to be managed as at present. Construction noise management is reported in the CoCP.</p> <p>Updated Position (April 2024): The Applicant has provided responses to all the council's specific comments on the Noise Envelope below in 2.16.4.9 to 2.16.4.15. The Applicant strongly refutes that the Noise Envelope is not policy compliant.</p>	<p>ES Appendix 14.9.7: The Noise Envelope [APP-177]</p> <p>ES Appendix 14.9.8: Noise Envelope Group Output Report [APP-178]</p> <p>ES Appendix 14.9.9: Report on Engagement on the Noise Envelope [AS-023]</p> <p>ES Appendix 5.3.2: Code of Construction Practice (REP1-021, REP1-024)</p>	Not Agreed
2.16.4.2	Noise Insulation Scheme	<p>Lacks clarity as to what measures will be applied and where.</p> <p>Updated position (Deadline 1): More information should be provided including details of the noise insulation roll out should be provided including a market test the availability of contractors and insulation materials.</p> <p>Updated position (Deadline 5): MSDC maintain their position on this matter</p>	<p>See various rows within this table. Further details on how the NIS will be implemented will be provided to the local authorities in due course.</p> <p>Updated Position (April 2024): The Applicant has provided further details of how provision of noise insulation will be prioritised and programmed in 5.3 ES Appendix 14.9.10 Noise Insulation Scheme Update Note [REP2-032]. The Noise Insulation Scheme will be updated and resubmitted to the Examining Authority incorporating these additions at Deadline 4.</p> <p>The Applicant has considered the speed at which the scheme can be rolled out. In 2015 a single contractor delivered the current scheme to 418 homes, and the Applicant is confident the new scheme can be delivered if necessary using multiple contractors.</p>	<p>ES Appendix 14.9.10: Noise Insulation Scheme [APP-180]</p>	Not Agreed
2.16.4.3	Fixed Plant Noise	<p>No mechanism for securing fixed plant limits for any future assessment of fixed plant noise is provided. Fixed plant noise limits should apply to cumulative levels of fixed plant noise and not to "any" fixed plant.</p> <p>Updated position (Deadline 1): Fixed plant noise limits and controls should be secured in the DCO.</p> <p>Updated position (Deadline 5): MSDC await an update from the Applicant</p>	<p>Noted, the noise limits provided should apply to all the Project's fixed noise sources together not any one separately. We would envisage a monitoring report being provided to CBC following commissioning of the plant.</p> <p>GAL will consider how these limits can be secured within the draft DCO.</p>	n/a	Not Agreed

2.16.4.4	Noise Insulation Scheme	<p>Residents of properties within the inner zone will be notified within 6 months of commencement of works; however, the noise contours on which eligibility would be based upon are not clear.</p> <p>Updated position (Deadline 5): The Applicant has not addressed this matter</p>	<p>Paragraph 4.1.10 and 4.1.11 of ES Appendix 14.9.10 outline the process to prioritise the scheme with the Inner Zone first. Further detail on implementation of the NIS is being prepared and will be shared with the TWG. Further prioritisation will use higher noise level bands to implement the scheme to those most affected first, albeit it is considered that there is sufficient time for all properties in the inner zone to receive noise insulation before operations commence.</p> <p>Paragraph 4.1.11 of ES Appendix 14.9.10 explains how eligibility for the Inner Zone noise insulation scheme will if necessary be extended by measurement of cumulative ground and air noise. Two small areas are noted as possible candidates but the vast majority of eligibility will be clear from air noise contours with the option to extend this if noise disturbance is reported by residents beyond. Measurements would be carried out by installing noise monitoring equipment in the relevant area.</p>	ES Appendix 14.9.10 Noise Insulation Scheme [APP-180]	Under discussion
2.16.4.5	Noise Insulation Scheme	<p>Residents in the outer zone should be offered more flexibility on the type of insulation rather than being restricted to ventilation.</p> <p>Updated position (Deadline 1): The noise insulation scheme should be updated to allow flexibility for any type of insulation that may improve internal noise conditions.</p> <p>Updated position (Deadline 5): MSDC maintain their position on this matter</p>	<p>The noise insulation package offered in the Outer zone will be acoustic ventilators, and acoustic glazing where necessary to upgrade single glazing, to noise sensitive rooms. There will be some flexibility as to how the package is decided.</p> <p>Updated Position (April 2024): The Applicant has provided further details of how provision of noise insulation will be prioritised and programmed in 5.3 ES Appendix 14.9.10 Noise Insulation Scheme Update Note [REP2-032].</p>	ES Appendix 14.9.10 Noise Insulation Scheme [APP-180]	Not Agreed
2.16.4.6	Noise Insulation Scheme	<p>The noise insulation scheme should extend to community buildings (e.g. care homes, places of worship, village halls, hospitals etc.).</p> <p>Updated position (Deadline 1): The noise insulation scheme should be updated to include noise sensitive community buildings.</p> <p>Updated position (Deadline 5): MSDC maintain their position on this matter</p>	<p>Paragraph 4.1.10 and 4.1.11 of ES Appendix 14.9.10 outline the process to prioritise the scheme with the Inner Zone first. Further detail on implementation of the NIS is being prepared and will be shared with the TWG. Further prioritisation will use higher noise level bands to implement the scheme to those most affected first, albeit it is considered that there is sufficient time for all properties in the inner zone to receive noise insulation before operations commence.</p> <p>Paragraph 4.1.13 of ES Appendix 14.9.10 explains: We propose to base the new NIS on the worst-case end of this range, associated with the Slow Transition Fleet. As such, we propose to use the forecast 2032 Leq contour area to set the geographical boundary for our enhanced NIS.</p> <p>The noise insulation package offered in the Outer zone will be acoustic ventilators, and acoustic glazing where necessary to</p>	ES Appendix 14.9.10 Noise Insulation Scheme [APP-180]	Not Agreed

			<p>upgrade single glazing, to noise sensitive rooms. There will be some flexibility as to how the package is decided.</p> <p>Paragraphs 5.1.1 and 5.1.2 of ES Appendix 14.9.10 outline the noise insulation scheme for schools, and the kind of measures that will be offered, noting that details will be developed on a case by case basis. The scheme is intended only for community buildings that are sensitive to noise because they are used for teaching.</p> <p>Paragraph 4.1.11 of ES Appendix 14.9.10 explains how eligibility for the Inner Zone noise insulation scheme will if necessary be extended by measurement of cumulative ground and air noise. Two small areas are noted as possible candidates but the vast majority of eligibility will be clear from air noise contours with the option to extend this if noise disturbance is reported by residents beyond. Measurements would be carried out by installing noise monitoring equipment in the relevant area.</p> <p>Updated Position (April 2024): The Applicant has provided further details on the noise insulation scheme in 5.3 ES Appendix 14.9.10 Noise Insulation Scheme Update Note [REP2-032]. The Noise Insulation Scheme will be updated and resubmitted to the Examining Authority incorporating these additions at Deadline 4. The schools scheme has been clarified to include nurseries with rooms used for teaching. The noise insulation scheme does not include other community buildings because in all cases the noise increase due to the project is small and as reported in ES Chapter 14 paragraph 14.9.161 the changes in aircraft noise are low and would result in negligible or minor effects, which would not be significant.</p>		
2.16.4.7	Noise Insulation Scheme	<p>It is not clear if properties that have already received insulation would be eligible for upgraded noise insulation as part of the new scheme.</p> <p>Updated position (Deadline 1): Comment is not addressed.</p> <p>Updated position (Deadline 5): It would be helpful if the Applicant could direct to the appropriate section of [REP4-018].</p>	<p>Paragraph 4.1.10 and 4.1.11 of ES Appendix 14.9.10 outlines the process to prioritise the scheme with the Inner Zone first. Further detail on implementation of the NIS is being prepared and will be shared with the TWG. Further prioritisation will use higher noise level bands to implement the scheme to those most affected first, albeit it is considered that there is sufficient time for all properties in the inner zone to receive noise insulation before operations commence.</p> <p>Paragraph 4.1.11 of ES Appendix 14.9.10 explains how eligibility for the Inner Zone noise insulation scheme will if necessary be extended by measurement of cumulative ground and air noise. Two small areas are noted as possible candidates but the vast</p>	ES Appendix 14.9.10 Noise Insulation Scheme [APP-180]	Not Agreed

			<p>majority of eligibility will be clear from air noise contours with the option to extend this if noise disturbance is reported by residents beyond. Measurements would be carried out by installing noise monitoring equipment in the relevant area.</p> <p><u>Updated Position (April 2024): The Applicant has provided further details of how provision of noise insulation including confirmation that home already treated in the current scheme are included, in 5.3 ES Appendix 14.9.10 Noise Insulation Scheme Update Note [REP2-032]. The Noise Insulation Scheme will be updated and resubmitted to the Examining Authority incorporating these additions.</u></p>		
2.16.4.8	Noise Insulation Scheme	<p>No details are provided on how monitoring of ground noise would be undertaken and how a property would be identified as appropriate for monitoring ground noise.</p> <p><u>Updated position (Deadline 5): The additional detail on ground noise insulation is welcome; however, it is still unclear what the trigger for ground noise insulation monitoring would be, what locations would be monitored and how long would they be monitored for. MSDC's position is that monitoring is unreliable to base an insulation scheme on and would allow significant effects to occur for an unspecified period of time before being addressed.</u></p>	<p>Paragraph 4.1.10 and 4.1.11 of ES Appendix 14.9.10 outline the process to prioritise the scheme with the Inner Zone first. Further detail on implementation of the NIS is being prepared and will be shared with the TWG. Further prioritisation will use higher noise level bands to implement the scheme to those most affected first, albeit it is considered that there is sufficient time for all properties in the inner zone to receive noise insulation before operations commence.</p> <p>Paragraph 4.1.13 of ES Appendix 14.9.10 explains: We propose to base the new NIS on the worst-case end of this range, associated with the Slow Transition Fleet. As such, we propose to use the forecast 2032 Leq contour area to set the geographical boundary for our enhanced NIS.</p> <p>The noise insulation package offered in the Outer zone will be acoustic ventilators, and acoustic glazing where necessary to upgrade single glazing, to noise sensitive rooms. There will be some flexibility as to how the package is decided.</p> <p>Paragraph 4.1.11 of ES Appendix 14.9.10 explains how eligibility for the Inner Zone noise insulation scheme will if necessary be extended by measurement of cumulative ground and air noise. Two small areas are noted as possible candidates but the vast majority of eligibility will be clear from air noise contours with the option to extend this if noise disturbance is reported by residents beyond. Measurements would be carried out by installing noise monitoring equipment in the relevant area.</p> <p><u>Updated Position (April 2024): The Applicant has provided further details of how provision of noise insulation will be prioritised</u></p>	ES Appendix 14.9.10 Noise Insulation Scheme [APP-180]	Under discussion

			<p>and programmed in 5.3 ES Appendix 14.9.10 Noise Insulation Scheme Update Note [REP2-032]. Further details of properties qualifying for noise insulation due to ground noise and how this will be provided before the predicted noise impacts arise is given in Supporting Noise and Vibration Technical Notes to Statements of Common Ground, Appendix B – Ground Noise Fleet Assessment [REP3-071]. The Noise Insulation Scheme will be updated and resubmitted to the Examining Authority incorporating these additions.</p>		
2.16.4.9	Noise Envelope	<p>It should be demonstrated, as part of the Noise Envelope how the noise benefits of future aircraft technology are shared between the airport and local communities. Demonstrating how benefits are shared is a requirement set out in the Aviation Policy Framework (Department for Transport, 2013).</p> <p>Updated position (Deadline 1): Sharing the benefits has not been removed from national aviation policy. GAL do not share any noise benefits from new aircraft technology up to and around 2029 in the slower transition fleet case.</p> <p>Updated position (Deadline 5): The Applicant’s method for sharing the benefits is flawed as it allows for a substantial increase in noise contour area in the 2032 daytime period over the 2019 baseline. It is hard to understand how it can be justified that any benefits have been shared with the local community in this case.</p>	<p>Paragraph 14.2.44 of the ES describes how the reference to Sharing the Benefits of aircraft noise emission reduction has been removed from the government’s Overarching Aviation policy Statement in March 2023. We consulted on sharing the benefits through our Noise Envelope Group in summer 2022.</p> <p>An illustration of sharing the benefits was discussed and is reported in pages 165 to 175 of ES Appendix 14.9.9: Report on Engagement on the Noise Envelope.</p> <p>Updated Position (April 2024): The Applicant has provided further explanation of the analysis of sharing the benefits in response to Examining Authority’s question NV.1.9 in The Applicant’s Response to ExQ1 - Noise and Vibration (Doc Ref 10.16) which concludes: <i>Following the same methodology, the GAL analysis showed that in 2038 when the Noise Envelope limits reduce, compared to the future 2038 baseline the degree of sharing the benefits would be 50% to the industry (as growth) and 50% to the community (as noise reduction) when measured in terms of the area of the day LOAEL with the Slower Transition Fleet. For night-time the degree of sharing the benefits would be 34% to the industry (as growth) and 66% to the community (as noise reduction). It was noted that in the early years after opening noise increases and there is a smaller benefit to the community...</i></p>	ES Chapter 14 Noise and Vibration [APP-039]	Not Agreed
2.16.4.10	Noise Envelope	<p>It is not appropriate to use the slow-transition case to define noise contour limits. There is no incentive to push the transition of the fleet to quieter aircraft technology. This means that the Noise Envelope would allow for an increase in noise contour area on the opening day of the NRP.</p> <p>Updated position (Deadline 1): The slower transition fleet case results in increased noise contour areas from the 2019 baseline and allows GAL to grow without making any commitments regarding fleet transition to new quieter aircraft.</p>	<p>We have explained within the Noise Envelope Group on several occasions that GAL does not control airline fleet procurement and that the airport sits within well-defined existing regulatory frameworks governing noise management, airport charges, slots and the requirement to consult on noise related actions which could be operating restrictions. Airline feedback to the Noise Envelope Group also explained that many factors can influence fleet procurement, some of which could be outside of the airlines’ control. The York Aviation review of the PEIR for the Local</p>	<p>ES Appendix 14.9.5: Air Noise Envelope Background [APP-175]</p> <p>ES Appendix 14.9.9: Report on Engagement on the</p>	Not Agreed

		<p><u>Updated position (Deadline 5): MSDC maintain their position on this matter. The slower transition case is identified as a sensitivity test in paragraph 6.2.14 [APP-250], which describes it as “This sensitivity assumes that the rate of transition of Gatwick’s airline fleet takes longer to transition to next generation aircraft. It has been used to understand how noise, air quality and carbon impacts could be greater if the turnover of aircraft types to next generation aircraft is slower than expected in the core forecasts”. As such, it is hard to accept the Applicant’s assertion that it is a reasonable case.</u></p>	<p>Authorities noted ‘We consider that the fleet mix assumed in the Central Case for assessment is somewhat optimistic, particularly in the early years given the deferral of aircraft orders that has occurred during the pandemic, but that the Slower Transition Case represents a robust worst case’.</p> <p>The reasons for adopting the Slower Transition Fleet noise contours areas are given in ES Appendix 14.9.5 Air Noise Envelope Background at Section 3.2.</p> <ol style="list-style-type: none"> 1. This has been discussed as part of the Noise Envelope Group. Engagement on the Noise Envelope is set out in ES Appendix 14.9.9 Report on Engagement on the Noise Envelope (APP-179) pages 165 to 175 provide GAL’s illustration of sharing the benefits. 2. Section 8 of the Noise envelope provides a review process to enable this. 3. Section 7 of the Noise Envelope provides the actions that must be taken. 4. Sections 7 and 8 of the Noise Envelope describe how it will be managed and enforced including the role of the CAA as Independent reviewer and the Secretary of State as necessary. 5. Whilst Section 7 provides some ways in which compliance will be achieved, GAL will have other methods available, e.g. as included in the adopted 2019-2024 and draft 2025-2029 Noise Action Plans under the Environmental Noise (England) Regulations 2006, and others that make use of emerging technologies. 6. The Night Flight Restrictions are administered by the DfT and this will continue if there is a Noise Action Plan, quite separately. See Section 2 of the Noise Envelope. 7. An extensive programme of consultation was undertaken in summer 2022. See ES Appendix 14.9.9 Report on Engagement on the Noise Envelope and Appendix 14.9.8 Noise Envelope Group Output Report. 8. In the PEIR GAL outlined a Noise Envelope and invited suggestions. Discussions in the Noise Envelope Group provide opportunities for local community groups and other stakeholders to suggest details of the noise envelope and numerous suggestions were made and considered. See ES Appendix 14.9.9 Report on Engagement on the Noise Envelope and Appendix 14.9.8 Noise Envelope Group Output Report. 	<p>Noise Envelope [AS-023]</p> <p>ES Appendix 14.9.8: Noise Envelope Group Output Report [APP-178]</p>	
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			<p>GAL has consulted on the noise envelope through the PEIR as well as the Noise Envelope Group and with local authorities through the TWGs.</p> <p>Updated Position (April 2024): With the slower transition fleet the area of the Leq 16 hr 51dB contour in 2032 is larger than that in 2019 but the area of the Leq 8 hr night 45 dB contour would not be, it would be smaller (see ES table 14.9.6). The slower transition fleet has been adopted as it is a reasonable case which may occur, and which is therefore appropriate to be used to set the noise envelope limits. The noise envelope limits will be subject to review, to ensure they remain relevant.</p>		
2.16.4.11	Noise Envelope	<p>Use of annual noise contour limits in addition to noise limits covering the 92-day summer period would provide confidence that noise would be controlled outside the 92-day summer period.</p> <p>Updated position (Deadline 1): Details of fleets for all assessment scenarios should be submitted along with how aircraft are distributed between the runways.</p> <p>Updated position (Deadline 5): Information on fleets has been accepted; however, the Applicant should identify why the composition of the slower transition fleet is so different to the composition of the central case fleet.</p>	<p>Notwithstanding the explanation provided, annual Lden and Lnight contours are provided for baseline and with Project conditions in Section 14.6 and 14.9 of ES Chapter 14 to illustrate noise changes over the whole year including the winter months.</p> <ul style="list-style-type: none"> Section 4 of Appendix 14.9.2 provides tables of annual Lden and Lnight. Figures 14.9.28 and 14.9.39 show annual Lden and Lnight contours. Para 14.9.136 to 14.9.139 discuss the changes in annual Lden and Lnight contours compared to the changes in summer season Leq 16 hr and Leq 8 hour night contours. <p>Gatwick with the NRP will also be subject to an overall annual ATM limit of 386,000 movements.</p> <p>Updated Position (April 2024): The Applicant has provided full details of the aircraft types modelling each year in Supporting Noise and Vibration Technical Notes to Statements of Common Ground, Appendix F - Aircraft Fleets for Noise Modelling [REP3-071], which shows how aircraft are distributed between the two runways.</p> <p>The limits are set for the whole 24 hour period by using 16 hour day and 8 hour night limits, and for the 92 day summer season which is the noisiest time of year when noise impacts are greatest. The convention for assessing and controlling noise from UK airports over the 92 day summer season has been in place for many years, both in DfT policy and CAA guidance primarily because UK airports tend to be noisier in the summer months because of increased travel abroad in our holiday season and</p>	<p>Section 14.6 and 14.9 of ES Chapter 14: Noise and Vibration [APP-039]</p> <p>ES Appendix 14.9.2: Air Noise Modelling [APP-172]</p> <p>ES Appendix 6.2.1: Scoping Report Part 1 [APP-092]</p> <p>ES Appendix 6.2.1: Scoping Report Part 2 [APP-093]</p> <p>ES Chapter 4: Existing Site and Operation [APP-029]</p>	Not Agreed

			<p>also because in the summer when it is warmer windows tend to be open more, increasing noise levels inside buildings.</p> <p>Noise levels at Gatwick are highest in the summer. ES paragraph 14.9.138 notes that summer season $L_{eq\ 8\ hr}$ contours are about 35% larger than annual L_{night} contours and summer season $L_{eq\ 8\ hr}$ night noise levels are about 1.7dB higher than annual L_{night} 8 hour noise levels.</p> <p>Annual L_{den} and L_{night} contours are provided for baseline and with Project conditions in Section 14.6 and 14.9 of ES Chapter 14 to illustrate noise changes over the whole year including the winter months. Section 4 of Appendix 14.9.2 provides tables of annual L_{den} and L_{night}. Figures 14.9.28 and 14.9.39 show annual L_{den} and L_{night} contours. Para 14.9.136 to 14.9.139 discuss the changes in annual L_{den} and L_{night} contours compared to the changes in summer season $L_{eq\ 16\ hr}$ and $L_{eq\ 8\ hr}$ night contours. Paragraph 14.9.139 concludes as follows. The increase in size of the annual L_{night} contours in 2032 due to the Project compared to the 2032 base is 11-12%, which is slightly larger than the increase in the summer $L_{eq\ 8\ hr}$ noise contours of 9%. The increase in area of the annual day evening night L_{den} noise levels due to the Project in 2032 compared to the 2032 base is 17% which is the same as the increase in the summer daytime $L_{eq\ 16\ hr}$ 51 dB contours in 2032. Overall, this suggests that any seasonality in the way the extra capacity delivered by the Project is used has little effect on noise levels across seasons. The Applicant therefore concludes that there is no need to add annual noise contour limits to limit noise impacts, and adding annual noise contours limits to the Noise Envelope would add complexity that is not necessary to meet the purpose.</p>		
2.16.4.12	Noise Envelope	<p>The Noise Envelope should provide certainty about the levels of noise which can be expected in the future in accordance with CAP 1129; however, the Noise Envelope allows for noise contour limits to increase as a result of airspace changes and new aircraft technology. There should be no allowance for noise contour area limits to increase.</p> <p>Updated position (Deadline 1): There should be no allowance for Noise Envelope limits to increase to give certainty to local communities on future noise levels.</p> <p>Updated position (Deadline 5): MSDC maintain their position on this matter</p>	<p>The Noise Envelope provides certainty for the periods which it is set in accordance with CAP1129. The noise envelope should reflect evidence of the improvements in average fleet noise performance over time and should not function to prevent airlines serving changing markets or introducing new carbon-efficient aircraft. There may also be extraordinary circumstances in which it could be necessary to review the noise envelope limits upwards. These points are fully as described in Sections 6.3 to 6.7 of the Noise Envelope.</p> <p>Any change to the noise envelope would require a formal review following the processes laid out in Section 8, including consultation and approval of the Secretary of State.</p>	<p>ES Appendix 14.9.7 The Noise Envelope [APP-177]</p>	Not Agreed

2.16.4.13	Noise Envelope	<p>Local authorities should have a regulatory role in the Noise Envelope that involves reviewing and approving submissions. This role should allow action to be taken in the event of a breach.</p> <p>Updated position (Deadline 1): The Host Authorities should be part of an independent group set up to regulate the Noise Envelope.</p> <p>Updated position (Deadline 5): MSDC are of the opinion that the joint local authorities should be part of a Noise Envelope scrutiny group.</p>	<p>During consultation with the TWGs and the Noise Envelope Group (NEG) in summer 2022 the local authorities were consulted on the concept and make-up of a “Review Body” which would review and approve the outputs from the noise envelope when it becomes active. GAL’s proposal for a sub-committee of GATCOM was opposed by the LPAs. The suggestion of having Local Authorities as the “Review Body” was also discussed during the NEG meetings and there was concern on the part of Community Representatives regarding there being a conflict of interest between economic benefit in that some councils receive money from the Airport as part of the S106 agreement but are impacted little by the noise from airlines using the airport. There was no clear resolution on the issue within the NEG and GAL subsequently decided that the CAA would be best placed to perform the function of Independent Reviewer as explained in ES Appendix 14.9.7: The Noise Envelope. The Local Authorities can monitor the outputs of the review process and in the case of a breach take enforcement action as appropriate.</p>	<p>ES Appendix 14.9.7 The Noise Envelope [APP-177]</p>	Not Agreed
2.16.4.14	Noise Envelope	<p>Thresholds should be adopted within the Noise Envelope with the intention that action can be implemented prior to a contour limit breach occurring.</p> <p>Updated position (Deadline 1): Preventative action should be applied when noise contours areas based on actuals or forecast movements are approaching the limits.</p> <p>Updated position (Deadline 5): MSDC maintain their position. There is no evidence that forecasts can reliably predict what actually happens in reality. Noise controls should have a forward-looking component that can be applied during scheduling to provide confidence that noise limits would not be exceeded.</p>	<p>As described in ES Appendix 14.9.7: The Noise Envelope, each year an Annual Monitoring and Forecasting Report will be required to not only report monitoring of last year’s performance against the Noise Envelope limits but to forecast compliance 5 years ahead, so that noise control measures can be planned and implemented in advance. The Noise Envelope, in Section 7.3, puts restrictions of further capacity declaration in the event that an exceedance of the noise envelope is forecast. The approach ensures action is taken in a timely manner to require compliance, with the sufficient threat of capacity restrictions if a breach is not remedied through the action plan measures within a reasonable time period. This strikes an appropriate fair balance, for the in the unlikely event of actual breach taking into account the purposefully forward-looking nature of the annual monitoring and forecasting approach.</p> <p>Updated Position (April 2024): Where a limit is being approached but not breached or forecast to be breached in the future there is no need for any preventative measures, as in those circumstances compliance is achieved..</p>	<p>ES Appendix 14.9.7 The Noise Envelope [APP-177]</p>	Not Agreed
2.16.4.15	Noise Envelope	<p>Capacity declaration restrictions are a weak form of noise control as new slots within that capacity can be allocated. Slot restriction measures should be adopted.</p>	<p>As described in ES Appendix 14.9.7: The Noise Envelope, each year an Annual Monitoring and Forecasting Report will be required to not only report monitoring of last year’s performance against the Noise Envelope limits but to forecast compliance 5 years ahead, so that noise control measures can be planned and implemented in</p>	<p>ES Appendix 14.9.7 The Noise Envelope [APP-177]</p>	Not Agreed

		<p>Updated position (Deadline 1): Capacity restrictions are not sufficient to prevent potential breaches and slot restriction measures should be adopted.</p> <p>Updated position (Deadline 5): MSDC maintain their position on this matter.</p>	<p>advance. The Noise Envelope, in Section 7.3, puts restrictions of further capacity declaration in the event that an exceedance of the noise envelope is forecast. The approach ensures action is taken in a timely manner to require compliance, with the sufficient threat of capacity restrictions if a breach is not remedied through the action plan measures within a reasonable time period. This strikes an appropriate fair balance, for the in the unlikely event of actual breach taking into account the purposefully forward-looking nature of the annual monitoring and forecasting approach.</p> <p>Updated Position (April 2024): The noise envelope covers the busiest three months of the year at which there is currently little available capacity and close to 100% slot utilisation over the operational day. From the point that the noise envelope is introduced, GAL will treat the noise envelope limits as a scheduling constraint such that there will be a link formed between it and the capacity declaration. The allocation of new slots in any year is predicated on the take-up of those slots not resulting in an exceedance of the noise envelope. The ATM forecast will be processed through the noise model to check it meets the noise envelope limit for the forecast capacity before the slots are allocated. This should ensure the subsequent allocation and take-up of those slots within the capacity declaration will not result in a forecasted exceedance of the noise envelope limits. It is anticipated that actual performance will track well to forecast performance, particularly as those are refined against one another over time through the production of the Annual Monitoring and Forecasting Reports, and this proposal is therefore considered to be the most effective method to prevent breaches arising.</p>		
<p>Other</p>					
<p><i>There are no other issues relating to this topic in this Statement of Common Ground.</i></p>					

2.17. Planning and Policy

2.17.1 Table 2.17 sets out the position of both parties in relation to planning and policy matters.

Table 2.17 Statement of Common Ground – Planning and Policy Matters

Reference	Matter	Stakeholder Position	Gatwick Airport Limited Position	Signposting	Status
2.17.1.1	Planning Statement	<p>The Planning Statement sets out the various mechanisms that will be used to mitigate the impacts of the project. It provides further detail of the mitigations that will be secured. MSDC would want to be a signatory to legal agreements to secure the necessary mitigation.</p> <p>Updated position (Deadline 1): S106 still under discussion.</p> <p>Updated position (Deadline 5): Discussion on the draft S106 are still ongoing.</p>	<p>GAL will issue a draft of the Section 106 Agreement in connection with the NRP to the local authorities. GAL looks forward to receiving initial feedback on the first draft and continuing engagement with the parties to ensure a final, signed version has been submitted by the close of the examination.</p> <p>Updated position (April 2024): The Joint Local Authorities and GAL are continue to work together and engaging on the draft Section 106 Agreement. At the time of writing, the Applicant and JLAs have agreed a series of meetings on each of the schedules of the s106 agreement.</p>	n/a	Not Agreed
2.17.1.2	Planning Statement	<p>How the changes mentioned in paragraphs 1.3.7 and 1.3.8 will be secured.</p> <p>Updated position (Deadline 1): Awaiting legal advice.</p> <p>Updated position (Deadline 5):</p> <p><u>MSDC’s concerns with Requirement 19 are set out in row 2.7.1.8 above, its proposed amendments to the provision are set out in row 92 of Appendix M to the West Sussex Authorities’ LIR [REP4-042]. Furthermore, at Deadline 4, the Joint Local Authorities submitted their Introduction to a proposal for an Environmentally Managed Growth Framework [REP4-050] (“the Introduction”), which explains that the DCO requirements which include controls related to environmental effects provide the Applicant with too much flexibility. The Introduction states the Joint Local Authorities consider a bespoke Environmentally Managed Growth Framework should apply to the proposed development and that a worked-up Framework will be submitted to the Examination as soon as possible. The Framework will apply to, amongst other provisions, Requirement 19.</u></p>	<p>Airspace within the UK is regulated by the Civil Aviation Authority (CAA) and managed by NATS En Route, which is a subdivision within the National Air Traffic Services. An explanation of the relationship between the DCO Project and airspace regulations was set out in paragraphs 3.3.10 to 3.3.13 of the Autumn 2021 Consultation, contained in Consultation Report Appendices, Part B, Volume 2.</p> <p>Updated position (April 2024): Requirement 19 of the Draft DCO [REP3-006] secures the operation of the repositioned northern runway.</p> <p>Updated position (Deadline 5): The Applicant has responded to the JLAs’ Introduction for a proposal for Environmentally Managed Growth at Appendix B of The Applicant’s Response to Deadline 4 Submissions (Doc Ref 10.38) submitted at Deadline 5.</p>	<p>Consultation Report Appendices, Part B, Volume 2 [APP-225]</p> <p>Appendix B of The Applicant’s Response to Deadline 4 Submissions (Doc Ref 10.38)</p>	Under discussion
2.17.1.3	Planning Statement	<p>The legal and/or policy basis for the statement that it is “appropriate to use the policy framework of the [Airports National Policy Statement] as the</p>	<p>The Airport National Policy Statement (para 1.41) itself confirms that “the Secretary of State considers that the contents of the Airports NPS will be both important and relevant considerations in</p>	The Applicant’s Written Summary of Oral Submissions	Under discussion

		<p>primary framework against which the project as a whole should be tested” (paragraph 1.5.19).</p> <p>Updated position (Deadline 1): Awaiting legal advice</p> <p>Updated position (Deadline 5):</p> <p>The Council’s position on this is set out in the Authorities response to ExQ1 CS.1.27 [REP2.3-132]. The Authorities and Council continue to discuss the approach to be taken to sections 104-105 and the Applicant’s Response to Deadline 3 Submissions [REP4-031] states the Applicant intends to prepare a further submission on this issue at Deadline 5.</p>	<p>the determination of such an application [not comprising an application for the Heathrow Northwest Runway], particularly where it relates to London or the South East of England.”</p> <p>Updated position (April 2024): The Applicant has responded on this matter through the Issue Specific Hearings and submissions to previous deadlines. Most notably in The Applicant’s Written Summary of Oral Submissions from ISH1 [REP1-056], The Applicant’s Response to ISH1 Actions [REP1-062] and The Applicant’s Response to Local Impact Reports [REP3-078]. The Applicant would welcome an updated position or response from MSDC against this SoCG item in response to those submissions.</p>	<p>from ISH1 [REP1-056] n/a</p> <p>The Applicant’s Response to ISH1 Actions [REP1-062]</p> <p>The Applicant’s Response to Local Impact Reports [REP3-078]</p>	
2.17.1.4	Planning Statement	<p>Why the Applicant considers the provision of hotels (Works 26, 27, 28 and 29) falls within the scope of the DCO regime. The same point applies to the proposed commercial space.</p> <p>Updated position (Deadline 1): See response for 20.22.</p> <p>Updated Position (Deadline 5): The council wish to reiterate concerns regarding hotels made in West Sussex Local Impact Report [REP1-068] paragraph 17.92 (page 315) hotel parking should not be used for commuter or customer (including guest) use, as this would create unnecessary car-based journeys to the airport, undermining the Applicant’s ability to achieve its Surface Access Commitments. The council remains of the view that hotels coming forward through the DCO should be subject to parking controls (secured via obligation) that limit parking as set out above.</p> <p>Regarding commercial space, the Applicant’s response to CBC SoCG April 2024 (to point 2.19.5.3) suggests that offices are intended to be used by occupiers that are not related to the operation of the airport. If that is the case, this would mean that the offices within the DCO are not Associated Development because they could be used by any business with no connection whatsoever with the operation of the airport. The Planning Statement [App-245] states at paragraph 4.5.70 that “Additional office and hotel provision is proposed to meet the needs of airport companies and passengers” which is inconsistent with the April 2024 response from the Applicant. Controls restricting use to airport-related uses only are essential, or this element of the Project should be removed..</p>	<p>An explanation of hotel and office provisions as Associated Development within the Project was provided at the Planning TWG in November 2022 justified against the Planning Act 2008 and Government’s supporting guidance, and no subsequent queries were raised by the LAs. A response was also provided on this against Item 3.93 in the October 2023 versions of the Issues Trackers.</p> <p>Updated position (April 2024): Please may MSDC clarify which document the 20.22 reference is made in relation to, noting that para 20.22 of the Joint West Sussex Local Impact Report [REP1-068] relates to health and wellbeing.</p>	n/a	Not Agreed

2.17.1.5	Planning Statement	<p>How the Flood Resilience Statement will be secured (paragraph 5.5.8 and Table 5.2).</p> <p>Updated position (Deadline 1): Further discussion required.</p> <p>In project elements and approach to mitigation for CBC, who suggest moving to 'Water Environment'.</p> <p><u>Update position (Deadline 5)</u> <u>MSDC note the Applicants response. No further comment.</u></p>	<p>GAL will consider how best to secure the Flood Resilience Statement and confirm in due course.</p> <p><u>Updated position (April 2024): The Draft DCO [REP1-004] was updated at Deadline 1 to include Requirement 24 which secures the Flood Resilience Statement.</u></p>	n/a	Under discussion
2.17.1.6	Planning Statement	<p>Whether an updated Mitigation Route Map will be prepared (stating, for example, which parts of the ddco are relevant).</p> <p>Updated position (Deadline 1): Welcome clarification on this point.</p> <p>In project elements and approach to mitigation for CBC.</p> <p><u>Update position (Deadline 5)</u> <u>MSDC welcomes the submission of the updated Mitigation Route Map. MSDC provided further comments on the Mitigation Route Map in the response to the Approach to Tracking Mitigation ExAQ1 (DCO 1.42) in [REP3-135]. WSCC would like to see the development of the Route Map from its current form, into a Register of Environmental Actions and Commitments (REAC) document. This would be an effective way to track progress against commitments made, which could then be secured through the DCO, rather than just for information, as currently proposed.</u></p>	<p>The Mitigation Route Map will be updated during the course of the DCO Examination to reflect any changes / updates made through the process. The next iteration (and any subsequent updates) will specify the relevant schedule/requirement of the draft DCO, as requested by MSDC.</p> <p><u>Updated position (April 2024): The updated Mitigation Route Map [REP2-011] submitted at Deadline 2 identifies which part of the Draft DCO- is relevant to specific mitigation / commitment.</u></p>	ES Appendix 5.2.3: Mitigation Route Map [APP-078]	Under discussion <u>Agreed</u>
2.17.1.7	Planning Statement	<p>Why highway improvements will not be in place and open to the public until after the northern runway comes into commercial use (paragraph 7.2.9).</p> <p>Updated position (Deadline 1): To confirm position with Highways Authority.</p> <p>In project elements and approach to mitigation for CBC.</p> <p><u>Update position (Deadline 5) MSDC defer this matter to the relevant Highway Authority.</u></p>	<p>An explanation of the timing of the surface access improvement works is contained further in the Planning Statement, within Section 8.4. Further detail is also contained in ES Chapter 12: Traffic and Transport and the Transport Assessment, underpinned by the traffic modelling.</p> <p><u>Updated position (April 2024): The Applicant would welcome clarification on MSDC's updated position. Is MSDC proposing that this matter is deferred to the SoCGs with CBC and the relevant Highway Authorities?</u></p>	Planning Statement [APP-245] ES Chapter 12: Traffic and Transport [APP-037] Transport Assessment [APP-258]	Not Agreed
2.17.1.8	Planning Statement	<p>Why the Planning Policy Compliance Tables appear to make no reference at all to Local Plan policies (contrasting with the Manston DCO where, in the decision letter, the Secretary of State listed the Thanet Local Plan as an important and relevant matter in the context of policy compliance).</p>	<p>Relevant local policies are set out within the DCO Application, namely within the legislation and policy sections of the topic-specific</p>	Planning Statement [APP-245]	Not Agreed

		<p>Updated position (Deadline 1): This issue has not been addressed.</p> <p><u>Updated Position (Deadline 5): MSDC notes that the Applicant has now prepared Local Planning Policy Compliance Tables [REP3-055]. In its response to this document, [Table 6.11 REP4-042] the council has highlighted areas, including socio-economic policies, where it disagrees with the Applicant's commentary on policy requirements and compliance.</u></p>	<p>ES Chapters (namely ES Chapter 7 to 20) and Gatwick Airport-specific local plan policies in Section 6.6 of the Planning Statement.</p> <p>The purpose of the Planning Policy Compliance Table is to set out and consider relevant national policies against the Project proposals, in recognition that the Government's National Policy Statements provide the primary planning policy framework for NSIPs under the Planning Act 2008.</p> <p><u>Updated position (April 2024): A series of Local Planning Policy Compliance Tables [REP3-055] were submitted at Deadline 3. Annex E relates to MSDC's local planning policies and was prepared taking account of the Joint West Sussex Local Impact Report [REP1-068].</u></p>	<p>Planning Statement Appendix C Planning Policy Compliance Table [APP-248]</p> <p><u>Local Planning Policy Compliance Tables [REP3-055]</u></p>	
2.17.1.9	Planning Statement	<p>Why there is no reference to Local Plan policies in the following sections: Air Quality (8.5); Noise and Vibration (8.6); Greenhouse Gas Emissions (8.7); Biodiversity and Ecological Conservation (8.9); Agricultural Land Use and Recreation (8.10); Resource and Waste Management (8.11); Flood Risk (8.12); Water Environment (Water Quality and Resources) (8.13); Historic Environment (8.14); Landscape, Townscape and Visual Resources (Visual Impacts) (8.15); Geology and Ground Conditions (8.16); Artificial Light, Smoke and Steam (8.17); Major Accidents and Disasters (8.18); Health and Wellbeing (8.19); Sustainability (8.20); Community Compensation (8.21); Community Engagement (8.22).</p> <p>Updated position (Deadline 1): This issue has not been addressed.</p> <p><u>Updated Position (Deadline 5): MSDC notes that the Applicant has now prepared Local Planning Policy Compliance Tables [REP3-055]. In its response to this document, [Table 6.11 REP4-042] the council has highlighted areas, including socio-economic policies, where it disagrees with the Applicant's commentary on policy requirements and compliance.</u></p>	<p>Relevant local policies are set out within the DCO Application, namely within the legislation and policy sections of the topic-specific ES Chapters (namely ES Chapter 7 to 20) and Gatwick Airport-specific local plan policies in Section 6.6 of the Planning Statement.</p> <p><u>Updated position (April 2024): A series of Local Planning Policy Compliance Tables [REP3-055] were submitted at Deadline 3. Annex E relates to MSDC's local planning policies and was prepared taking account of the Joint West Sussex Local Impact Report [REP1-068].</u></p>	<p>Planning Statement [APP-245]</p> <p><u>Local Planning Policy Compliance Tables [REP3-055]</u></p>	Not Agreed
2.17.1.10	Planning Statement	<p>It is not clear whether the mitigation set out in section 8 (planning assessment) is sufficient.</p> <p>Updated position (Deadline 1): This will be explored in more detail through LIR and WR.</p>	<p>Please may MSDC provide further detail on this concern or confirm if its concerns on mitigation set out in Section 8 are covered elsewhere in its RRs and PADS (and therefore responded to elsewhere in these Issues Tables).</p> <p><u>Updated position (April 2024): The Applicant has responded to matters in the Joint West Sussex Local Impact Report [REP1-068] (which includes MSDC) and MSDC's Written Representation [REP1-083] through submission made at Deadline 3, including The</u></p>	<p><u>The Applicant's Response to Local Impact Reports [REP3-078]</u> n/a</p> <p><u>The Applicant's Response to Written</u></p>	<p>Not Agreed</p> <p>Agreed</p>

		Update position (Deadline 5): The Applicant response is noted and it is accepted that topic specific matters are dealt with elsewhere in this SOCG. Therefore this general issue can be marked as agreed.	Applicant's Response to Local Impact Reports [REP3-078] and The Applicant's Response to Written Representations [REP3-072].	Representations [REP3-072]	
2.17.1.11	Planning Statement	<p>The adequacy of the Employment, Skills and Business Strategy (ESBS) (paragraph 8.3).</p> <p>Updated position (Deadline 1): Feedback has been provided following TWG's as requested by applicant.</p> <p>Updated position (Deadline 5) This issue is repeated at matter 2.19.4.1.</p>	<p>Please may MSDC provide further detail on this concern or confirm if its concerns on the ESBS are covered elsewhere in its RRs and PADS (and therefore responded to elsewhere in these Issues Tables).</p> <p>Updated position (April 2024): The ESBS has been subject to discussions at Issue Specific Hearing 3 contained in The Applicant's Written Summary of ISH3 Oral Submissions [REP1-058] and The Applicant's Response to ISH3 Actions [REP1-064] were submitted at Deadline 1. Subsequent to this, a draft ESBS Implementation Plan [REP3-069] has been submitted at Deadline 3 including further information on the activities to be delivered and who GAL will work with partners and stakeholders. Other SoCG SoCG matters on socio-economics and the ESBS is contained in Section 2.19 of this SoCG.</p>	n/a	Under discussion – see matters 2.19.4.1
2.17.1.12	Planning Statement	<p>It is not clear how the mitigation referred to in paragraph 8.17.11 (Artificial Light, Smoke and Steam) will be secured.</p> <p>Updated position (Deadline 1): Noted. Draft DCO is under discussion.</p> <p>Updated Position (Deadline 5) It is noted that mitigation measure for lighting are contained within the design principles, in Appendix 1 of the Design and Access Statement [REP3-056] and secured under the draft DCO (i.e. Requirements 4,5, and 10). Discussions on the dDCO are ongoing.</p> <p>(No comment on Smoke and Steam)</p>	<p>Mitigation measures for lighting are contained within the design principles, in Appendix A1 of the Design and Access Statement (Volume 5) and secured under the draft DCO (i.e. Requirements 4, 5 and 10).</p> <p>Updated position (April 2024): The Applicant would welcome an updated position or response from MSDC against this SoCG item, or confirmation if this item can be marked as 'agreed'</p>	<p>Appendix A1 of the Design and Access Statement (Volume 5) [APP-257]</p> <p>Draft DCO (REP1-021 Doc Ref. 2.1)</p>	Under discussion
2.17.1.13	Planning Statement	<p>Several queries about the claimed benefits of the project as set out in section 9 (planning balance and conclusions).</p> <p>Updated position (Deadline 1): This will be explored in more detail through LIR and WR.</p> <p>Update position (Deadline 5) The Applicant response is noted and it is accepted that topic specific matters are dealt with elsewhere in this SOCG. Therefore this general issue can be marked as agreed</p>	<p>Please may MSDC provide further detail on which benefits in Section 9 of the Planning Statement it has queries or concerns, if these are not covered elsewhere in its RRs and PADS (and therefore covered elsewhere in these Issues Tables).</p> <p>Updated position (April 2024): The Applicant has responded to matters in the Joint West Sussex Local Impact Report [REP1-068] (which includes MSDC) and MSDC's Written Representation [REP1-083] through submission made at Deadline 3, including The Applicant's Response to Local Impact Reports [REP3-078] and The Applicant's Response to Written Representations [REP3-072].</p>	<p>Planning Statement [APP-245]</p> <p>The Applicant's Response to Local Impact Reports [REP3-078]</p> <p>The Applicant's Response to Written</p>	Not-Agreed Agreed

				Representations [REP3-072]	
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2.18. Project Elements and Approach to Mitigation

2.18.1 **Table 2.18** sets out the position of both parties in relation to project elements and approach to mitigation matters.

Table 2.18 Statement of Common Ground – Project Elements and Approach to Mitigation Matters

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

2.19. Socio-Economics and Economics

2.19.1 Table 2.20 sets out the position of both parties in relation to socio-economics and economics matters.

Table 2.19~~20~~ Statement of Common Ground – Socio-Economics and Economics Matters

Reference	Matter	Stakeholder Position	Gatwick Airport Limited Position	Signposting	Status
Baseline					
2.19.1.1	Baseline Data	<p>The applicant should revisit its approach to estimating construction employment and forecasting availability of temporary accommodation given reliance on old data and not accounting for local variations.</p> <p>Updated position (Deadline 1): Up-to-date data should be used to inform the assessment of impacts related to construction employment and temporary accommodation.</p> <p>Updated Position (Deadline 5): MSDC have set out their concerns with regards to construction employment and temporary accommodation in their Deadline 4 response [and Deadline 3 West Sussex Joint Local Authorities response [REP3-117] Sections 2.2 and 2.3. and in their Deadline 4 response [REP4 – 042] paragraphs 2.81 to 2.94.</p> <p>MSDC welcome the Applicant having updated its construction phase housing need assessment using 2021 census data. However, the council remain concerned that the Applicant’s assumptions relating to NHB workers are not suitably precautionary when compared with assumptions made for other DCOs in the south east of England, and having regard to existing skills shortages within the construction industry. Further, as set out West Sussex Deadline 3 Submission [REP3-117] Sections 2.2 and 2.3, the council retains its concerns about the availability of temporary and short-term accommodation during the construction phase, given existing constraints on the supply of such accommodation (reflected in declaration of the CBC Housing Emergency and the pressure on the wider Housing Market Area for North West Sussex).</p>	<p>The estimate of construction employment is provided by GAL’s construction team. The estimate is sound. See 3.28 for a response on the availability of accommodation.</p> <p>Updated position (April 2024): The Applicant has provided a revised assessment of the housing need during construction using updated data from the 2021 Census and has provided a further assessment of the construction workforce in a separate note in response to the Local Impact Reports.</p>	<p>ES Appendix 17.9.1: Gatwick Construction Workforce Distribution Technical Note [APP-199].</p> <p>Updated position (April 2024): Section 6 of ES Appendix 17.9.3: Assessment of Population and Housing Effects [APP201]</p> <p>The Applicant’s Response to Local Impact Reports Appendix D – Construction Labour Market and Accommodation Impacts [REP3-082]</p>	Not Agreed
2.19.1.2	Baseline Data	<p>The assessment of housing and population relies on out of date data. Up-to-date data should be used given it will impact on labour supply/housing conclusions. The assessment also makes optimistic projections on housing and does not appear to fully consider existing constraints.</p> <p>Updated position (Deadline 1): The Applicant should source up-to-data for all data sources used in the chapter to avoid adopting an inconsistent approach to the assessment.</p> <p>Updated position (Deadline 5): The Applicant should obtain up-to-data for all data sources used in the chapter to avoid adopting an inconsistent</p>	<p>The analysis presented in the PEIR was primarily based on 2019 data (i.e. pre-Covid) given that the economy and wider socio-economic conditions are expected to rebound to pre-pandemic levels before the Project’s commencement. For the same reasons, the same approach is carried over in the ES, however, where appropriate, relevant data sources such as labour market and employment indicators have been updated to reflect the latest available position based on data availability.</p> <p>Updated position (April 2024): The Applicant has provided data from the 2021 Census in its response to Action 5 of Issue Specific Hearing 3.</p>	<p>n/a</p> <p>Updated position (April 2024): ISH3 Action Point 5 in The Applicant’s Response to Actions ISH2-5 [REP2-005]</p> <p>Deadline 1 Submission – Written Summary of Oral</p>	Not Agreed

		approach to the assessment. Latest update by Applicant has not provided this.	The Applicant has also provided a response during Issue Specific Hearing 3 on using a mixture of pre-Covid and post-Covid data. Some data has inevitably changed since submission of the application and will continue to change but it does not materially change the assessment. There is also no requirement to update data throughout the Examination as new data becomes available. Please also refer to the response at Row 2.19.1.1 of this Table.	Submissions from Issue Specific Hearing 3: Socio-economics [REP1-058] – Section 3.1	
Assessment Methodology					
2.19.2.1	Assessment Methodology	Several of the baseline data sources in ES Chapter 17 Socio-Economic [APP-042] and Appendix 17.9.3 [APP201] are out of date which is a concern given the reliance on these sources to inform the various assessments. Up-to-date baseline data should be sourced to inform assessments. This should include obtaining relevant data from local authorities. Updated position (Deadline 1): The Applicant should source up-to-data for all data sources used in the chapter to avoid adopting an inconsistent approach to the assessment. Updated Position (Deadline 5). This matter can be removed as repetition of matter 2.19.1.2	The analysis presented in the PEIR was primarily based on 2019 data (i.e. pre-Covid) given that the economy and wider socio-economic conditions are expected to rebound to pre-pandemic levels before the Project's commencement. For the same reasons, the same approach is carried over in the ES, however, where appropriate, relevant data sources such as labour market and employment indicators have been updated to reflect the latest available position based on data availability. Updated position (April 2024): Please refer to the response at Row 2.19.1.1 of this Table.	n/a	Not Agreed Removed
2.19.2.2	Assessment Methodology	Despite being raised as a gap in the assessment at several Socio-economic Topic Working Group meetings, there is still no assessment of effects undertaken at a local authority level. The impacts of the project on key variables such as employment, labour market, housing (including affordable), social infrastructure and temporary accommodation need to be assessed given they affect both functioning and decision making at the local level. Updated position (Deadline 1): An assessment of impacts is required at the local authority level. Concerns related to sensitivity and magnitude criteria for several socio-economic receptors. Updated position (Deadline 5): As set out at 2.86 of the West Sussex Deadline 4 Submission [REP4-042] and at several points prior to this, the Applicant has not provided a satisfactory response to the Local Authorities' point that assessments at the local authority level are needed for those to inform potential socio-economic effects at a local level. The Local Authorities are still waiting for reasonable explanation for why an assessment at the local level has not been undertaken. Whilst the	Please see the response provided at Row 3.7 of this table for magnitude criteria. Detailed analysis of the construction employment expected to be generated by the Project is provided in ES Appendix 17.9.1: Gatwick Construction Workforce Distribution Technical Note, including an assessment of the potential construction labour supply and their spatial distribution. This data has informed the assessment of the labour market within Section 17.9 of ES Chapter 17: Socio-Economic. Wider effects of the construction phase have been assessed in terms of potential impacts on the construction supply chain measured relative to the scale of construction sector enterprises (as opposed to employment which is used for direct effects only) in each of the assessment areas.	ES Chapter 17 Socio-Economics [APP-042] ES Appendix 17.9.1: Gatwick Construction Workforce Distribution Technical Note [APP-199] ES Chapter 17: Socio-Economic [APP-042] ES Appendix 17.9.3 Assessment of Population and Housing Effects [APP-201]	Not Agreed

		<p>Applicant cross-refers to information provided submitted prior to Deadline 1, this does not address the points that assessment at the local level is required which is supported by a qualitative commentary on the implications of the Project.</p> <p>The council has discussed ongoing concerns through West Sussex LIR [REP1-068] Sections 18.36 to 18.48, West Sussex Deadline 3 Submission [REP3-117] Sections 2.2 and 2.3, and West Sussex Deadline 4 Submission [REP4-042] Sections 2.118 to 2.124. These principally focus on whether the Applicant's assumptions for NHB workers are sufficiently precautionary, particularly given more conservative assumptions made for other DCOs in the south east of England, and having regard to existing skills shortages within the construction industry.</p>	<p>GAL's response reiterated that an assessment of the potential demand for housing during the construction phase has been added to the Assessment of Population and Housing Effects.</p> <p>As set out in response to point 3.4, impacts are assessed at the appropriate functional spatial scale and with additional information also provided at local authority level.</p> <p>Updated position (April 2024): The Applicant restated its position in Issue Specific Hearing 3 – information is provided on impacts at local authority level but the assessment of significance is (correctly) done at the functional market area level.</p> <p>ES Appendix 17.9.3: Assessment of Population and Housing Effects contains a housing assessment at a local authority level and the Applicant's Response to Issue Specific Hearings includes a local authority-level assessment for all authorities where more than one non-home based worker is expected to be based (Crawley, Reigate and Banstead, Mole Valley, Mid Sussex, Tandridge, Horsham and Croydon).</p> <p>Construction employment at the local authority level is provided in ES Appendix 17.9.1: Gatwick Construction Workforce Distribution Technical note.</p>	<p>Updated position (April 2024): ISH3 Action Point 5 in the Applicant's Response to Actions ISH2-5 [REP2-005]</p> <p>Appendix 17.9.1: Gatwick Construction Workforce Distribution Technical Note [APP-199]</p>	
2.19.2.3	Magnitude of impacts definition	<p>Appendix 17.9.3 Paragraph 17.4.25 [APP-201] presents tables defining the scale of magnitude of impacts for construction and operational periods of the project. The use of numbers and percentages to quantify impact can be challenging especially given all study areas are different and can be influenced by a number of different factors. It is not clear how these the ranges were defined to inform the assessment.</p> <p>Updated position (Deadline 1): Applicant has not explained how the ranges have been defined which can lead to question marks around assessment robustness.</p> <p>Updated position (Deadline 5): Applicant has still not explained how the ranges have been defined hence there are question marks around assessment robustness.</p>	<p>As shown in ES Chapter 17 Socio-Economics, the thresholds applied vary across receptors and geographies. These are ultimately based on a professional judgment, however proposed thresholds were presented during Topic Working Groups for comment</p> <p>Updated position (April 2024): The magnitude criteria in ES Chapter 17: Socio-Economic have been based upon industry best practice. The Applicant has also justified sensitivity at various socio-economic receptors in Table 17.6.6. Other projects reviewed include London City, London Luton and Manston, which are relevant as a function of being other aviation projects located in London and the wider South East.</p>	ES Chapter 17 Socio-Economics [APP-042]	Not Agreed
2.19.2.4	Baseline Data	<p>The methodology used to assess of operational employment – direct, indirect, induced and catalytic should explain the approach to displacement and additionality assumptions.</p>	<p>ES Chapter 17: Socio-Economics provides an assessment of the Project's effects on the labour market during construction and operational periods. This is underpinned by Section 5 of ES Appendix 17.9.3: Assessment of Population and Housing Effects</p>	ES Appendix 17.9.3: Assessment of Population and Housing Effects [APP-201]	Not Agreed

		<p>Updated position (Deadline 1): The Applicant needs to explain their assumptions in relation to additionality, catalytic effects have been overestimated.</p> <p><u>Updated position (Deadline 5): It is noted that the Applicant is preparing a further explanatory note. The Council will provide further comment once this note has been received and reviewed.</u></p>	<p>which provides the labour supply analysis, from both a labour demand and housing delivery perspective.</p> <p>Section 17.9 of ES Chapter 17: Socio-Economics provides an assessment of the indirect, induced, catalytic effects arising from the operational phase of the Project, based on the data in ES Appendix 17.9.2: Local Economic Impact Assessment. The assessment within ES Chapter 17 is provided on the basis of study areas, including Six Authorities Areas and Northern West Sussex Functional Economic Market Area and as well as nationally. Detailed data at the local authority level is contained in Table 3.1.2 of ES Appendix 17.6.1: Socio-Economic Data Tables.</p> <p>The estimate of total net effect (direct, indirect, induced and catalytic) i.e. taking account of additionality is set out in Table 6.1.</p> <p>Updated position (April 2024): <u>The underlying methodology for calculating the total of DII and Catalytic is net of displacement. It is the net change in employment expected across the region from the growth of the airport, net of any displacement or crowding out. No individual assumptions are made – it is inherent in the methodology.</u></p> <p><u>Following TWGs, the Applicant is preparing a further explanatory note to go to the Council's advisers.</u></p>	<p>ES Chapter 17: Socio-Economics [APP-042]</p> <p>ES Appendix 17.6.1: Socio-Economic Data Tables [APP-197]</p> <p>ES Appendix 17.9.2: Local Economic Impact Assessment [APP-200].</p> <p>Updated position (April 2024): <u>The Applicant's Response to the ExA's Written Questions (ExQ1) – Socio-Economic Effects [REP3-103] – SE.1.20.</u></p>	
2.19.2.5	Baseline Data	<p>The applicant should revisit sensitivity and magnitude gradings for several assessments in the socio-economic chapter.</p> <p>Updated position (Deadline 1): Council has concerns related to sensitivity and magnitude criteria for several socio-economic receptors.</p> <p>Updated position (Deadline 5): Council concerns remain related to sensitivity and magnitude criteria for several socio-economic receptors, Applicant has not addressed this.</p>	<p>As shown in ES Chapter 17 Socio-Economics, the thresholds applied vary across receptors and geographies. These are ultimately based on a professional judgment, however proposed thresholds were presented during Topic Working Groups for comment.</p> <p>Updated position (April 2024): <u>Please refer to the response at Row 2.19.2.3 of this Table.</u></p>	<p>ES Chapter 17 Socio-Economics [APP-042]</p>	Not Agreed
2.19.2.6	Baseline Data	<p>The assessment of socio-economic effects has been undertaken at different geographical levels but has not assessed impacts at a local authority level. This is despite ongoing issues concerning labour supply, housing (including affordable housing) and temporary accommodation in the local authorities located close to the project. As a result of this approach, the assessment does not identify specific impacts on these areas.</p>	<p>An overview of the baseline environment is set out in Section 17.6 of ES Chapter 17: Socio-Economic, including the economic and labour market baseline, population and housing baseline, and community facilities baseline. Detailed data is provided in ES Appendix 17.6.1: Socio-Economic Data Tables for all of the socio-economic characteristics profiled across all the study areas, as well as at the individual Local Authority level.</p>	<p>ES Chapter 16: Socio-Economics [APP-042] and ES Appendix 17.6.1: Socio-Economic Data Tables [APP-197].</p>	Not Agreed

		<p>Updated position (Deadline 1): Assessment is required at the local authority level to inform potential implications on labour supply, future housing growth and demand for affordable housing, temporary accommodation.</p> <p>Whilst the Applicant presented their method and assessment at the TWG sessions, these were not agreed with by the local authorities who provided written feedback on their concerns to the Applicant.</p> <p>Updated position (Deadline 5): Assessment is required at the local authority level to inform potential implications on labour supply, future housing growth and demand for affordable housing, temporary accommodation.</p> <p><u>As set out at 2.86 of the West Sussex Deadline 4 Submission [REP4-042] and at several points prior to this, the Applicant has not provided a satisfactory response to the Local Authorities' point that assessments at the local authority level are needed for those to inform potential socio-economic effects at a local level. The Local Authorities are still waiting for reasonable explanation for why an assessment at the local level has not been undertaken. Whilst the Applicant cross-refers to information provided submitted prior to Deadline 1, this does not address the points that assessment at the local level supported by a qualitative commentary is required to understand the local implications of the Project.</u></p> <p><u>The council has discussed ongoing concerns through West Sussex LIR [REP1-068] Sections 18.36 to 18.48, West Sussex Deadline 3 Submission [REP3-117] Sections 2.2 and 2.3, and West Sussex Deadline 4 Submission [REP4-042] Sections 2.118 to 2.124. These principally focus on whether the Applicant's assumptions for NHB workers are sufficiently precautionary, particularly given more conservative assumptions made for other DCOs in the south east of England, and having regard to existing skills shortages within the construction industry.</u></p> <p><u>Applicant states the methodology of the assessment was discussed and agreed through the TWG meetings, we note there is no mention of this in their updated position. It is incorrect to say there was an agreement. There was no agreement and written feedback was shared with the Applicant in relation to these concerns.</u></p>	<p>The methodology and presentation of the assessment was discussed and agreed through a series of Socio-Economics TWGs, including sessions on 16th May, 7th July, 28th September, 18th November and 6th December 2022, and 31st July 2023.</p> <p>A range of geographies are used on the basis that significant effects on socio-economic receptors might differ in geography depending on the receptor. This includes the Project Site Boundary, Local Study Area, North West Sussex Functional Economic Market Area (also the same as the North West Sussex Housing Market Area, 'NWS HMA'), Labour Market Area and Six Authorities Area. Reasoning and justification for these is given within the Socio-Economic Chapter. Local authority level outputs are also provided. A further study area has also been adopted for the purposes of assessing housing effects, as housing effects are felt across housing market areas which are not reflected in any of the other geographies. In response to the Summer 2022 consultation it was commented the analysis did not address previous concerns about most of the demand for housing being concentrated in the NWS HMA. Subsequently, for the assessment of population and housing effects, outputs are given at a local authority level within Annexes including for the key scenarios a total specifically for the NWS HMA.</p> <p>Updated position (April 2024): <u>Please refer to the response at Row 2.19.2.2 of this Table.</u></p>		
Assessment					
2.19.3.1	Overstatement of the wider, catalytic, and national level economic benefits of the NRP.	The methodology used to assess the catalytic employment and GVA benefits of the development is not robust, leading to an overstatement of the likely benefits in the local area.	Catalytic impacts refers to the economic activity of firms that are not in the indirect or induced footprint of the airport choosing to locate near the airport because of the connectivity that it offers. The	ES Appendix 17.9.2 Local Economic	Under discussion

		<p>The national economic impact assessment is derived from demand forecasts which are considered likely to be optimistic and fails to properly account for potential displacement effects, as well as other methodological concerns.</p> <p>Updated position (Deadline 1): Awaiting Consultant input following TWG 15 Feb.</p> <p><u>Updated position (Deadline 5): It is noted that the Applicant is preparing a further explanatory note. The Council will provide further comment once this note has been received and reviewed.</u></p>	<p>catalytic effect is derived as a residual from total net impacts and footprint impacts. Total net impacts are estimated on the basis of an elasticity relationship we have derived between air traffic and local employment. This elasticity relationship represents a net relationship as it accounts for the net increase in local employment generated by an increase in air traffic.</p> <p>The assessment of national impacts follows DfT's TAG and assesses costs and benefits from the scheme where possible given the available data and information at the time of submission. While this type of assessment is not required for private-sector schemes, we use TAG welfare analysis as it is considered a useful framework to assess and present the economic impacts (costs and benefits) of the Project that are additional at the national level. Benefits included in the Net Present Value calculations exclude impacts that would potentially double-count benefits (e.g. trade benefits are quantified but not included in the NPV).</p> <p>We are arranging a technical working group meeting to address these issues in early January 2024.</p> <p>Updated position (April 2024): <u>Please refer to the response at Row 2.19.2.4 of this Table.</u></p>	<p>Impact Assessment [APP-200]</p> <p>Needs Case Appendix 1 - National Economic Impact Assessment [APP-251].</p>	
2.19.3.2	Assessment of impacts on labour supply	<p>Appendix 17.9.3 Paragraph 5.2.14 [APP-201 states that the project is only expected to be a determinant in whether there is labour shortfall or surplus in the HMA for one area (Croydon and East Surrey) where the project tips surplus into supply in a single year. The basis for this conclusion does not appear robust, as based on the analysis the project is shown to exacerbate labour shortfall issues across multiple areas. Furthermore, if underlying inputs in the model are changed to reflect the fact that the labour market is already more constrained as has been modelled, it is likely shortfalls would be greater across many of the areas.</p> <p>Updated position (Deadline 1): Applicant hasn't taken account of existing labour market constraints and an assessment of impact at local authority level should be undertaken.</p> <p><u>Updated position (Deadline 5): MSDC remains concerned that there are already local labour supply constraints in the construction sectors (as evidence in LIR [REP1-068] paragraph 18.73 to 18.75) and question whether an assumption of the of 20% NHB workers is sufficiently precautionary given much higher NHB worker assumptions factored into the methodology of other DCOs elsewhere in the south-east of England.</u></p>	<p>The assessment shows that across the study area as a whole there is a labour surplus even with the project as well as a surplus in individual housing market areas except Croydon and East Surrey.</p> <p>The assessment is very conservative in assuming all jobs are net additional above the forecasts and that there is no change in employment or economic activity rates or commuting.</p> <p>As set out in response to point 3.4, impacts are assessed at the appropriate functional spatial scale and with additional information also provided at local authority level.</p> <p>Updated position (April 2024): <u>There is no Mid-Sussex construction labour market. It is appropriate to do the assessment at functional market area level. There is also no evidence that construction skills shortages give rise to constraints either in general or for this project specifically. However, the assessment already takes account of workers travelling from outside the area, including NHB workers. The assessment assumes 20% NHB which is significantly higher than the national and regional averages of 5% and 6%.</u></p>	<p>ES Appendix 17.9.3: Assessment of Population and Housing Effects [APP-201].</p> <p><u>The Applicant's Response to Local Impact Reports Appendix D – Construction Labour Market and Accommodation Impacts [REP3-082]</u> <u>The Applicant's Response to Local Impact Reports Appendix D – Construction Labour Market and Accommodation</u></p>	Not Agreed

		<p>An assessment of impact at local authority level to robustly understand the local implications of the Project.</p> <p>It is not clear what the Applicant means when it says 'There is no Mid-Sussex construction labour market'.</p>	<p>A bottom-up cumulative assessment of construction activity over the next 10 years would show significantly more labour available than there is demand because most construction projects over that time period are not yet planned.</p> <p>The latest data from the CITB shows a decline in demand for infrastructure construction workers in the next few years.</p> <p>A further response on the construction workforce and accommodation issues is provided in the Construction Labour Market and Accommodation Impacts note in response to Local Impact Reports.</p> <p>The Assessment of Housing and Population Effects shows the potential number of workers that may live in affordable housing. This is under very conservative assumptions. Most of those workers are already within the existing population. Please refer to the response at Row 2.19.2.2 of this Table.</p>	<p>Impacts (Doc Ref. 40-15)</p>	
2.19.3.3	Labour supply	<p>Labour supply - SE lower than average share of workers in infrastructure and because of decline in infrastructure out put there is unlikely to be a shortage in labour supply. Given large proportion of Gatwick jobs are likely to require skills which are interchangeable across several industries and based on projected increase in total output. This would suggest local labour available for scheme maybe more limited.</p> <p>Updated position (Deadline 1): Applicant hasn't taken account of existing labour market constraints and an assessment of impact at local authority level should be undertaken.</p> <p>Updated position (Deadline 5): Applicant hasn't taken account of existing labour market constraints and an assessment of impact at local authority level should be undertaken. Applicant continues to not address this.</p>	<p>ES Chapter 17: Socio-Economics provides an assessment of the Project's effects on the labour market during construction and operational periods. This is underpinned by Section 5 of ES Appendix 17.9.3: Assessment of Population and Housing Effects which provides the labour supply analysis, from both a labour demand and housing delivery perspective.</p> <p>Updated position (April 2024): Please refer to the response at Row 2.19.3.2 of this Table.</p>	<p>ES Chapter 17 Socio-Economic [APP-042]. ES Appendix 17.9.3 Assessment of Population and Housing Effects [APP-201].</p>	Not Agreed

2.19.3.4	New construction labour	<p>New construction labour - Assumption that there will be new entrants to construction, is the applicant going to be identifying where these entrants will be coming from. Not specific about where these are coming from. No analysis of existing skills in local areas has been undertaken to inform this analysis.</p> <p>Updated position (Deadline 1): Noted. Further discussion through ESBS.</p> <p>Updated Position (Deadline 5): The Local Authorities have set out their concerns with regards to the ESBS in their Deadline 4 response. [REP4-042] paragraphs 7.13.1 to 7.13.27.</p> <p>It is also noted that a further workshop and further iteration of the ESBS will be published by the Applicant at Deadline 6. The Council will make further comment once the updated ESBS has been published and reviewed.</p>	<p>There will be new entrants in all labour market sectors over the next seven years. These (broadly) will come from the same places as where existing workers live (ie existing towns and cities). The spatial distribution of those workers is set out in ES Appendix 17.9.1. This is specific to the existing construction skills in the local area.</p> <p>Updated position (April 2024): Please refer to the response at Row 2.19.3.2 of this Table. Additionally, as noted, a draft ESBS Implementation Plan has been provided and will be updated iteratively. Ultimately, it will feature measures to boost local employment in the construction sector and support upskilling and training. The proposed governance of the ESBS includes a proposed multi-agency Steering Group that will approve the Implementation Plan and oversee its delivery.</p>	<p>ES Appendix 17.9.1: Gatwick Construction Workforce Distribution Technical Note [APP-199]</p> <p>Updated position (April 2024): Draft Section 106 Agreement Annex: ESBS Implementation Plan [REP3-069]</p>	Under discussion
2.19.3.5	Population and Housing Report	<p>Population and Housing Report - Impact on housing does not take full account of increased pressure on temporary accommodation created by migration. This is too large to capture impacts at a local authority level. How will local authorities understand the extent of impacts on their areas?</p> <p>Updated position (Deadline 1): Lack of consideration of locally specific pressures on temporary accommodation.</p> <p>Updated position (Deadline 5): In relation to housing, please refer to Deadline 3 West Sussex Joint Local Authorities response [REP3-117] Sections 2.2 and 2.3.</p>	<p>To determine the potential housing effects, the number of NHB workers (ie those who will temporarily migrate to the area) allocated to each local authority area has been compared with the total number of bed spaces available in the private rented sector. Table 6.1.1 of ES Appendix 17.9.3 sets out the distribution of NHB construction works (at peak) within the key authorities. In MSDC, it is expected that there would be six NHB workers requiring temporary accommodation within the district. Represented as a proportion of total bed spaces in MSDC, this accounts to 1.41%.</p> <p>Updated Position (April 2024): A further response on the construction workforce and accommodation issues is provided in the Construction Labour Market and Accommodation Impacts note in response to Local Impact Reports.</p>	<p>ES Chapter 17 Socio-Economic [APP-042].</p> <p>ES Appendix 17.9.3 Assessment of Population and Housing Effects [APP-201].</p> <p>Updated position (April 2024): The Applicant's Response to Local Impact Reports Appendix D – Construction Labour Market and Accommodation Impacts [REP3-082] The Applicant's Response to Local Impact Reports Appendix D – Construction Labour Market and Accommodation Impacts (Doc Ref: 40-15)</p>	Not Agreed

2.19.3.6	Population and Housing Report	<p>Population and Housing Report - What data sources are being used to assess hotel, B+B and temporary accommodation capacity.</p> <p>Updated position (Deadline 1): Lack of consideration of locally specific pressures on temporary accommodation.</p> <p>Updated position (Deadline 5): <u>In relation to housing, please refer to Deadline 3 West Sussex Joint Local Authorities response [REP3-117] Sections 2.2 and 2.3.</u></p> <p><u>The JLA's have responded to [REP3-082] at deadline 4 in [REP4 – 042] paragraphs 2.118 – 2.124.</u></p>	<p>Lichfields undertook primary research, splitting them into three broad categories – on-airport, off airport in close proximity (i.e. within 15 minutes), and off-airport (up to 30 minutes away).</p> <p>Updated position (April 2024): <u>A further response on the construction workforce and accommodation issues is provided in the Construction Labour Market and Accommodation Impacts note in response to Local Impact Reports.</u></p>	<p>n/a</p> <p>Updated position (April 2024): <u>ES Chapter 17: Socio-Economics [APP-042]</u></p> <p>The Applicant's Response to Local Impact Reports Appendix D – Construction Labour Market and Accommodation Impacts [REP3-082] The Applicant's Response to Local Impact Reports Appendix D – Construction Labour Market and Accommodation Impacts (Doc Ref. 40-15)</p>	Not Agreed
2.19.3.7	Gravity Model testing / calibrating	<p>Gravity Model testing/calibrating and Results - 100% home based theoretical example assuming all construction workers are home based (90 mins). Theoretical breakdown of where these would be based. Gravity model captures distribution of construction work force. It is not clear how numbers have been split by locality, types of workers based in different localities and whether there would be sufficient supply of labour to fill these positions.</p> <p>Updated position (Deadline 1): The Applicant has not taken account of current labour supply constraints within the local area.</p> <p>Updated position (Deadline 5): <u>The Applicant has not given a clear response to the question above ' how have numbers been split by locality, types of workers based in difference localities and whether would be sufficient supply of labour to fill these positions.</u></p> <p><u>The Local Authorities have set out their concerns with regards to labour supply constraints in their Deadline 4 response [REP4- 042].</u></p>	<p>The approach to developing the Gravity Model is set out in Section 4 of ES Appendix 17.9.1 Gatwick Construction Workforce Distribution Technical Note. Table 5-2 sets out the distribution of home based workers across the local authority areas. This is based on both the number of construction workers who live there and the distance from the site.</p> <p>Updated position (April 2024): <u>Please refer to the response at Row 2.19.3.2 of this Table.</u></p>	<p>ES Appendix 17.9.1 Gatwick Construction Workforce Distribution Technical Note [APP-199]</p>	Not Agreed

2.19.3.8	Demand by occupations	<p>Demand by occupations - sets out potential demand for occupations from project. No further information about where potential employees for these occupations would reside. Have info by LA in other places so why not here.</p> <p>Updated position (Deadline 1): Noted.</p> <p>Updated position (Deadline 5): Assessment required at the local authority level to understand local implications of the Project.</p>	<p>The Gravity Model uses data on all construction workers at local authority level. Occupations are not sufficiently disaggregated at that spatial scale.</p>	<p>ES Appendix 17.9.1 Gatwick Construction Workforce Distribution Technical Note [APP-199]</p>	<p>Under discussion</p>
2.19.3.9	Travel to work data	<p>Travel to work data is pre – covid. Based on GAL’s update, it confirms that the extent to which Covid-19 implications have not been MSDC N/A The analysis presented in the PEIR was primarily based on 2019 data (i.e. pre-Covid) given that the economy and wider socio-economic conditions Gatwick Airport Northern Runway Project Statement of Common Ground – Appendix 3: Issues Trackers Page 42 Our northern runway: making best use of Gatwick considered and that no update of the data will be made prior to submission. Suggest that GAL should be updating TWT data.</p> <p>Updated position (Deadline 1): Employer Survey data is out of date.</p> <p>Updated position (Deadline 5): Employer Survey data is now significantly out of date and is potentially unreliable.</p>	<p>The analysis presented in the PEIR was primarily based on 2019 data (i.e. pre-Covid) given that the economy and wider socio-economic conditions considered and that no update of the data will be made prior to submission. Suggest that GAL should be updating TWT data are expected to rebound to pre-pandemic levels before the Project’s commencement. For the same reasons, the same approach is carried over in the ES, however, where appropriate, relevant data sources such as labour market and employment indicators have been updated to reflect the latest available position based on data availability. There is no evidence that Covid has changed the spatial distribution of travel to work patterns. It has changed the frequency with which some occupations attend their place of work or work from home. Many roles at Gatwick cannot be done from home so these would not be affected by such changes. The Employer Survey therefore remains the most robust means of estimating travel patterns.</p> <p>Updated position (April 2024): The pre-Covid survey remains the best assessment of the location of employees.</p>	<p>n/a</p>	<p>Not Agreed</p>
2.19.3.10	Study areas	<p>We understand what the applicant’s study areas are but don’t fully agree with the rationale for selecting these study areas. The applicant has not considered sensitivities or capturing impacts at individual local authority level. Therefore, this assessment falls short in identifying how the scheme will impact on receptors within specific local authorities. At the minimum, why is it not possible for the applicant to focus on an assessment of effects for those local authorities in close proximity to the scheme?</p> <p>Updated position (Deadline 1): An assessment of impacts is required at the local authority level. Whilst the Applicant presented their method and assessment at the TWG sessions, these were not agreed with by the local authorities who provided written feedback on their concerns to the Applicant.</p>	<p>ES Chapter 17: Socio-Economics provides an assessment of the potential socio-economic effects of the Project, including effects on employment and the labour market. Economic activity We have explained the approach to assessment at TWGs. The assessment focuses on the five defined study areas, but also provides employment estimates at the Local Authority level. Detailed data on economic activity at the local authority level is contained ES Appendix 17.6.1:Socio-Economic Data Tables, namely Tables 2.1.5 and 2.1.6.</p> <p>Updated position (April 2024): Please refer to the response at Row 2.19.2.2 of this Table.</p>	<p>ES Chapter 17 Socio-Economics [APP-042].</p> <p>ES Appendix 17.9.1: Gatwick Construction Workforce Distribution Technical Note [APP-199]</p> <p>Section 17.9 of ES</p>	<p>Not Agreed</p>

		<p>Updated position (Deadline 5): Assessment is required at the local authority level to inform potential implications on labour supply, future housing growth and demand for affordable housing, temporary accommodation.</p> <p>Applicant states the methodology of the assessment was discussed and agreed through the TWG meetings, we note there is no mention of this in their updated position. It is incorrect to say there was an agreement. There was no agreement and written feedback was shared with the Applicant in relation to these concerns.</p>		Chapter 17: Socio-Economic [APP-042].	
2.19.3.11	Induced effects of Construction employment	<p>Assessment of induced effects of construction employment - In the workshop, Applicant said it didn't make sense to do this. We will need further clarity on the reasons for this as typically induced effects are taken account of as part of socio-economic assessment work.</p> <p>Updated position (Deadline 5): Clarity not provided by the Applicant.</p>	Detailed analysis of the construction employment expected to be generated by the Project is provided in ES Appendix 17.9.1: Gatwick Construction Workforce Distribution Technical Note, including an assessment of the potential construction labour supply and their spatial distribution. This data has informed the assessment of the labour market within Section 17.9 of ES Chapter 17: Socio-Economic. Wider effects of the construction phase have been assessed in terms of potential impacts on the construction supply chain measured relative to the scale of construction sector enterprises (as opposed to employment which is used for direct effects only) in each of the assessment areas.		
2.19.3.12	Construction workers	<p>At a previous workshop there was a presentation of a theoretical exercise with an assumption that 80% of construction workers were home based (within 90min of the airport) and 20% were non-home based (NHB). The applicant confirmed that the 20% NHB assumption was informed by the Gatwick construction team – function of the contracting (contractors for some of those things will come from other parts of the country). They argued that there is a lot of construction workers and specialists living in the area given the location of Gatwick - unlike Hinckley Point, for example, which had a NHB worker ratio of 64% (highly specialised infrastructure and located in a rural area). It is still not entirely clear that this assumption is based on actual evidence/data and it would be helpful if this were confirmed. At the minimum, and alongside the information from the construction team, we would have thought the applicant could demonstrate some appropriate comparators to further justify the 20%.</p> <p>Updated position (Deadline 1): No Applicant hasn't taken account of existing labour market constraints and an assessment of impact at local authority level should be undertaken.</p>	<p>This is explained in the Gatwick Construction Workforce Distribution Note. The average proportion of non-home based workers in England is 5% and in the South East is 7%. Based on GAL's experience of major construction, a higher % was tested because of the specialist areas of work required and the need to contract for these workers nationally rather than regionally. This therefore tests a higher impact on local accommodation markets.</p> <p>Updated position (April 2024): Please refer to the response at Row 2.19.3.2 of this Table.</p>	Section 4.1 of ES Appendix 17.9.1: Gatwick Construction Workforce Distribution Technical Note [APP-199]	Not Agreed

		<p>Updated position (Deadline 5): The Local Authorities have set out their concerns with regards to labour supply constraints in their Deadline 4 response. An assessment of impact at local authority level should be undertaken to determine local implications of the Project.</p> <p>The JLA's have responded to [REP3-082] at deadline 4 in [REP4 – 042] paragraphs 2.118 – 2.124.</p>			
2.19.3.13		<p>The applicant confirms that they are not projecting that the supply of infrastructure labour will fall but that the CITB is projecting demand for infrastructure labour to fall. The point made by AECOM on Slide 52 from the previous presentation, that whilst the projection for infrastructure output is showing a decline, the “total” output (last row in the table) is showing an increase over the same period. The applicant’s response does not address this question. Given the nature of the skills required for the Gatwick scheme, the majority would be applicable across multiple sectors, not just infrastructure. Therefore, it is questionable whether the demand of labour relevant to the Gatwick scheme will actually fall as suggested in Slide 52 (previous presentation).</p> <p>Updated position (Deadline 1): Noted. Still unclear what skills shortages exist and how addressed through ESBS.</p> <p>Updated Position (Deadline 5): The Local Authorities have set out their concerns with regards to the ESBS in their Deadline 4 response.</p>	<p>This is an infrastructure project, so the supply of infrastructure labour is most relevant. To the extent that other types of construction workers could have relevant skills that would increase the supply of available labour. ES Appendix 17.9.1 is based on all construction workers, not just those in infrastructure.</p> <p>Updated position (April 2024): Please refer to the response at Row 2.19.3.2 of this Table.</p> <p>A draft ESBS Implementation Plan has been provided and will be updated iteratively. Ultimately, it will feature measures to boost local employment in the construction sector and support upskilling and training. The proposed governance of the ESBS includes a proposed multi-agency Steering Group that will approve the Implementation Plan and oversee its delivery.</p>	<p>ES Appendix 17.9.1: Gatwick Construction Workforce Distribution Technical Note [APP-199]</p> <p>Updated position (April 2024): Draft Section 106 Agreement Annex: ESBS Implementation Plan [REP3-069]</p>	Under discussion
2.19.3.14	Gravity Model	<p>Distribution of construction workforce by local authority has been captured through a Gravity Model (function of labour supply by travel zone and distance from the site). The model distributes/allocates workers between the zones based on distance alone. It is not clear how this distribution between each zone is made. The use of distance from the site as primary criteria for allocation of construction workforce seems very simplistic and would assume that all zones in the 90-min area have a similar proportion of construction workforce. This is unrealistic and there needs to be a further granular assessment.</p> <p>Updated position (Deadline 1): Applicant hasn’t taken account of existing labour market constraints.</p> <p>Updated position (Deadline 5): The Local Authorities have set out their concerns with regards to labour supply constraints in their Deadline 4 response.</p> <p>The JLA's have responded to [REP3-082] at deadline 4 in [REP4 – 042] paragraphs 2.118 – 2.124.</p>	<p>ES Appendix 17.9.1: Gatwick Construction Workforce Distribution Technical Note sets out the technical detail behind the Gatwick Gravity Model (GGM). It explains the inputs into the GGM, the estimated distribution of workers by Local Authority (LA) and the robustness checks undertaken. The distribution between each zone is based on its distance from the site and the number of workers who live there. The Gravity Model uses distance because it draws on a dataset of construction worker travel patterns which is itself distance-based.</p> <p>Updated position (April 2024): Please refer to the response at Row 2.19.3.2 of this Table. The Applicant has provided a revised assessment of the housing need during construction using updated data from the 2021 Census and has provided a further assessment of the construction workforce in a separate note in response to the Local Impact Reports.</p>	<p>ES Appendix 17.9.1: Gatwick Construction Workforce Distribution Technical Note [APP-199] Section 6.1.</p> <p>Updated position (April 2024): ISH3 Action Point 5 in The Applicant’s Response to Actions ISH2-5 [REP2-005]</p> <p>The Applicant’s Response to Local Impact Reports Appendix D – Construction Labour Market and</p>	Not Agreed

				Accommodation Impacts [REP3-082]	
2.19.3.15	Magnitude of impact	<p>Due to the number of receptors, phases and impact areas, the applicant has opted to assess magnitude of impact based on set thresholds. These thresholds are not informed by guidance but decided by the applicant and are similar across all receptors, phases and impact areas:</p> <ul style="list-style-type: none"> • Up to 1% change: very low magnitude of impact • 1% to 7.5% change: low magnitude of impact • 7.5% to 15%: medium magnitude of impact • Over 15% change: high magnitude of impact <p>This approach appears very simplistic. Whilst we do appreciate the high number of assessments that will be needed, applying the same thresholds to all receptors skew the analysis. For instance, we would expect an increase of 5% in housing demand to be high, not low. On the other hand, an increase of 5% in access to sport, leisure facilities and open space may be considered as low.</p> <p>Updated position (Deadline 5): Council concerns remain related to sensitivity and magnitude criteria for several socio-economic receptors, Applicant has not addressed this.</p>	<p>As shown in ES Chapter 17 Socio-Economics, the thresholds applied vary across receptors and geographies. These are ultimately based on a professional judgment, however proposed thresholds were presented during Topic Working Groups for comment.</p> <p>Updated position (April 2024): Please refer to the response at Row 2.19.2.3 of this Table.</p>	ES Chapter 17 Socio-Economics [APP-042] Table 17.4.5-6	Not Agreed
2.19.3.16	Study areas of socioeconomic assessment	<p>From what we understand, the study area for the socio-economic assessment is the Labour Market Area. This is too large a study area to capture impacts at a local authority level. How will local authorities (particularly those in close proximity to the scheme) understand the extent of impacts on their areas?</p> <p>Updated position (Deadline 1): Whilst the Applicant presented their method and assessment at the TWG sessions, these were not agreed with by the local authorities who provided written feedback on their concerns to the Applicant. Noted. Under discussion pending completion of LIR.</p> <p>Updated position (Deadline 5): As set out in LIR [REP1-069] Section 18, and WR to EXA Q1, SE1.15 [REP3-135] the Applicant has failed to consider housing demand, including affordable housing, at a local authority level. A review of overall housing completions and pipeline supply does not give the full picture of the issues impact housing delivery in the North West Sussex HMA, for the reasons explained in MSDC Written Rep [REP1 – 083]</p>	<p>Detailed data is provided in ES Appendix 17.6.1: Socio-Economic Data Tables for all of the socioeconomic characteristics profiled across all the study areas, as well as at the individual Local Authority level. The methodology and presentation of the assessment was discussed and agreed through a series of Socio-Economics TWGs, including sessions on 16th May, 7th July, 28th September, 18th November and 6th December 2022, and 31st July 2023</p> <p>Updated position (April 2024): Please refer to the response at Row 2.19.2.2 of this Table. Additionally, the affordable housing assessment also includes analysis at local authority level (for the local authorities adjacent to Gatwick) for recent completions, local authority evidence of need, local plans and pipeline supply.</p>	ES Appendix 17.6.1: Socio-Economic Data Tables [APP-197]	Not Agreed
2.19.3.17	Outputs for population, housing, jobs and labour supply	<p>We understand that outputs for population, housing, jobs and labour supply will be presented for each scenario at local authority level in an appendix to the Population and Housing Report. There is mention of local pinch points, with that in mind can you clarify to what extent there will be interpretation and analysis of these outputs at a local authority level particularly for those authorities located in close proximity to the scheme.</p>	<p>ES Appendix 17.6.1: Socio-Economic Data Tables contains the outputs that have informed the socioeconomic assessment. This includes presentation of the outputs at a local authority level. The evaluation of this data is set out in ES Chapter 17 Socio Economic. A range of geographies are used on the basis that significant effects on socio-economic receptors might differ in geography</p>	ES Appendix 17.6.1: Socio-Economic Data Tables [APP-197] ES Chapter 17 Socio-	Under discussion

		<p>Can you also confirm how will this be taken account of to inform the socio-economic assessment given this is being undertaken at a larger study area level. Could you also confirm the extent to which you have engaged with local authorities to inform these outputs?</p> <p>Updated position (Deadline 1): Noted. Under discussion pending completion of LIR.</p> <p>Updated position (Deadline 5): An assessment of impact at local authority level should be undertaken to determine local implications of the Project.</p>	<p>depending on the receptor. This includes the Project Site Boundary, Local Study Area, North West Sussex Functional Economic Market Area (also the same as the North West Sussex Housing Market Area, 'NWS HMA'), Labour Market Area and Six Authorities Area. Reasoning and justification for these is given within the Socio-Economic Chapter. The methodology and presentation of the assessment was discussed and agreed through a series of Socio-Economics TWGs, including sessions on 16th May, 7th July, 28th September, 18th November and 6th December 2022, and 31st July 2023.</p> <p>Updated position (April 2024): Please refer to the response at Row 2.19.2.2 of this Table. Additionally, the affordable housing assessment also includes analysis at local authority level (for the local authorities adjacent to Gatwick) for recent completions, local authority evidence of need, local plans and pipeline supply.</p>	Economic [APP-042]	
2.19.3.18	Outputs at LPA level	<p>We understand the applicant will present the outputs for the HMA (but not LPA area, as there are too many of them) at next meeting. Outputs at LPA level will be calculated but won't be shared with LPAs before the DCO submission. Whilst presenting all outputs for all 17 authorities is helpful, there is a need to demonstrate that key issues/pinch points/constraints within local authorities are sufficiently taken account of particularly those authorities in close proximity to the scheme. Please can you clarify how you will provide reassurance that locally specific issues within these areas have been appropriately taken account of.</p> <p>Updated position (Deadline 1): Noted. Under discussion pending completion of LIR.</p> <p>Updated position (Deadline 5): An assessment of impact at local authority level should be undertaken to determine local implications of the Project.</p>	<p>A range of geographies are used on the basis that significant effects on socio-economic receptors might differ in geography depending on the receptor. This includes the Project Site Boundary, Local Study Area, North West Sussex Functional Economic Market Area (also the same as the North West Sussex Housing Market Area, 'NWS HMA'), Labour Market Area and Six Authorities Area. Reasoning and justification for these is given within the Socio-Economic Chapter. The methodology and presentation of the assessment was discussed and agreed through a series of Socio-Economics TWGs, including sessions on 16th May, 7th July, 28th September, 18th November and 6th December 2022, and 31st July 2023.</p> <p>Updated position (April 2024): Please refer to the response at Row 2.19.2.2 of this Table. Additionally, the affordable housing assessment also includes analysis at local authority level (for the local authorities adjacent to Gatwick) for recent completions, local authority evidence of need, local plans and pipeline supply.</p>	ES Chapter 17 Socio-Economic [APP-042]	Under discussion
2.19.3.19	ARELS	<p>ARELS said that airport-related land requirement to 2038 is in the order of 16-17 hectares in the base case scenario, increasing to 35-39.5 hectares with the Northern Runway. Therefore, 19 to 22.5 hectares of airport related land requirement is attributable to the Northern Runway. Slide 45 then states that of the 19-22.5 ha, around 15-18 ha could be attributed to off-airport requirement, equivalent to less than 1 ha per annum potentially across the ARELS FEMA. It is unclear how it was estimated that 15-18ha</p>	<p>The ARELS work has been completed. The study has assessed land supply implications associated with identified growth – consideration has been given to the existing total employment land as well as the total projected pipeline across the ARELS FEMA. Consideration has been given to LPA's assessment of their own economic growth potential and whether the LPA has a current and forecast surplus or shortfall in space. The ARELS has assessed the</p>	n/a	Under discussion

		<p>could be attributed to “off-airport” requirement and what “off-airport” means. The airport related land requirement will cater for hotels, industry and warehousing (cargo, freight, airline catering, maintenance, distribution and logistics) as well as office. It would therefore be reasonable to assume that all that land requirement will be needed in immediate proximity of the airport. Therefore, there would still be a requirement to deliver 35-39.5 hectares of airport-related land in and around the airport by 2038 (and not 15 to 18 ha within the entire FEMA as slide 45 seems to suggest). Slide 46 suggests that one of the next steps will be to verify whether there is a current and forecast surplus or shortfall in space, identified employment land allocations and the availability at certain sites within the FEMA. This verification should be done at a more local level, where land will be required (rather than the FEMA level). As well as making the identification of suitable land more challenging, the concentration of activities around the airport will result in a concentration of the impact more locally (note: partially included but not specific issue).</p> <p>Updated position (Deadline 1): Noted. Under discussion until work on the LIR is complete.</p> <p><u>Updated position (Deadline 5): The Applicants response to ExQ1 SE.1.17 is noted. The AERALS does not form part of the DCO.</u></p>	<p>total quantum of future airport related space. GAL would be happy to discuss the ARELS work with the authorities; however, it should be noted that the ARELS has not assessed suitability or deliverability of the land identified by local authorities (i.e. where space should be located). Growth as a result of the NRP will emerge over a long period of time and will to a large extent be indistinguishable from background changes in land use patterns. Businesses serving the airport or its supply chains, or those that use it as passengers will have the opportunity to grow and some of that will mean they need to expand. How and where they do that will be a matter for them and their ability to either find premises or get planning consents to accommodate that growth. It would be spurious to seek to estimate with any precision how space should be provided and where it should be located.</p>		
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Mitigation and Compensation

<p>2.19.4.1</p>	<p>Economic Skills and Business Strategy [APP-198] - Lack of information on implementation plan, performance, measurable targets, funding and financial management, monitoring and reporting. Route map from ESBS to Implementation Plan is not identified.</p>	<p>Options identified in the ESBS are not necessarily directly aligned with local specific issues and need. The document states that performance, financial management, monitoring and reporting systems will be set out in detail in the Implementation Plan. It is unclear why the Applicant is unable to provide further details on these arrangements within the ESBS in order to provide sufficient reassurance that appropriate systems will be in place. The ESBS also provides no explanation on whether it would differentiate between the provision and outputs offered through the DCO vs. provision and outputs offered in a Business as Usual (BAU) scenario. Furthermore, the ESBS does not set out any process for how the Implementation Plan would be developed. Given the Applicant is currently suggesting that the majority of the relevant content for the local authorities will be set out in the Implementation Plan, it is essential that the Applicant provides further details on the process for delivering this.</p> <p>Updated position (Deadline 1): More detailed information is required in the ESBS as set out in our response to TWG.</p> <p><u>Updated Position (Deadline 5): It is also noted that a further workshop and further iteration of the ESBS will be published by the Applicant at</u></p>	<p>Please refer to ES Appendix 17.8.1 Employment, Skills and Business Strategy for details.</p> <p>The plan will include more specific detail on the objectives, initiatives and activities, targets, milestones, implementation processes and partners, including how objectives will be met at the local level. The approach to monitoring and evaluation of actions and impacts will be included. GAL recognises that the skills, employment and business growth and productivity fields are dynamic and fast-moving in terms of national and local policy responses, skill needs and demands and technological changes. The project will be delivered over a period of 15+ years. Thus, the strategy and implementation plan will need to incorporate capacity for the projects and associated targets and outcomes to flex and change in response effectively to changing circumstances as required.</p> <p>Updated position (April 2024): <u>Please refer to the response at Row 2.9.3.13 of this Table.</u></p>	<p>ES Appendix 17.8.1 Employment, Skills and Business Strategy [APP-198]</p>	<p>Not Agreed</p>
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		<p><u>Deadline 6. The Council will make further comment once the updated ESBS has been published and reviewed.</u></p>	<p><u>The Implementation Plan will include specific delivery plans for each of the 6 themes in the ESBS. These Delivery Plans will differentiate between BAU activity related to the relevant theme, details of any pilot activity currently being undertaken in that theme, and proposed delivery post consent.</u></p> <p><u>An updated draft Implementation Plan and two examples of proposed draft Delivery Plans was circulated to local authorities on 20 March in advance of a workshop held on 8 April (following an initial stakeholder workshop on 25 March) to gather Local Authority feedback on the draft Implementation Plan and gather further input into the detail of the six draft Delivery Plans. A further workshop is planned on 30 May to continue to progress development of the draft Implementation Plan and draft Delivery Plans.</u></p>		
<p>Other There are no other issues relating to this topic in this Statement of Common Ground.</p>					

2.20. Traffic and Transport

2.20.1 Table 2.1 sets out the position of both parties in relation to traffic and transport matters.

Table 2.20.19 Statement of Common Ground – Traffic and Transport Matters

Reference	Matter	Stakeholder Position	Gatwick Airport Limited Position	Signposting	Status
Baseline					
2.20.1.1	Baseline Data	<p>The use of 2016 data to inform the baseline assessment and the reasons for the use of this data, such as the impact Covid 19 had on travel, are noted. Since emerging from the pandemic more representative transport data continues to become available and therefore this data should be used to validate that the proposed approach is robust and takes accounts of changes since the 2016 base and any travel changes due to Covid 19. The applicant should also review the latest Department for Transport (DfT) guidance TAG Unit M4, Forecasting and Uncertainty, and ensure the modelling takes account of the latest DfT advice. Therefore, the Council is not yet satisfied that impacts on the Mid Sussex highway network have been robustly assessed and fully mitigated.</p> <p>Updated position (Deadline 1): Reviewing Accounting for Covid 19 in Transport Modelling Book 8 Application Document Reference 8.5 PINS Reference Number TR020005.</p> <p>Updated position (Deadline 5): The Applicant has submitted Accounting for Covid-19 in Transport Modelling (AS-121) which updates the assessment taking account of the impacts of Covid 19 in the transport modelling.</p> <p>However, the Highway Authority still have technical matters relating to the transport modelling that need to be addressed. Concerns remain that the level of growth assumed by the Applicant is too high, these concerns are supported by the assessment made by York Aviation (see Chapter 6 and Appendix F of the Joint West Sussex LIR). This could be resulting in an over forecast of the demand and therefore over provision of car parking and highway elements of the infrastructure.</p>	<p>The Examining Authority has made a Procedural Decision dated 24 October 2023 to request the Applicant to provide a detailed response to look at accounting for COVID-19 in the transport modelling. This work is being undertaken for submission to the ExA in due course.</p> <p>Updated response (Deadline 1): The response to the ExA's Procedural Decision on accounting for Covid-19 in the transport modelling has been submitted and is available on the Project Webpage.</p> <p>Updated position (April 2024): No further update.</p>	Accounting for Covid-19 in Transport Modelling [AS-121] and its Appendices [AS-122]	Under discussion
Assessment Methodology					
2.20.2.1	Traffic & Transport section of Environmental Statement (Chapter 12 Traffic & Transport [AS-076]) undertaken in accordance	The Traffic & Transport Chapter has been undertaken in accordance with guidance contained within Guidelines for the Environmental Assessment of Road Traffic (IEMA 1993). New IEMA guidance entitled, Environmental Assessment of Traffic and Movement, which updates and replaces the referenced 1993 guidance, was issued in July 2023. Further details are	The Examining Authority has made a Procedural Decision dated 24 October 2023 to request the Applicant to provide a detailed response to the new IEMA guidance. This work is being undertaken for submission to the ExA in due course.	Accounting for Covid-19 in Transport Modelling [AS-121] and its Appendices [AS-122]	Agreed

	with historical and replaced guidance.	<p>available here: This information also has implications for the assessment of Air Quality.</p> <p>Updated position (Deadline 1): Reviewing Accounting for Covid 19 in Transport Modelling Book 8 Application Document Reference 8.5 PINS Reference Number TR020005.</p> <p>Updated Position (Deadline 3): This principal matter of disagreement has been removed.</p>	<p>Updated response (Deadline 1): The response to the ExA's Procedural Decision on accounting for Covid-19 in the transport modelling has been submitted and is available on the Project Webpage.</p> <p>Updated position (April 2024): No update required.</p>		
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Assessment

There are no issues relating to the assessment in this Statement of Common Ground.

Mitigation and Compensation

2.20.4.1	Surface Access Commitments (SACs) and target mode shares	<p>Concerns are held about the SACs that underpin the creation of a new Surface Access Strategy and the approach to meeting and monitoring these commitments. We are also concerned about how they will help deliver improvements to sustainable travel modes in Mid Sussex.</p> <p>Updated position (Deadline 1): There is a lack of information available that sets out the surface access improvements will encourage residents of Mid Sussex, particularly in the north of district closer to airport, both passengers and employees.</p> <p>Commitments (SACs) and target mode shares. Concerns are held about the SACs that underpin the creation of a new Surface Access Strategy and the approach to meeting and monitoring these targets. Some of the concerns include:</p> <p>Commitment 1, to ensure 55% of passenger journeys is made by public transport is not considered ambitious or of sufficient challenge. Prior to the Pandemic the airport achieved 47.8% public transport modal share in the 12 months up to March 2020.</p> <p>Target mode shares set out as Commitments are only set out as percentages. The percentages masks trends in absolute numbers and permit significant increases in car trips to and from the airport. Insufficient evidence and justification are provided to demonstrate how the mitigation proposed can provide sufficient sustainable and active travel infrastructure to successfully meet the some of the target modal splits. Commitments are made in relation to bus and coach service provision. Determination of mode of travel takes into a variety of factors rather than just provision of service. The Applicant has not assessed or considered the attractiveness of modes or how this could be increased.</p>	<p>Further clarification is requested to specify the concerns.</p> <p>Updated position (April 2024): In relation to the Green Controlled Growth approach, the commitments being made by the Applicant and the way in which they are structured are appropriate in the context of the anticipated rate of growth which is forecast for dual runway operations at the airport . The updated version of the Surface Access Commitments [REP3-028] sets out a monitoring strategy which is in keeping with the existing process for monitoring ASAS targets and the development of Action Plans in consultation with the Transport Forum Steering Group.</p>	n/a	Not Agreed
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		<p>Updated Position (Deadline 3): There is considered to be a lack of detail and robustness to the SACs and lack of clarity or suitable control should the SACs not be met. The specific concerns, relating to the SACs, are set out in the Joint West Sussex LIR but include:</p> <ul style="list-style-type: none"> • <u>Commitment 1, to ensure 55% of passenger journeys is made by public transport is not considered ambitious or of sufficient challenge. Prior to the Pandemic the airport achieved 47.8% public transport modal share in the 12 months up to March 2020.</u> • <u>Target mode shares set out as Commitments are only set out as percentages. The percentages masks trends in absolute numbers and permit significant increases in car trips to and from the airport.</u> • <u>Insufficient evidence and justification are provided to demonstrate how the mitigation proposed can provide sufficient sustainable and active travel infrastructure to successfully meet the some of the target modal splits.</u> • <u>Commitments are made in relation to bus and coach service provision. Determination of mode of travel takes into a variety of factors rather than just provision of service. The Applicant has not assessed or considered the attractiveness of modes or how this could be increased.</u> • <u>Should the SACs not be met the proposed approach allows for higher levels of vehicular traffic than is targeted by the SACs for a substantial period of time. The Applicant will produce an Action Plan to address the failure to meet the targets. This does not provide sufficient control and the Highway Authority advocate a Green controlled Growth approach, similar to that adopted by Luton Airport.</u> <p>Updated position (Deadline 5): The Highway Authority's concerns in relation to the SACs (REP3-028 version 2) remain. MSDC remain of the view that there is not sufficient controls in place should the modal split targets not be met.</p>			
2.20.4.2	Lack of Car Parking Strategy	<p>Without an overarching Car Parking Strategy the need cannot be understood and neither can future car parking demand be robustly managed.</p> <p>Updated position (Deadline 1): Further information awaited.</p> <p>Updated Position (Deadline 3): The JLAs have made a number of comments on the Car Parking Strategy submitted at Deadline 1, including matters for the Applicant to address. These are set out in the WSCC JLAs response to documents published at Deadline 1.</p>	<p>Further information is being prepared on the justification for the proposed number of car parking spaces. This will be shared with the local authorities in due course.</p> <p>Updated position (Deadline 1): A Car Parking Strategy has been submitted as part of Deadline 1.</p> <p>Updated position (April 2024): <u>The Applicant has responded to points made in relation to car parking by the WSCC JLAs, in Section 8.6 of the Applicant's Response to Deadline 2 Submissions [REP3-106].</u></p>	<p>Car Parking Strategy <u>(REP1-051 Doc Ref. 40-5)</u></p>	Not Agreed

		<p>Updated Position (Deadline 5): Updated position (Deadline 5): It is noted that the Applicant has submitted additional information in Car Parking Strategy [REP1-051] and in response to EXA Q1 [REP3-104].</p> <p>Duplication with matter 2.20.4.6</p>	<p>In addition to the Car Parking Strategy [REP1-051] submitted at Deadline 1, the Applicant has provided additional background to the calculation of future parking demand in The Applicant's Response to the Examining Authority's Written Questions (1) [REP3-104], specifically in response to questions TT.1.38, TT.1.39 and TT.1.41 which provide further narrative on the use of Park & Fly trip volumes to determine future parking demand and the anticipated levels of parking provision in the assessment years of 2029, 2032 and 2047. These figures now exclude the 820 spaces at the Hilton hotel, as the Applicant has acknowledged the lapsing of the relevant planning permission (Section 4.6 of The Applicant's Response to Actions - ISHS2-5 [REP2-005]) and that these spaces should no longer be included in the future baseline or with Project figures. The Applicant is not seeking additional parking to compensate for those spaces</p>		
2.20.4.3	Surface Access Commitments	<p>The applicant has made several 'Commitments' to increase staff and passenger sustainable travel mode share (Appendix 5.4.1). However, the targets for modal shift are not ambitious enough. It is not clear why the longer term targets cannot be secured through the DCO, bearing in mind the growth forecasts of the project look to 2047.</p> <p>Updated position (Deadline 1): No further information provided, so no change in authority position.</p> <p>Updated position (Deadline 5): The Highway Authority's concerns in relation to the SACs (REP3-028 version 2) remain. MSDC remain of the view that there is not sufficient controls in place should the modal split targets not be met.</p>	<p>Our mode share commitments within the Surface Access Commitments document represent the position we are committing to achieve, based on our modelling of mode choice and transport network operation. The SAC also includes a section on our further aspirations, which includes more ambitious mode share targets which we will be working towards, but we have set the committed mode shares explicitly to ensure that the core surface access outcomes set out in ES Chapter 12: Traffic and Transport and in the Transport Assessment are delivered.</p> <p>Further clarification is sought as to why the commitments are not considered ambitious.</p> <p>Updated position (April 2024): An updated version of ES Appendix 5.4.1: Surface Access Commitments [REP3-028] has been submitted at Deadline 3 which adds further detail to the commitments related to the interventions. The Applicant maintains its position in relation to Commitments 1-4 to the specific mode shares set out in the SAC document</p>	<p>ES Appendix 5.4.1: Surface Access Commitments [APP-090]</p> <p>ES Chapter 12: Traffic and Transport [AS-076]</p>	Not Agreed
2.20.4.4	Surface Access Commitments	<p>It is disappointing that there is not an updated Airport Surface Access Strategy (ASAS). This would provide more clarity as to exact surface access mitigations that are being delivered and clarity on how they will be secured.</p> <p>Updated position (Deadline 1): No further information provided, so no change in authority position.</p> <p>Updated position (Deadline 5): It is noted that SAC [REP3-028]. However MSDC continues to have reservation about the level of surface access</p>	<p>The SAC document sets out the commitments we are making to deliver sustainable travel to and from the Airport. It also makes clear that any future ASAS developed after the DCO is granted will take account of the commitments set out in the SAC document. This will become the means through which the commitments are delivered, in conjunction with the SAC document which would be secured under the DCO.</p>	<p>ES Appendix 5.4.1: Surface Access Commitments [APP-090]</p>	Not Agreed

		mitigation in Mid Sussex. Further detail is set out at ref 2.20.4.8 and 2.20.4.9 below.	Updated position (April 2024): An updated Surface Access Commitments [REP3-028] document has been submitted at Deadline 3.		
2.20.4.5	Surface Access Commitments	<p>The applicant has not done enough to support the provision of frequent and convenient alternative modes of transport for the residents of Mid Sussex. This is surprising given the role Mid Sussex has in providing the labour market for the project during construction and in operation. Significant numbers of residents will also use the airport as passengers.</p> <p>Updated position (Deadline 1): No further information provided, so no change in authority position.</p> <p>Updated position (Deadline 5): It is noted that SAC [REP3-028]. However MSDC continues to have reservation about the level of surface access mitigation in Mid Sussex. Further detail is set out at ref 2.20.4.8 and 2.20.4.9 below.</p>	<p>The Surface Access Commitments document sets out bus and coach services identified and included in the modelling work, and GAL is committed to provide reasonable financial support in relation to the services, or others which result in an equivalent level of public transport accessibility.</p> <p>The routes identified are based on the likely catchments to maximise the potential of achieving the committed mode shares.</p> <p>Updated position (April 2024): An updated version of ES Appendix 5.4.1: Surface Access Commitments [REP3-028] has been submitted at Deadline 3 which adds further detail to the commitments related to the interventions.</p>	ES Appendix 5.4.1: Surface Access Commitments [APP-090]	Not Agreed
2.20.4.6	Parking	<p>The restriction and demand management of parking at the airport is one way in which the applicant is seeking to achieve modal shift. However, there is no robust assessment of current and future demand for car parking, looking at both on-site and offsite parking provision. Therefore it is not possible to make informed decisions about the levels of future car parking that will be required. Once this information is available, a robust, evidence-based Car Parking Strategy can be developed to properly manage parking provision in a way that supports the modal shift ambitions of the applicant.</p> <p>Updated position (Deadline 1): Noted. Await further information from applicant.</p> <p>Updated position (Deadline 5): It is noted that the Applicant has submitted additional information in Car Parking Strategy [REP1-051] and in response to EXA Q1 [REP3-104].</p> <p><u>The council strongly disagrees with the Applicant having omitted existing on-airport spaces from its calculations on the basis that these are not operated by GAL. Whilst not operated by GAL, factually these spaces are situated on-airport (located within the CBC Local Plan airport boundary) and are used by passengers travelling to/from the airport, thereby adding to the percentage of airport users travelling to the airport by private vehicle. These should be taken into account by the Applicant in its calculation of future passenger parking spaces to support the DCO, and this issue brings into question the need for 1,100 further spaces as part of the Project, so to ignore existing on-airport spaces simply because these are not operated by GAL will potentially result in an over-provision. This brings into question the transparency of the SACs, as it is now unclear</u></p>	<p>Further information is being prepared on the justification for the proposed number of car parking spaces. This will be shared with the local authorities in due course.</p> <p>Updated position (Deadline 1): A Car Parking Strategy (Doc Ref. 10.5) has been submitted as part of Deadline 1.</p> <p>Updated position (April 2024): <u>In addition to the Car Parking Strategy [REP1-051] submitted at Deadline 1, the Applicant has provided additional background to the calculation of future parking demand in The Applicant's Response to the Examining Authority's Written Questions (1) [REP3-104], specifically in response to questions TT.1.38, TT.1.39 and TT.1.41 which provide further narrative on the use of Park & Fly trip volumes to determine future parking demand and the anticipated levels of parking provision in the assessment years of 2029, 2032 and 2047. These figures now exclude the 820 spaces at the Hilton hotel, as the Applicant has acknowledged the lapsing of the relevant planning permission (Section 4.6 of The Applicant's Response to Actions - ISHS2-5 [REP2-005]) and that these spaces should no longer be included in the future baseline or with Project figures. The Applicant is not seeking additional parking to compensate for those spaces</u></p>	Car Parking Strategy (REP1-051 Doc-Ref. 10.5)	Not Agreed

		<p>if/how non-GAL operated on-airport parking is factored into the Applicant's approach.</p> <p>To clarify, the annual parking survey counts non-GAL operated spaces, where located within the airport boundary, as on-airport.</p> <p>The applicant appears to be inconsistent with its inclusion/exclusion of non- GAL operated on airport spaces. (Non- GAL operated carparking at Hilton hotel was included and now excluded seemingly only because the planning permission for an additional 820 spaces has lapsed.</p>			
2.20.4.7	Parking Enforcement	<p>The Applicant's commitment to supporting local authorities' actions against unauthorised off-airport passenger car parking is welcomed. However, there is no detail of the scale of the support, to which local authorities it will apply and how it will be secured.</p> <p>Updated position (Deadline 1): Welcome further discussion on this matter to ensure mitigation is secured to mitigate effects in Mid Sussex.</p> <p>Updated position (Deadline 5) : MSDC welcomes the Applicant's offer to make an annual financial contribution towards airport-related parking investigation/enforcement. We do however have concern that the monies proposed are not sufficient to fund a post at the required level. This matter is subject to ongoing negotiation through the S106 agreement process. Paragraph 17.86 of the West Sussex LIR refers.</p> <p>Under discussion as part of S106 agreement.</p>	<p>Further information is being prepared on the application of these measures in support of the Surface Access Commitments. This will be discussed with the local authorities in relation to the SoCG and the S.106.</p> <p>Updated position (April 2024): The draft Section 106 Agreement [REP2-004] secures the proposed level of funding to support local authorities enforcement actions against unauthorised parking, in Clause 7 of Schedule 3</p>	ES Appendix 5.4.1: Surface Access Commitments [APP-090]	Under discussion
2.20.4.8	Sustainable transport modes	<p>Provision of choice of sustainable transport modes from villages in north Mid Sussex – Crawley Down and Copthorne. In order to provide residents in northern Mid Sussex, a real choice of sustainable transport modes and reduce the reliance on the private car further investment in bus connectivity is required. This is particularly import when relying on these areas for labour supply and taking into account the unsociable hours that many roles within the airport have. Local bus enhancements should be sought on routes in these areas to provide fast and frequent direct service to Gatwick.</p> <p>Updated position (Deadline 1): No further information provided, so no change in authority position.</p> <p>Updated position (Deadline 5): MSDC welcomes the opportunity for further discussion on this matter. Further detail on the specific investment on services in Mid Sussex is required, along with how the figure of a minimum of £10 million has been arrived at. This is required to determine</p>	<p>GAL has developed Surface Access Commitments (SACs) which identify the sustainable transport mode share outcomes which GAL is committing to, together with commitments to the interventions and measures that GAL will use to achieve those mode shares. These interventions include measures that will increase public transport choice and encourage the use of public transport and active travel modes, alongside measures aim to reduce levels of private care use amongst air passengers and staff. Further information on the SACs is included in Section 12.8 of Chapter 12 and within the SACs document itself.</p> <p>Updated position (April 2024): The position remains unchanged. The Applicant will continue to engage with Mid Sussex District Council on this matter. Paragraph 5 of Schedule 3 to the draft DCO S106 Agreement [REP2-004] secures a minimum £10 million investment from the Applicant to support the introduction or operation or use of bus and coach services.</p>	Section 5.2 of ES Appendix 5.4.1: Surface Access Commitments [APP-090]	Not Agreed Under discussion

		<p>whether or not £10 million is the correct level of funding to support the introduction or operation or use of bus and coach services (taking into account the large geographical area this fund needs to cover).</p> <p>Under discussion as part of S106 agreement</p>			
2.20.4.9	Bus strategy	<p>Bus Strategy – lack of improvement to services in rural areas of Mid Sussex, acting as barrier to mode shift. Where rail links do exist at Haywards Heath and Burgess Hill, connections to neighbouring settlements is poor acting as a barrier to use. The current strategy therefore risks leaving large parts of the districtdistrict, which is geographically very close to the airport, with no realistic alternative to car travel. Mid Sussex council would therefore like to understand the potential impacts of introducing bus priority measures and/or an extension to the Fastway service along the A264 corridor and would strongly encourage undertaking feasibility and modelling work to quantify what impact these interventions could make to support mode shift to sustainable travel, as currently presented the strategy overall appears to not be sufficient to achieve the mode share targets.</p> <p>Updated position (Deadline 1): No further information provided, so no change in authority position.</p> <p>Updated position (Deadline 5): MSDC welcomes the opportunity for further discussion on this matter. Further detail on the specific investment on services in Mid Sussex is required.</p> <p>Under discussion as part of S106 agreement</p>	<p>GAL has developed Surface Access Commitments (SACs) which identify the sustainable transport mode share outcomes to which GAL is committing, together with commitments to the interventions and measures that GAL will use to achieve those mode shares. The assessment presented in Section 7 and other parts of the Transport Assessment indicates that the measures suggested by Mid-Sussex Council are not necessary to achieve the mode share commitments. GAL’s existing Sustainable Transport Fund (STF) is already used to create a funding stream for initiatives aimed at increasing the use of sustainable transport modes, in support of the measures contained in the current ASAS. Initiatives that are part or wholly funded through the STF are discussed and agreed with the TFSG. The STF is currently administered under periodic Section 106 commitments, which are regularly reviewed and renewed. GAL will continue to use the STF to support measures that will help to achieve the mode share commitments.</p> <p>Updated position (April 2024): The position remains unchanged. The Applicant will continue to engage with Mid Sussex District Council on this matter. Schedule 3 of the Draft S106 Agreement [REP2-004] sets out the funding for surface access including arrangements to continue the STF</p>	<p>ES Appendix 5.4.1: Surface Access Commitments [APP-090]. Section 7 of the Transport Assessment [APP-258]</p>	Not Agreed
2.20.4.10	Sustainable transport mode share	<p>Concern is raised regarding the target for staff sustainable transport mode share with low emission travel initiatives (i.e. electric vehicles), this will not relieve issues with congestion and could risk investment being directed away from more sustainable modes such as bus, rail, walking and cycling and should therefore be separated from the target for sustainable modes.</p> <p>Updated position (Deadline 1): Noted.</p>	<p>The Surface Access Commitments document sets out the committed mode shares, and Chapter 7 of the Transport Assessment sets out the interventions which have been tested in the model to demonstrate the mode shares are achievable. Definitions are provided in paragraph 4.2.2. of the Surface Access Commitments document. Low / zero emission vehicles are not included in the definitions associated with the mode share commitments.</p> <p>Updated position (April 2024): No update to Applicant's position.</p>	<p>Transport Assessment [APP-258]</p> <p>ES Appendix 5.4.1 Surface Access Commitments [APP-090]</p>	Under discussion
Other					
There are no other issues relating to this topic in this Statement of Common Ground.					

2.21. Waste and Materials

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

Table 2.21 Statement of Common Ground – Waste and Materials 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. Water Environment

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

Table 2.22 Statement of Common Ground – Water Environment Matters

Reference	Matter	Stakeholder Position	Gatwick Airport Limited Position	Signposting	Status
<i>There are no issues relating to Water Environment in 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
	Job Title
	Date
	Signature
Duly authorised for and on behalf of Mid Sussex District Council	Name
	Job Title
	Date
	Signature

Appendix 1: Record of Engagement Undertaken

Date	Form of Correspondence	Details
13 February 2019	In-Person Meeting	TWG on DCO Application
7 March 2019	In-Person Meeting	NRP update given to Gatwick Officers Group
8 May 2019	In-Person Meeting	TWG on NRP update
5 June 2019	In-Person Meeting	NRP update given to Local Authorities Gatwick Officers Group
20 August 2019	In-Person Meeting	TWG on Land Environment
21 August 2019	In-Person Meeting	TWG on Surface Access and Transport
28 August 2019	In-Person Meeting	TWG on Air Quality, Carbon and Climate Change, and Major Accidents and Disasters
28 August 2019	In-Person Meeting	TWG on Economics and Employment
29 August 2019	In-Person Meeting	TWG Meeting on Noise
3 September 2019	In-Person Meeting	Technical Officers Group Meeting
18 September 2019	In-Person Meeting	Health Stakeholder Meeting
26 September 2019	In-Person Meeting	TWG on MAAD
27 November 2019	In-Person Meeting	TWG on Consultation Update
27 January 2020	In-Person Meeting	TWG Air Quality, Carbon and Climate Change and MAAD
30 January 2020	In-Person Meeting	TWG Economics and Employment
3 February 2020	In-Person Meeting	TWG on Land Based Topics
4 February 2020	In-Person Meeting	TWG on Surface Access
5 February 2020	In-Person Meeting	TWG on Noise
6 February 2020	In-Person Meeting	TWG on Water Environment
26 February 2020	In-Person Meeting	TWG on Consultation Update
27 July 2021	Virtual Meeting – MS Teams	TWG on Surface Access
29 July 2021	Virtual Meeting – MS Teams	TWG Landscape, Visual and Land and Water Environment
3 August 2021	Virtual Meeting – MS Teams	TWG on Economy, Employment, Housing and Health
4 August 2021	Virtual Meeting – MS Teams	TWG on Health and Wellbeing
5 August 2021	Virtual Meeting – MS Teams	TWG on Land Use and Recreation, Geology, Heritage, and Ecology
12 August 2021	Virtual Meeting – MS Teams	TWG on Air Quality, Carbon and Climate Change, and MAAD
16 March 2022	Virtual Meeting – MS Teams	TWG on Post Consultation Update
4 May 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Noise
10 May 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Land and Water Environment
11 May 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Air Quality
12 May 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Planning (Mitigation update and Design)
16 May 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Econ & Soc-Econ
17 May 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Transport

25 May 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Planning (Forecasting & Capacity)
07 June 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Noise
09 June 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Land and Water Environment
14 June 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Econ & Soc-Econ
15 June 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Transport
20 June 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Health & MAAD
21 June 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Air Quality
28 June 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Noise
29 June 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Land & Water Environment
5 July 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Planning (Mitigation Update and Design)
7 July 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Econ & Soc-Econ
14 July 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Air Quality
26 July 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Transport
27 July 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Health & MAAD
8 August 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Planning B (Forecast & Capacity)
16 September 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Planning B (Forecast & Capacity)
26 September 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Land & Water Environment
27 September 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Transport
28 September 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Econ/Soc-Econ
3 October 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Carbon & Climate Change
4 October 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Health
14 October 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Noise
19 October 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Planning A (Mitigation Update & Design)
21 October 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Air Quality
31 October 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Land & Water
1 November 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Transport
2 November 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Econ/Soc-Econ
7 November 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Carbon & Climate Change
8 November 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Health
8 November 2022	Virtual Meeting – MS Teams (Recorded)	Biodiversity Sub-Group Meeting
10 November 2022	Virtual Meeting – MS Teams	Minerals Scoping meeting with WSCC/SCC

18 November 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Econ/Soc-Econ (mop up session)
23 November 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Planning A (Mitigation Update & Design)
24 November 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Planning B (Forecast & Capacity)
29 November 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Noise
30 November 2022	Virtual Meeting – MS Teams (Recorded)	LLFA/GAL meeting on FRA and River Mole culvert
2 December 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Land & Water
5 December 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Transport
6 December 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Air Quality
8 December 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Carbon & Climate Change
12 December 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Major Accidents & Disasters
14 December 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Noise (Noise Envelope)
14 December 2022	Virtual Meeting – MS Teams (Recorded)	Biodiversity Sub-Group Meeting
14 December 2022	Virtual Meeting – MS Teams (Recorded)	TWG on Econ/Soc-Econ
4 January 2023	Virtual Meeting – MS Teams (Recorded)	TWG on Noise
10 January 2023	Virtual Meeting – MS Teams (Recorded)	TWG on Land & Water
16 January 2023	Virtual Meeting – MS Teams (Recorded)	TWG on Air Quality
17 January 2023	Virtual Meeting – MS Teams (Recorded)	TWG on Planning (Mitigation Update and Design)
18 January 2023	Virtual Meeting – MS Teams (Recorded)	TWG on Carbon
19 January 2023	Virtual Meeting – MS Teams (Recorded)	TWG on Health and MAAD
31 January 2023	Virtual Meeting – MS Teams (Recorded)	TWG on Transport
8 February 2023	Virtual Meeting – MS Teams (Recorded)	TWG on Noise
9 February 2023	Virtual Meeting – MS Teams (Recorded)	TWG on Land & Water
7 March 2023	Virtual Meeting – MS Teams (Recorded)	TWG on Planning B (Forecast and Capacity)
13 March 2023	Virtual Meeting – MS Teams (Recorded)	TWG on Air-Quality
14 March 2023	Virtual Meeting – MS Teams (Recorded)	TWG on Planning B (Forecast and Capacity)
10 November 2023	Virtual Meeting – MS Teams (Recorded)	TWG on Transport (Highways)
11 December 2023	Virtual Meeting – MS Teams (Recorded)	TWG on Greenhouse Gases
12 December 2023	Virtual Meeting – MS Teams (Recorded)	TWG on Employment Skills & Business Strategy
13 December 2023	Virtual Meeting – MS Teams (Recorded)	TWG on Air Quality
15 December 2023	Virtual Meeting – MS Teams (Recorded)	TWG on Transport (Post-COVID Modelling)
20 December 2023	Virtual Meeting – MS Teams (Recorded)	TWG on Noise

9 February 2024	Virtual Meeting – MS Teams (Recorded)	TWG on Ops and Capacity
15 February 2024	Virtual Meeting – MS Teams (Recorded)	TWG on Catalytic Impacts Assessment
15 February 2024	Virtual Meeting – MS Teams (Recorded)	TWG on Needs and Forecasting