



Gatwick Airport Northern Runway Project

Appendix B: Response to the JLAs' Environmentally Managed Growth Framework Proposition

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1 Overview

- 1.1.1 The Applicant has prepared this submission to respond to the Joint Local Authorities' (JLA) submission at Deadline 4 which introduced the outline of their proposal for an "Environmentally Managed Growth (EMG) Framework" ([REP4-050](#)).
- 1.1.2 The JLAs noted the detail of their proposed EMG Framework was still in development, and that it would be submitted into the examination as soon as possible; however, they anticipated their proposals would resemble those put forward by Heathrow as part of their previous EMG Framework concept and, particularly, by Luton Airport, as part of their 'Green Controlled Growth' (GCG) Framework. The outline describing the key elements of the JLAs' EMG concept described in paragraph 5 of their submission is consistent with that intended comparison.
- 1.1.3 The Applicant acknowledges the full detail of the JLAs proposal is still to come and will of course engage with and respond to that further submission once available as necessary; however, the Applicant does not anticipate such detail materially altering the basis for and detail of its submissions in this response.

2 Context

- 2.1.1 Whilst the JLAs' submission at D4 was described as an introduction to their EMG framework proposal, they have made a number of submissions on this matter prior to, and during, the examination and which informed the discussion at Agenda item 5 of Issue-Specific Hearing 2 (ISH2), to which the Applicant made a number of substantive submissions orally and in writing (see Section 5.1 of [REP1-057](#)). The Applicant also made more limited submissions in relation to the potential application of Luton's GCG to greenhouse gas emissions in response to Action Point 8 from Issue-Specific Hearing 6 ([REP4-036](#)).
- 2.1.2 To avoid duplication, the Applicant does not intend to repeat the full extent of these submissions in this note; however, it would refer the ExA to their detail and respectfully requests they are read alongside the supplementary submissions referred to below.
- 2.1.3 By way of initial context, and as explained at ISH2, the Applicant is proposing what it considers to be comprehensive and effective mitigation in relation to the growth proposed under the NRP, in particular:

- 2.1.3.1. an overall ATM cap of 386,000 commercial ATMs per annum (requirement 19(1) in the draft DCO);
 - 2.1.3.2. a Noise Envelope (requirements 15 and 16);
 - 2.1.3.3. the Carbon Action Plan ("CAP") (requirement 21); and
 - 2.1.3.4. the SACs (requirement 20).
- 2.1.4 No specific control document regarding air quality is proposed as no significant adverse environmental effects have been identified through the assessment. However, many of the measures listed within the CAP would have air quality benefits too so GAL has committed to producing an Air Quality Action Plan every 5 years to tell the JLAs specifically the measures that it has taken to improve air quality in the previous 5 years including those listed in the CAP for their visibility and for the sharing of good practice. This is secured through the Draft DCO s106 Agreement, which also includes commitments to a continuation of and enhancement to the existing monitoring regime present today and programmes of study on that data, the type of power units to be used at aircraft stands and contribution toward a UFP study if the Government decides that national standards are necessary. In recognition of the JLA's own air quality responsibilities, GAL has committed to sharing and publishing data and regular engagement (see Schedule 1 ([\[REP2-004\]](#))).
- 2.1.5 As this examination has heard, Government policy is in favour of sustainable aviation growth and there is no policy or legislative basis which supports a presumption of 'control' over such growth.¹ We suggest it is unhelpful and misleading to make that the focus of this debate. Rather, the fundamental question for this examination is whether Gatwick's mitigation approach is acceptable on its merits. Plainly, GAL resists any suggestion that it is not.
- 2.1.6 In paragraph 3 of its submission, the JLAs explain that their principal concern is that GAL's control and mitigation proposals as drafted provide GAL with too much flexibility. No doubt the examination will scrutinise those concerns. What the JLAs do not explain, however, is why its concerns about these matters cannot be addressed in the normal way. The Examination is due to consider the Noise Envelope and no doubt will scrutinise all aspects of the proposed requirements and obligations. The JLAs appear to assume that this normal approach will fail to be effective, and that a wholly different form of control which puts them in control of the growth of the airport must therefore be introduced.

¹ In its Jet Zero Strategy at para 3.57, for instance, the Government confirms that there is no need for government to intervene to limit aviation growth. That position is confirmed in JZS one year on and in the Government's recent responses to the Committee on Climate Change and the Environment Audit Committee. – see REP4-032 Oral submissions at ISH6.

- 2.1.7 We examine further below whether an EMG Framework is justified if one recognises the effect of the controls and mitigation already proposed.
- 2.1.8 Before that, however, it may be helpful to recognise the nature of the policy tests that need to be applied to any proposed requirement or obligation.

3 The policy approach to controls

- 3.1.1 The relevant tests for the imposition of requirements and obligations are well known and they are set out, for instance, in the ANPS, as follows:

*“4.9. The Examining Authority should only recommend, and the Secretary of State will only impose, requirements in relation to a development consent, that are **necessary**, relevant to planning, relevant to the development to be consented, enforceable, precise, and **reasonable in all other respects**.”*

*“4.10 Obligations under section 106 of the Town and Country Planning Act 1990 should only be sought where they are **necessary to make the development acceptable in planning terms**, (including where necessary to ensure compliance with the Airports NPS), directly related to the proposed development, and **fairly and reasonably related in scale and kind to the development**.”*

- 3.1.2 Any regime of control which is proposed in place of the ‘normal’ approach to requirements and obligations must demonstrate why that approach is not suitable and why the alternative approach meets all of these tests.
- 3.1.3 To date, the JLAs have not done so. Simply wanting to have control is not a sufficient reason. Various justifications are attempted in different Deadline 4 documents from the authorities (summarised initially in the table below and elaborated upon in the subsequent text as necessary), but none establish that their preferred approach to control is reasonable or necessary to make the NRP development acceptable in planning terms.

Reference	Reason	Response
REP4-050 Introduction to a Proposal for an EMG Framework	<i>3. The Authorities’ key concern is that these requirements provide too much flexibility to allow development to proceed with only retrospective checks</i>	The remedy is to engage with the controls proposed under the SACs, CAP and/or Noise Envelope, detail the JLAs’ concerns and have

		<p>them examined on their merits. There is no in-principle reason why the SACs, CAP or Noise Envelope cannot be subject to drafting refinements through the Examination if relevant issues are identified; however, GAL considers their terms to be comprehensive and so resists any suggestion they are deficient in any way.</p> <p>We also note that the Noise Envelope includes forecasting five years into the future each year, and so it is not correct to characterise it as retrospective.</p>
	<p><i>4. Other airports have introduced or are looking to introduce EMG Frameworks</i></p>	<p>The fact that other airports have proposed EMG for their own purposes does not make them necessary in every case. None have been found so far to be necessary at airports where growth has been consented. Even if the applicant's voluntary proposals at Luton are confirmed in</p>

		<p>a DCO granted for that expansion, that does not by default make them necessary in every case.</p>
<p>REP4-057 - Issue Specific Hearing 6 Post-Hearing submission.</p>	<p>7.1 <i>The authorities call for the Applicant to adopt an EMG approach</i></p> <p>10.1 (the CAP) <i>“does not involve any role for local authorities to participate in that process. The Authorities consider this to be remiss.”</i> (compared with the role given to the LAs in the SACs)</p> <p><i>“it is clear there needs to be a role for local authorities in that process. While there is a live debate about who should have the final say, given the national and global nature of carbon, it may be reasonable to argue that the Secretary of State should be the final arbiter rather than individual planning authorities. Nonetheless, we strongly assert that the current CAP lacks the necessary</i></p>	<p>The ANPS gives a role to LAs in relation to surface access (see paragraphs 5.12 and 5.18, for example) but not in relation to carbon (see paragraphs 5.69 and 5.76).</p> <p>The authorities are wrong to assert there is ‘a live debate’ about whether government or local authorities are responsible for meeting carbon commitments in the UK.</p> <p>Establishing a mechanism between the Applicant and government is only likely to either duplicate control or be inconsistent with it.</p>

	<i>enforcement mechanisms to achieve its outcomes.”</i>	
<p>REP4-060 Legal Partnership Authorities' Comments on responses to ExQ1 - Response to Climate and Greenhouse Gases [REP3-086].</p>	<p>CC 1.1 <i>“While it is acknowledged that aviation emissions are regulated by appropriate mechanisms, the Authorities consider the Applicant lacks adequate measures to monitor and control local emissions stemming from construction, surface access transportation, and operational energy usage.”</i></p> <p>CC 1.3 <i>“While the CAP sets out a series of carbon reduction measures, enabling actions and a process to monitor progress for its delivery, there is still an element of uncertainty with its delivery. To overcome some of this uncertainty, the LPA consider the CAP should be strengthened by tying its delivery to environmentally sustainable growth.”</i></p>	<p>GHG emissions (whether “local” or wider) impact on the global environment and on the Government’s commitments for the UK to meet its carbon budgets. That is why the Government has policies and budgets for each category of emissions. The budgets are not disaggregated locally and control is not locally devolved.</p> <p>It cannot reasonably be asserted that government does not have and will not put in place mechanisms to monitor, limit and manage GHG emissions.</p> <p>Again, the justification appears to be that the LAs do not believe that government will enforce its own commitments to limit carbon, for example, from airport operations, notwithstanding the legal obligations on government to do so and the measures it has</p>

		<p>put in place through the JZS for that purpose.</p>
<p>REP4-068 Legal Partnership Authorities' Comments on responses to ExQ1 - Response to Noise and Vibration [REP3-101]</p>	<p>NV 1.3 <i>"The JLAs are of the opinion that the concept of designated airport is a historical anomaly whereby state owned airports were designated for control by the Secretary of State."</i></p> <p><i>"The JLAs' view is that overall there is a lack of adequate legislative control for aviation noise and that aviation noise policy is inadequate to deal with the issues communities face."</i></p> <p>NV 1.11 <i>"By virtue of the fact that the DCO is reliant on night flight movement limit and quota count restrictions, it is important that they should, in some way, be linked to the DCO. As stated in our response at NV.1.3, the JLAs believe the concept of designated airports to be outdated and the DCO provides an opportunity for all noise control measures to be</i></p>	<p>The JLAs are at least clear. They wish legislation and policy was not as it is and they seek to subvert both by asserting local control over matters which parliament has legislated should be controlled by government.</p> <p>As the APF explains:</p> <p><i>"For many years, Heathrow, Gatwick and Stansted Airports have been designated for these purposes, and we will continue to maintain their status. These airports remain strategically important to the UK economy and we therefore consider that it is appropriate for the Government to take decisions on the right balance between noise controls and economic benefits, reconciling the local and national strategic interests."</i></p> <p>This, of course, includes government control over night flights at designated airports.</p>

	<i>contained in a single framework."</i>	
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4 EMG vs NRP Mitigation

4.1.1 Paragraph 3 to the JLAs' D4 submission details the summary of their criticisms to GAL's proposed mitigation approach (described above):

"The Authorities' key concern is that these requirements provide too much flexibility to allow development to proceed with only retrospective checks. Of particular concern is the lack of sanction against the Applicant should the continued growth of the airport exceed expected environmental parameters. Any negative environmental consequences would not have been assessed in the Environmental Statement and could permit non-policy compliant development to occur, which would be further exacerbated by allowing the airport to continue to expand, despite potentially missing key environmental targets."

4.1.2 The JLAs propose an EMG framework as the solution to these concerns, explaining in paragraph 5 of the submission that the key elements of the proposal will be:

- 4.1.2.1. Limits on key significant environmental effects specific to Air Noise, Air Quality, Surface access modal share and greenhouse gas emissions (excluding Scope 3 aviation GHG emissions);
- 4.1.2.2. A series of processes to be followed if environmental effects reach thresholds defined below such limits;
- 4.1.2.3. Ongoing monitoring of the actual environmental effects of growth at the airport;
- 4.1.2.4. Independent oversight of environmental effects associated with the growth of the airport (elaborated upon in subsequent paragraph 7 to mean a new independent Environmental Scrutiny Group (ESG) comprised of representatives from neighbouring districts and county councils and other specialist 'interests' supported and advised by technical panels); and
- 4.1.2.5. A commitment to link growth at the airport to environmental performance.

- 4.1.3 Before considering such criticism and proposals in the context of the individual environmental topics and the mitigation already proposed under the NRP, the Applicant makes a few initial observations:
- 4.1.3.1. Despite how the JLAs characterise their concerns, the Applicant considers there is substantial commonality in the approach sought by their EMG proposals and that offered by GAL already – specifically, (i) limits/targets set in relation to key environmental topics (specifically Air Noise, GHG emissions and surface access mode share), (ii) annual monitoring of performance and prescribed escalatory action in circumstances where the trajectory is indicating potential non-achievement/compliance, (iii) independent oversight and governance and (iv) in relation to Air Noise, potential growth limitations in circumstances where limits are forecast to be or are identified to have been breached.
- 4.1.3.2. In that sense, the substance of the criticism appears to be the absence of (i) a more 'umbrella' framework which incorporates all of the topics (including Air Quality) and which stipulates the JLAs as the 'independent body' tasked with overseeing the airport's compliance with the limits, and (ii) a more general conditioning of growth at the airport against compliance with the prescribed limits/targets and providing the JLAs with correlative control in respect of such growth.
- 4.1.3.3. That commonality/distinction is helpful when considering the respective positions and the arguments being put forward in this examination.
- 4.1.4 It is also acknowledged that the JLAs do/may disagree with the limits/targets set out in GAL's proposed mitigation documents; however, those arguments/disagreements can exist in the context of GAL's existing proposed mitigation documents and so are not rehearsed here, which instead focusses purely on the principle of EMG vs GAL's NRP mitigation approach.

ATM cap

- 4.1.5 The DCO cap on ATMs places an effective operational constraint on the airport, which would otherwise not exist given the absence of such a cap at present, and which is included to ensure that no greater level of air transport movements than assessed in the ES is permitted to come forward pursuant to the DCO. The ATM cap provides an additional level of assurance/mitigation in respect of carbon and noise impacts in particular, given those topics are most sensitive to ATMs.

- 4.1.6 It is to be noted that the applicant at Luton Airport resisted a cap on ATM movements, arguing that it was “*not necessary or appropriate*”.²

Noise Envelope

- 4.1.7 The Noise Envelope will limit the overall noise of aircraft using the airport, as well as limiting the total area of land experiencing air noise above a set threshold. The Noise Envelope will take effect upon commencement of dual runway operations and the daytime and nighttime contour area limits are to be subject to periodic reviews. If a contour area limit is shown to have been exceeded or is forecast to be exceeded, the Applicant must submit a compliance plan to the independent air noise reviewer (proposed to be the CAA) for approval. In the event of consecutive breaches of a noise envelope limit or a forecast exceedance, the Applicant will be prevented from declaring further capacity for commercial ATMs, thereby offering a control on the growth of the airport. By taking the approach of both forecasting noise emissions and reviewing actual noise emissions year on year it will be possible to correlate those, to improve accuracy and robustness of forecasting, and also to ensure any predicted exceedance is identified as early as is reasonably possible to prevent breaches occurring.

CAP/GHG

- 4.1.8 The CAP commits GAL to a maximum construction emissions limit and to become PAS 2080 certified, and also proposes limits in respect of airport ground operations emissions by 2030 (net zero) and 2040 (zero emissions). There are no specific commitments regarding 'scope 3' aviation emissions because the Applicant has a relative lack of control over these emissions and these are for the Government to control through policy (including its Jet Zero strategy: delivering net zero aviation by 2050 ("Jet Zero")) and legislation (and it is noted that the JLAs do not propose to include such emissions within the scope of their anticipated EMG framework for the same reason). The Applicant provided further commentary on the consistency of its position in respect of scope 3 aviation emissions with Luton's GCG framework in response to Action 8 of ISH6 ([REP4-036](#)), which it does not repeat in this document, but would refer the ExA to for completeness in respect of this topic.
- 4.1.9 The CAP obliges the Applicant to submit annual monitoring information to Government in respect of those emissions within its control and subject to the corresponding commitments described above and, if any compliance issue is identified in their respect, the Applicant will have to submit an action plan to address this. The Government would have at its disposal the measures it thought

² In the Luton examination library see REP8-036 the Applicant's response to the commentary from the ExA on the draft DCO and REP7-056 Response to EXA Q NO.2.5.

were necessary to control emissions. Rather than impose a constraint on growth within the DCO, this approach recognises the scope for government to intervene in the light of specific policy mechanisms to control carbon emissions. It should be remembered that the policy context here is an acceptance by government through the JZS that growth can be achieved without constraining capacity; and that it has a range of policy measures which can be pursued at a national or sectoral level to meet climate change objectives.

Surface Access modal shares

- 4.1.10 The SACs commit GAL to achieve and maintain minimum sustainable travel mode shares for passengers and staff by the third anniversary of the commencement of dual runway operations, and further includes both 'headline' commitments and a series of specific measures in support of these. There are annual monitoring processes and, if commitments are not met, or in the reasonable opinion of GAL or the Transport Forum Steering Group (TFSG) the reporting suggests they may not be, GAL will in consultation with the TFSG prepare an action plan for approval by the TFSG. Again, there is nothing in policy to suggest that constraints in growth are necessary to achieve acceptable controls over transport impacts for airport or any other form of development. In this context, it would be disproportionate for there to be a constraint on growth to be related to adherence to such commitments which are enforceable in their own right. In the event that growth did result in an anticipated failure to meet these commitments as the airport grows, it is more appropriate for Gatwick to identify specific mitigation (likely in the form of additional sustainable transport measures or to adjust its parking/forecourt pricing) to address any issue and engage with the TFSG in the same collaborative manner that exists and has proven successful to date at the airport under successive Airport Surface Access Strategies. There is no evidence to suggest that in the circumstances applicable to Gatwick, the threat of a growth constraint is necessary to ensure GAL's compliance with its commitments. It has a proven track record of achieving its targets in this sector and will continue to do so.

Retrospective effect

- 4.1.11 The JLAs highlight a concern with the 'retrospective' nature of the mitigation regime put forward by GAL. GAL has explained above why that is not the case, with particular reference to the forecasting required in respect of the Noise Envelope to pre-empt any potential exceedance of the identified contours and the annual monitoring ahead of the relevant milestones set out in the CAP and SAC (which allows for/requires pre-emptive action in their respect where the trajectory similarly indicates an exceedance); however, it is also observed that EMG would suffer from the same criticisms. It is a feature of monitoring that it is necessarily

'backwards' facing, and so will only identify an exceedance of a threshold or limit once it has occurred. That is the case whether or not the monitoring occurs as part of an umbrella framework such as EMG/GCG, or whether it is individually required under the separate, bespoke mitigation approaches proposed by GAL under the NRP. The monitoring is an information gathering tool. What is more important is what follows from that information, and what action is required in circumstances where the monitoring indicates action is necessary.

- 4.1.12 GAL has set out above why it considers its approach to be effective and proportionate, and any objection made to such approaches by the JLAs has to date been superficial, a challenge to Government policy/standing in relation to environmental management and/or based on hypothetical scenarios that are not supported by evidence before this examination, particularly the detailed assessment information submitted by the Applicant.
- 4.1.13 It is not sufficient to simply say (as the JLAs have in paragraph 3) – "*Any negative environmental consequences would not have been assessed in the Environmental Statement and could permit non-policy compliant development to occur, which would be further exacerbated by allowing the airport to continue to expand, despite potentially missing key environmental target.*" This is an assertion which has not engaged with the detail of the Applicant's case. It is in fact the opposite, as breaches or anticipated breaches of any environmental limits lead to clear requirement for actions to be taken to resolve those (and as such are not permitted) and in certain appropriate instances restrictions on growth.

Independent oversight

- 4.1.14 The Applicant has explained the proposed governance arrangements attaching to each of the individual mitigation documents above. Clear independent oversight and, where necessary, enforcement is provided and so in effect, the JLAs are challenging the respective legitimacy of the CAA, the TFSG and the Government itself to carry out their stated functions in those areas and suggesting the JLAs are better placed as a body to do so. No evidence has been provided as to why they make that assertion, and it appears to simply rely on the fact that there was an independent scrutiny group envisaged by Heathrow on their EMG, and proposed by Luton in their GCG. The context to those proposals is discussed further below; however, regardless of that context, the fact that different airports have proposed different independent groups is not determinative or persuasive as a matter of fact. Rather, it is necessary to consider whether the independence of the relevant bodies set out by GAL in its approach is appropriate. GAL has made the case as to why it is, and it is for the JLAs to explain why the bodies proposed by GAL are not, and in turn, why the

JLAs proposals are to be preferred. Again, this needs to be justified by way of specific detail, and not simply a desire for control.

5 Context to Heathrow's EMG and Luton's GCG framework proposals

5.1.1 Paragraph 4 to the JLAs' D4 submission states that:

"Other Airports have introduced, or are looking to introduce, environmental management frameworks with the aim of controlling growth if environmental parameters are, or are likely to be, exceeded e.g. Heathrow Airport's 'Environmentally Managed Growth – Our Framework for Growing Sustainably' link: [Environmentally Managed Growth.pdf](#) and London Luton Airport Limited's 'Green Controlled Growth Framework' Link: [GCG Framework - Certified Document \(planninginspectorate.gov.uk\)](#)."

5.1.2 As a point of fact, no other airports have introduced or implemented an EMG or GCG framework or any other equivalent framework. It is without operational precedent. It is also presently without any planning precedent. No airport expansion planning permission granted has provided for, or had imposed upon it, such a framework.

5.1.3 Heathrow's EMG framework was being developed in the context of their proposed DCO application in connection with their 3rd runway project. Its detail was still being developed (as noted in the referenced document in the JLAs submission) in the pre-application phase, before the project was paused in 2020. How its detail would have been developed and indeed if it would have been incorporated into any submitted application is unknown; however, the context to its development is important. It was being proposed as a substitute for, and instead of, any passenger or ATM cap. Heathrow's extant ATM cap (imposed as part of its T5 permission) had represented a considerable operational constraint, and EMG as a concept, was developed to seek to avoid that same constraint applying to any future 3rd runway airport, provided it remained within the defined environmental limits.

5.1.4 As above, this is not GAL's position as GAL has proposed an ATM cap as part of its DCO to ensure that the overall number of ATMs made possible by the NRP will be capped at the number assumed in the ES. A clear distinction can be made between Heathrow's EMG proposal and the NRP on this basis.

5.1.5 Luton's GCG framework, by comparison, was submitted as part of their DCO application (presently before the SoS for determination). It was proposed

alongside a passenger cap as part of their application (continuing, but extending, the cap imposed under their extant planning permission); however, no ATM cap was proposed as noted earlier in this document). The Applicant does not consider it necessary or appropriate to comment on the nature or efficacy of Luton's approach, as ultimately that is a matter for that applicant and that project's application/determination; however, the Applicant does consider it relevant to comment on the context to which it was made, specifically:

- 5.1.5.1. The promoter of that DCO application, and owner of Luton airport, Luton Rising (the trading name of London Luton Airport Limited), is a wholly owned subsidiary of Luton Borough Council (LBC). For completeness, Luton airport is operated pursuant to a concession agreement by a separate and unconnected private entity – London Luton Airport Operations Limited (LLAOL). The fact that the owner of the airport (and the promoter of the DCO) is also the relevant host authority in respect of the application and who would ordinarily be the relevant planning authority is clearly relevant in considering who is best placed to provide oversight in respect of the implementation or efficacy of mitigation proposed as part of that scheme.
- 5.1.5.2. For the avoidance of doubt, GAL is making no assertion as to LBC's ability to carry out that function, but the context should be noted. Further, the application and its controls were also being designed and promoted in the context of an existing breach of noise controls at the airport (pursuant to the then extant TCPA permission) and which was the subject of a separate planning application to vary such controls³. GAL considers that context of a historic breach of planning control and LBC's position as relevant planning authority and airport owner (promoting the application for the DCO) to be uniquely relevant to the development of their GCG approach. These are clearly distinguishing factors from GAL's position where there is no record of breach of planning control or any voluntary commitments made outside of the planning context (e.g. under the voluntary s106 agreement).

6 Conclusion

- 6.1.1 The JLAs have failed to advocate as to why any EMG framework would be reasonable or necessary to make the NRP development acceptable in planning terms as required by the relevant policy tests.

³ Commentary on the planning history and the identified breach was provided in Section 3 (paragraph 3.7 in particular) of the Panel's Report in respect of the planning application (APP/B0230/V/22/3296455) ([here](#)).

- 6.1.2 By contrast, the Applicant has made extensive submissions in this examination as to why its proposed mitigation approach is effective and proportionate to the potential impacts of the Project and any objections to the contrary by the JLAs have been largely superficial and focussed principally on their desire to have greater control over the airport's growth. That is a desire not supported by policy or precedent, or justified in view of the evidence before this examination.
- 6.1.3 To the extent the JLAs have concerns about the detail of the individual mitigation documents proposed by GAL, then such concerns can be considered and, where necessary, addressed in those documents (as seen through revisions proposed to the SACs in this examination to date).
- 6.1.4 Respectfully, the Applicant considers the JLAs' focus on the concept of an EMG framework (which is all that their submissions have amounted to date, 3 months prior to the close of the examination) to be a distraction from the more fundamental question of whether Gatwick's mitigation approach is acceptable on its merits. Gatwick resists any suggestion it is not.