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FULL TRANSCRIPT (with timecode)

00:00:05:01 - 00:00:52:18

Good morning. Before we start, can all those present hear me clearly? And can I confirm with the case team that the live streaming of this event has commenced? Thank you. It's now 10:00. Welcome to this issue specific hearing in relation to the application made by Gatwick Airport Limited, who will be referred to as the applicant for an order granting development consent for the Gatwick Airport Northern runway project. As described in the application form. The application seeks powers to enable dual runway operations at Gatwick Airport through altering the existing northern runway, lifting restrictions on the northern runways use and delivering the upgrades or additional facilities and infrastructure required to increase the passenger throughput capacity of the airport.

00:00:53:20 - 00:01:12:09

It's also includes substantial upgrade works to certain service access routes which lead to the airport. My name is Helen Cassini. I'm a chartered town planner and member of the Royal Town Planning Institute. I'll be sharing this hearing and making some introductory comments, and I now ask my colleagues to introduce themselves. Please.

00:01:14:04 - 00:01:23:27

Thank you. And good morning, everybody. Uh, my name is Doctor Philip Brewer. I have a PhD in applied acoustics and a member of the Institute of Acoustics. Thank you.

00:01:25:17 - 00:01:33:08

Morning. My name is Kevin Gleason. I'm a chartered town planner. A member of the Old Town Planning Institute. And I'm the lead member of the panel.

00:01:34:24 - 00:01:39:15

Morning, everybody. My name is John Hockley. I'm also a chartered town planner and a member of the Royal Town Planning Institute.

00:01:41:15 - 00:01:47:07

Good morning. My name is Neil Humphrey. I'm a chartered civil engineer and a fellow of the Institution of Civil Engineers.

00:01:47:28 - 00:02:19:11

Thank you. We've all been appointed by the secure state to be members of this panel, and we constitute the examining authority, or EXR, for this application. We'll be reporting to the Secretary of State for transport as to whether the development consent order should be made. For those here in the venue, you may have met Sian Evans, who is a Planning Inspectorate case manager. She is supported today by Elliot Booth from the case team. If you have any questions about the examination process or the technology we're using, the case team should be your first point of contact.

00:02:19:27 - 00:02:51:16

Before we move to the items on the agenda, there are a few housekeeping matters we need to deal with. Firstly, can everyone please set all devices and phones to silent? There are no fire alarms test, no fire alarm tests or drills scheduled for today. So then in the event of a fire alarm, please exit the room and the fire evacuation assembly point is just outside the main entrance on the left hand side. Toilets

are located on this floor and on the ground floor. Car parking charges will not apply to those attending this meeting.

00:02:51:18 - 00:03:29:23

If you have any issues regarding parking, please speak to the hotel reception in the first instance or the case team. Also, when using the desk based microphones, please ensure they are positioned close enough to your face. In addition to this in-person event, this hearing is taking place on the Microsoft Teams platform and is being both live streamed and recorded. For those persons joining online, you may switch cameras and microphones off if you are not participating specifically in the discussion. Should you wish to raise a question, please raise the Microsoft Teams hand function and when invited, please turn your microphone and camera on.

00:03:29:29 - 00:04:02:14

On that note, please be advised that the chat function on Microsoft Teams is disabled and cannot be used. If we have to adjourn proceedings today, including for breaks, we will have to stop the live stream. When we recommence the meeting and restart the live stream. You will need to refresh your browser page to view the restarted stream. Because the digital recordings that we make are retained and published. They form a public record that can contain your personal information and to which the General Data Protection Regulation apply.

00:04:03:15 - 00:04:33:20

Planning Inspectorate's practices to retain and publish recordings for a period of five years when the Secretary of State's decision. So if you participate in today's hearing, it is important that you understand you will be live streamed and recorded and that the digital recording will be published. You don't want your image to be recorded. Please feel free to switch off your camera. If any individual or group wishes to use social media, report, film or record during today's meeting or any subsequent hearing, then they are free to do so.

00:04:33:22 - 00:05:04:24

But please do so responsibly and with proper consideration for other parties. This must not be disruptive in the material. Must not be misused. The only official record of proceedings is this recording, which will be uploaded onto the Inspectorate's website as soon as possible after the hearing. Tweets, blogs or similar communications arising out of this meeting will not be accepted as evidence in the examination of this application. The hearing today will be a structured discussion with which the EXR will lead.

00:05:06:12 - 00:05:38:25

We are familiar with the documents already submitted. So when answering a question you do not need to repeat at length something that has already been submitted. When referencing a document, please give the appropriate examination library reference. Additionally, the first time you use an abbreviation or acronym, can you give the full title as there may be people participating or observing that may not be as familiar with the documents as you are. We'll look to take a break. At around 11:30. We look to break for lunch around 1:00 for between 45 minutes to an hour.

00:05:39:16 - 00:06:05:21

Also take an afternoon break around 3:15. We intend to close the hearing no later than 5 p.m. today. As you're aware, the hearing is scheduled for today and tomorrow. Today we'll aim to complete agenda items 1 to 5. So that's up to the end of good design. And tomorrow we will then commence with item six, which is noise. If we finish early, today will not start item six until tomorrow.

00:06:07:24 - 00:06:38:01

The actor has a list of those persons presents today who wish to speak in relation to the various agenda items, and we note everyone who gave advance notice of wishing to attend is present. It is not our intention to do full introductions. This point, however, for the purpose of identification and for the

benefit of those who may be watching the digital recording later, those intending to speak for us to state your name, who you represent, and any preference on how you wish to be addressed. Please speak clearly into the microphone.

00:06:38:15 - 00:07:18:01

Additionally, please give your name and any organization you are representing every time you ask to speak during the hearing. In terms of the agenda for this hearing. It was published and placed on the planning Inspectorate's website on the 11th of June, 2024. We consider that the main items for discussion at this hearing are a range of environmental matters we feel need to be discussed in further detail at this stage of the examination. As I previously mentioned, today will be considering items 1 to 5 on the agenda, will then adjourn the hearing and to tomorrow, as soon as all relevant contributions have been made and all questions asked and responded to.

00:07:18:11 - 00:07:49:12

But if the discussions can't be completed or to take longer than anticipated today, it may be necessary to prioritise matters and defer other matters to written questions. The avoidance of doubt, at the end of discussions on each item, we will be asking the applicant for any final comments they have on any representations made during those discussions. Finally, this is a hearing and not an inquiry, and therefore there will be no formal presentation of cases or cross questioning of other parties.

00:07:49:23 - 00:08:06:22

As such, any questions you may have for the parties need to be asked to the EXR. This approach is set out in section 94 of the Planning Act 2008. So are there any questions at this stage about the procedural side of today's hearing or the agenda?

00:08:09:01 - 00:08:19:11

No thank you. I'd now like us to move to agenda item number two, and I'll pass to Mr. Humphrey to take us through the next agenda items.

00:08:19:18 - 00:08:51:18

Thank you, Mr. Cassini. This hearing seeks to consider a fairly wide range of issues which come under the broad umbrella of environmental matters. The hearing will consider matters relating to service access commitments, car parking, good design, noise ecology and the draft DCO. All of these topics are or could be quite extensive, and I know many of you will be keen to have your say. You'll have heard from Miss Cassini of our proposed timings, and we are keen to ensure that these are adhered to.

00:08:51:21 - 00:09:26:24

As mentioned previously, we aim to finish by 5 p.m. at the latest today. If necessary, any agenda items not considered during today will be carried forward into tomorrow and, if necessary, into written questions. We have a fairly extensive list of questions which are primarily aimed at the applicant, but questions may be aimed at other parties, particularly the local councils here today. The purpose of this hearing is to enable us, as a EXR, to gain further understanding of the evidence relating to the various topics within the agenda, and a number of us will ask questions.

00:09:27:23 - 00:09:40:04

To help the hearing run as smoothly as possible. In general, we intend to run through our questions on each topic agenda item before asking for contributions from others present. Are there any questions so far on the purpose of the hearing?

00:09:43:02 - 00:10:16:12

No. Thank you. Um, okay. We'll now move on to agenda item three, which is service access commitments. I'll start addressing these to the applicant. I understand from paragraph 6.21 of the

surface access commitments, which is rep three 0 to 8. You'll produce the first annual monitoring report at least six months before the commencement of dual runway operations. Am I right in thinking that dual runway operations are expected to commence by the end of 2029?

00:10:21:20 - 00:10:24:26

Scoreline of the applicant? Yes. Thank you.

00:10:25:17 - 00:10:41:00

Looking at table one of your rule 17 response rep 4019. The public transport mode share in 2029 is expected to be 53% in the dual runway operation case.

00:10:43:01 - 00:10:51:22

However, if you look in your response to EXC one question pt one for one. We set out in table four.

00:10:53:20 - 00:11:03:23

That. 2028. The projected mode share is is 54.2 by Public Transport. Which of these figures is correct?

00:11:15:04 - 00:11:19:22

Scotland. Sorry, sir. Would you mind just repeating those references? Could it be absolutely clear we've got the right rep.

00:11:19:24 - 00:11:35:18

For 0019 and the Q one didn't record the reference. But it's your response is to excuse. One and it's TT 1.41. It's table four in that response.

00:12:09:07 - 00:12:15:10

Uh, Richard Higgins for the applicant. Um, just been pulling the, uh, relevant tables together. Um.

00:12:17:29 - 00:12:27:23

They come from slightly different sources. The one in the, um, response to the essay questions is correct, and that comes from the modeling.

00:12:29:20 - 00:12:32:22

So the 53% one.

00:12:34:16 - 00:12:35:01

Is.

00:12:36:24 - 00:12:37:15

Is incorrect.

00:12:39:09 - 00:12:43:00

So the 58 should be 54.2. Is that what you're saying?

00:12:45:01 - 00:12:52:26

Richard Higgins. For the applicant, the 54.2 is the modelled value for Mod share for 2029. Correct?

00:12:54:21 - 00:13:03:14

Okay. Well, following on from that, the first annual monitoring report would identify the mode share prior to opening of the dual runways, would it not?

00:13:05:11 - 00:13:31:25

Uh, Richard Higgins for the applicant. Uh. That's correct. There will be additional monitoring that would take place generally in relation to the surface access strategy, um, which would be in place up to transfer to the, uh, the DCO dual runway operation action plan. So there will be data before that, but that will be the first monitoring report in respect of these commitments.

00:13:31:27 - 00:13:36:24

So that's the first one that could be used for comparison if you like, against the models.

00:13:38:04 - 00:13:46:11

Uh, it would be the first complete annual monitoring report in respect of these, uh, these measures. Correct? Yeah.

00:13:48:01 - 00:14:05:02

So if the mode share target isn't met, the implication of that would be vehicle traffic levels are likely to exceed those assessed in the U.S.. Taking this into account, would you agree to. Secretary of state may wish to consider controlling the start of dual runway operations until the merger has been met.

00:14:16:04 - 00:14:57:23

Scotland is for the applicant and we do not consider that necessary. Um, sir. Because in the event that the Amr identifies that major commitments aren't being met, the surface access commitments already provide for measures to address those. And the measures that are identified in the ESA and the SACs are commitments which are effectively engaged, um, through requirement 20 once the development is commenced and if action needs to be taken, the SEC set out a procedure whereby an action plan must be prepared.

00:14:58:22 - 00:15:24:05

Um, the commitments that are set out in the SACs provide the mechanism for response efforts required to be made to either to anticipate at issue with the trajectory towards, um, the surface access commitments being met. In particular, the headline mode share data. So we don't think that that control is necessary because the commitments provide a range of mechanisms for the airports to use in the event that action is required.

00:15:24:10 - 00:15:49:27

But from what you just said, though, the anticipatory in it to prevent a breach. The action plans. This is a circumstance where a breach is apparent from the monitoring report. And. And if I could just finish the way of controlling it. Controlling further deterioration, if you like, would be to prevent the dual use of the runways.

00:15:50:02 - 00:16:22:24

Yes. Scotland. So I think this goes to the broader point as to how you should achieve. Um, any correction if a correction be necessary as far as a problem with the mod share targets is concerned. We don't accept that it should either be controlled on dual runway operations or the growth of the airport, generally, because the air sacs provide a more than adequate means for any breach to be addressed. The SCC does not simply deal with an anticipatory breach.

00:16:22:26 - 00:16:59:26

They also provide for an action plan to be prepared where a breach has taken at place. The airport, uh, in conjunction with the transport Forum Steering Group, has to effectively prepare an action plan that's approved by the Transport Forum Steering Group, subject to the measures which are set out in the SACs to achieve it. We think that's the appropriate route to address any issue with the major commitments, if there be one, rather than anything which deals with limiting the growth of the airport generally or the commencement of dual operations, particularly even though.

00:17:00:07 - 00:17:10:04

As I've said before, that in that circumstance the traffic levels have exceeded those assessed in the ES. You maintain that view?

00:17:10:29 - 00:17:47:15

Well, I think Scotland's for the applicant I think point to make. Sorry is that it really depends on the nature of the breach. There may be circumstances in which, for example, a minor, a minor conflict with an aspect of the shared commitments doesn't necessarily correlate into a major problem on the highway. A lot would depend on on the nature of the issue that had been identified at that at that stage. And, uh, as far as the applicant is concerned, uh, there would be measures in place through the SACs which would take place to correct any issue that had been identified.

00:17:47:26 - 00:18:14:27

So we don't accept the proposition that simply because there is either forecast to be a breach of the Mod share commitments or there may be, at least in theory, um, unacknowledged breach as a result of the annual monitoring report that necessarily puts you in a situation where there must be concluded to be an issue on the on the network, or secondly, that there is an issue which can't adequately be addressed through the mechanisms that the SEC.

00:18:19:10 - 00:18:38:19

Yeah. I don't want to get back into the conversation we had at the last hearing about the action plans following action plans. And at what point I think if we move a bit further on. You might have a discussion around that topic. I'd like to talk about the Transport Forum Steering Group.

00:18:40:06 - 00:19:11:27

And I note in paragraph six two 8 to 612 for the surface access commitments, which is rep 3028. Now include the commitments should the Transport Forum Steering Group not agree to the surface? Access Commitments mitigation action plan. Then the matter will be decided by the Secretary of State. In the event that two successive annual monitoring reports showing mode share commitments have not been met. This would again mean the traffic levels exceed those assessed in a yes.

00:19:12:07 - 00:19:30:07

If the Transport Forum Steering Group considers that your actions are insufficient to address this breach, and bearing in mind that the airport growth has gone unchecked for at least two years by this point. What controls do you envisage, as Secretary of State could exercise to resolve the issue and ensure that when assessed effects do not continue?

00:19:31:22 - 00:20:15:11

Scotland. As for the the applicant. So the drafting of the surface access commitments allows the Secretary of State to require such additional alternative interventions. It considers reasonably necessary to achieve the mode share at commitments and having regard all the mouldering matters to its left deliberately broad. There is a discretion, the Secretary of State to require whichever measures are thought necessary to to achieve that. That may mean a a focusing of existing commitments that are set out in the SEC are ramping up of work that's already being done, whether that be through parking charges, forecourt at charges.

00:20:15:21 - 00:21:07:12

Um, the point is that there would be a range of measures which could be adjusted pursuant to the existing commitments to achieve the headline commitments that have been set out, but deliberately, the options open to the Secretary of State, um, haven't been circumscribed as such within the essays, within the essay, within the SACs. Um, as far as the the point about um on assessed impacts, um, is concerned, again, we don't accept that one should assume that any potential issue with

compliance with the shared commitments necessarily correlates into a significant effect on the road network that, um, hasn't been assessed.

00:21:07:22 - 00:21:43:21

Um, because obviously, by the time one gets to the secretary of state, um, there's provision have been made in the SEC for steps to be taken already in anticipation before you reach that stage. So the airport has the ability to implement measures consistent with the SACs well before one reaches that stage. So we don't accept, um, the proposition that one is somehow going to be in a situation where there are unacceptable effects on the highways network, because the procedure set out in the SEC provides for a success of mitigation to be applied before one reaches that stage.

00:21:43:23 - 00:22:10:17

But we're in the realms where we discussed about the mode share, where the model mode is 54.2% by public transport. So anything that's below that is, by its nature not modelled and probably not assessed. So there's more there's more car traffic than there was in the modelling. So it's difficult to accept that those haven't been those have been assessed.

00:22:12:05 - 00:22:38:19

And. As well as the fight against the Secretary of State, is. About two years have gone by and mitigation plans and you know and the failure hasn't been agreed and they're obviously not working the plans or we wouldn't be at the Secretary of state. I think my question was. What control do you envisage a Secretary of State could impose on the airport to prevent the situation worsening?

00:22:41:03 - 00:23:12:14

Scotland for the applicant. Um, as I said, sort of the surface access commitments already set out a number of measures which the airport has at its disposal in order to ensure compliance. Um, I've mentioned to you already now, just because, for example, um, there may have been an issue, uh, relating to compliance with the share of commitments, um, that has reached there at the stage that you've identified. That doesn't mean that the commitment itself is somehow defunct.

00:23:12:16 - 00:23:49:26

It may have been, for example, the parking charges need to be increased again. If they haven't succeeded already, there may be forecourt charges which need to be increased again if there hasn't succeeded already. There is also the Transport Mitigation Fund, which has been specifically set out in the SCC to deal with measures which may not have been foreseen at this stage, but are there to cover, um, a measure which may need to be implemented in the event that the commitments that have been made, either to bus services or sustainable um, Mitigation Fund, civil transport fund, have not been successful.

00:23:49:28 - 00:24:45:24

So I think we would resist any suggestion somehow that by the time we reached the Secretary of State, the commitments of of have simply sort of not worked. These are integrated measures which, if they are not successful for whatever reason at the first time of asking, still provides scope for further change within them. Um, and in part, the Transport Mitigation Fund has been set aside to deal with that eventuality. Um, so there are there are many measures which could be undertaken, whether it's further contributions to bus services, car park charging for courts, um, at at charging and the other matters relating to staff travel, um or everything is mentioned in the SCC which still remain open um for potential solutions through the Secretary of State, um if necessary, by redoubling the efforts that were made under each of those commitments.

00:24:47:15 - 00:24:52:09

Correct me if I'm wrong. The Transport Mitigation Fund is limited to 10 million.

00:24:53:13 - 00:24:54:27

That's the. That's the proposal?

00:24:54:29 - 00:25:04:12

Yes, sir. Um, and yeah, he was saying about car parking charges, but. I suppose I would imagine that this stage.

00:25:06:03 - 00:25:27:19

The car parking charges would have been explored. Um, a fair amount of potentially of the transport Mitigation fund committed. Suppose there are still still not meeting targets. What does the Secretary of State do? Clearly these things aren't having an effect. There's presumably a limit to which you can hike the car parking charges.

00:25:32:29 - 00:26:26:25

Scott Linos for the applicant. Um, I think so. The response would be that some of these commitments that have been made, whether it's car parking charges or, um, forecourt charges by our example, they're potentially quite strong, potent, uh, control. So whilst we've accepted the theory that there may be some limit to what can be achieved, I think that. Doesn't give sufficient weight to the potential strength that's available within those commitments as far as the airport is concerned. Um, clearly, if one, uh, as an airport is required to review the parking charges or forecourt charges on one house, the sums available in the Transport Mitigation Fund, which one must remember, would be used in addition to the contribution of a minimum of 10 million that's already being made to bus and coach services, as well as a sustainable transport fund, which is there for £10 million as well.

00:26:26:27 - 00:27:12:12

These are not insubstantial commitments and are not being allied to controls which are somehow weak. They're potentially very important controls which the airport has managed to use successfully for a number of years in order to deliver success and meeting success. Success of changes in its mode. Share. So I think we would, um, resist any suggestion that this package of measures is somehow, um, not capable of working or that they do not provide sufficient means on the part of the airport to correct any issues should they arise as a substantial, uh, as a substantial body of integrated measures that the, the Arab that is consistent with what the airport has been doing historically.

00:27:13:16 - 00:27:35:15

I don't mean to suggest they're not capable of making a difference. What I'm trying to establish is there comes a point if they aren't making a difference. There needs to be some control. And if you believe this, substantial measures will make a difference. The sort of backstop control. Shouldn't be a problem, should it?

00:27:36:09 - 00:28:06:14

Scotland. Applicant. Yes, sir. It would. This, this. This is essentially, sir, a series of questions that's directed to similar arguments that are being raised by the Glas, all environmentally controlled or environmentally managed growth. And as you know, sir, we've firmly resisted that proposition because we think any suggestion that you should somehow control the growth of the airport simply because there may be regard as being an issue with the compliance with the mood shares, is entirely disproportionate.

00:28:06:27 - 00:28:41:02

Um, the the context for, for this is that there's nothing in policy to suggest that there should be constraints imposed on the growth of an airport as necessary in order to achieve acceptable controls over transport impact for an airport for any other form of development. And we say it would be inappropriate, unnecessary, and, as I said, disproportionate to somehow stop an airport functioning simply because there is perceived to be an issue with the road, shares the usual approach.

00:28:41:07 - 00:29:09:10

We haven't seen any evidence to suggest why it shouldn't be applied here is that if there is an issue with the mood chair, one makes provision to correct that by providing for mitigation that corrects the problem and is directed at the issue with the mood chair, rather than rather than restricting the growth of the airport. We don't see any policy basis, uh, for that suggestion, and it would be entirely disproportionate. We said to impose it.

00:29:11:03 - 00:29:23:02

What I would say is the mood is an indicator of the fact that the effects, the environmental effects may well have exceeded those assessed in your. Yes. That in itself is a material consideration, isn't it?

00:29:24:07 - 00:29:55:00

To Scotland is for the applicant. So, sir, we. We don't. We don't accept that one should necessarily draw the conclusion that if there is perceived to be an issue with, uh, compliance with the node sharers necessarily means that there is an issue with the EES. And as I have said, there is provision made within the service access commitments themselves to anticipate, uh, any problem um, arising.

00:29:55:02 - 00:30:20:29

We've been very clear in the service access commitments that where either the airport or the transport forum steering group suggests that measures that targets may not be met. That is the stage at which action needs to be taken. So we do not, uh, foresee the circumstances that you have, um, uh, outlined because we've specifically provided for those to be anticipated within the SEC.

00:30:28:27 - 00:31:01:02

And, um, as I've said earlier, sir, as well. But as we've identified in earlier hearings, um, one has to take into account when raising these matters the actions that have been taken by the airport historically, its track record has historically been very good compared with, um, other airports. And as the history of its air, uh, surface access strategies, uh, will show, it can ask Mr. Higgins to explain this further.

00:31:01:10 - 00:31:27:18

The airport is managed over successive periods of its surface access strategy to improve its modal, uh, share its mode splits, and that's reflected in the increasing mode share targets that are supplied under the under the strategies. So we think we it has to be given to the historic ability of the airport to deliver strong mode share performance.

00:31:29:09 - 00:32:01:21

Thank you. But Richard Higgins, the applicant, if I could just elaborate a little on that. So, um, Yes, as, um, uh, as Mr. Linus says, the history of the surface access strategies and the achievement of Mod shares, um, has been, um, positive over the last, um, certainly the last, uh, sort of 10 to 15 years. Um, and Gatwick is fortunate in having a very strong rail access, which supports a high public transport mode share.

00:32:02:02 - 00:32:57:08

Um, and that seems some progressive upgrades and improvements over that time, which has been reflected in the Mod shares coming forward. Um, that's been achieved through continuous, uh, surface access strategies and action plans, uh, which would continue and would continue right up to the point at which the first Amr, as you describe in connection with the surface access commitments, would come into play. So we would have a rich data set and understanding of both, uh, changing mode shares and the efficacy of actions that we are taking, uh, between now and the beginning of dual runway operation, uh, which would allow us to, um, to tune essentially our actions, um, and target things in our that that have the greatest impact on, on mod share.

00:32:57:22 - 00:33:28:28

Uh, I think the other thing I would say is that the toolkit that we have for, uh, for addressing mode share and addressing addressing road traffic are quite varied. Um, some things we can control, some things we can influence. Um, obviously there are other aspects which are outside of our control. Um, but we can act quite dynamically, particularly in terms of parking controls. Um, we can look at measures that have a, um, a short term impact, particularly to deal with, uh, peak congestion, for example.

00:33:29:07 - 00:34:04:20

Uh, and we've experience of doing that with local stakeholders, national highways and local highway authorities in the past to deal with, with incidents and indeed to, um, allow for opportunities to make best use of the facilities that at the airport, um, when, uh, you know, sort of incidents or, uh, you know, sort of unplanned changes to networks may occur. So one example may be, for example, um, that part of the railway network, um, is closed either due to maintenance or because of an incident.

00:34:05:02 - 00:34:37:01

Um, and Gatwick and uh, ensure that their parking supply, um, retains flexibility to deal with changes in, in flow on any particular day. And indeed we can influence and address any issues around our sort of staff travel patterns back and forth from the airport. So there's a there's a lot of sort of flexibility that we have in our day to day operation of surface access and parking, which will continue. Um, as I say, there is evidence that that has been successful.

00:34:37:08 - 00:35:08:12

Uh, and now, um, uh, you know, sort of issues or concerns have been raised, um, by authorities in the past in relation to our parking supply. Um, and, you know, we would expect to just continue that day to day all the way up until the point at which the specific amrs come into play. We have additional monitoring that takes place is essentially what I'm saying between now and when we get to the point where the first specific challenge in terms of the surface access commitments coming in 2029.

00:35:09:12 - 00:35:44:01

Thank you, Scotland, for the Africa. Thank you sir. Just going back to your original point. As I say, we we resist the proposition that there is an inevitable correlative effect between any issue with the mood share and the impacts that would be regarded as unacceptable on the road network. But in any event, the response to that, we say, is not to adopt what we would regard as a very extreme and disproportionate measure of effectively saying you can't use the airport. Um, and the more we regard that as disproportionate or to, to impose some control on its growth.

00:35:44:12 - 00:36:03:17

We regard that as extreme and not supported by policy. The proper approach is to build on the monitoring that we've set out within the SACs that will be ongoing in the way that Mr. Higgins has indicated, and then come up with measures that can act correct any issue, should it be anticipated.

00:36:04:06 - 00:36:36:20

But. Getting back to the original point about the chair being 54.2 is the model. Modal traffic. Modes of public transport. But if it's not met, you're saying that. Then that doesn't really matter because we'll put in place plans to do that. But the surface access commitments have specific mode targets. So what? Credibility can they have if they are just some notional target that doesn't have to be met?

00:36:37:17 - 00:37:17:23

As Scotland for the applicant. I think, sir, we would resist the suggestion that it's a notional target that doesn't have to be met because it's a specific commitment within the SACs to, uh, to meet it. And, um, the S.A.C. set out within them action which the airport, in conjunction with the Transport Forum

Steering group, uh, must meet or must carry out in order to achieve them. These commitments aren't, um, notional in any sense, because the SEC set out a procedure which the airport is required to follow in order to achieve them.

00:37:17:25 - 00:37:56:15

The airport can't simply sit back and watch, uh, a breach of those share commitments without any consequence. It must prepare an action plan which must be approved by the DFC. Um, and again, if for whatever reason, uh, that does not work, there are measures left open to the Secretary of State to impose on the airport to meet them. So we would resist very strongly the suggestion that this is just something we don't have to meet. The SACs have been set up and order that the airport is under an obligation to meet them, and the Secretary of State is given wide discretion on the air SACs, ultimately to impose measures on the airport to achieve them.

00:37:56:23 - 00:38:11:02

And that follows a stage at which the SG has to approve a plan that the airport must carry out to um. As I say, we would not accept from the proposition this is somehow in notional commitment we don't have to meet.

00:38:13:05 - 00:38:42:09

Okay, but either way, around 54.2% is what the modeling says. The traffic effects. Or described by and will feed into the. Yes. So if they're not met. I hear what you said. That potentially doesn't mean to say the traffic effects aren't worse, but why aren't they worse? And surely if it's not 54.2. How else would people get into the airport except by car?

00:38:45:17 - 00:39:26:02

And Richard Higgins for the applicant. Um, I think it's worth just sort of stepping back a little from the, um, from the absolute mod chairs and their respective reflecting, um, annual mode chairs. Um, as you'll be aware from the transport assessment and the environmental assessment, we are looking at a, uh, a busy, uh, summer day, uh, for our for our impacts now. The annual mod chair may actually sort of be, um, reflective of different levels of mod share, um, assessed and reported in principle for the passenger mod shares on a quarterly basis by the CAA.

00:39:26:17 - 00:39:56:20

Um, so actually fluctuations, uh, short term fluctuations in mod share, uh, won't necessarily translate into, um, changes in traffic flow on any particular day. Um, the peak, the peak levels of traffic that we have included in the model. Um, and we've modeled a set of robust assumptions, uh, which had been, um, uh, validated and, and, and checked through the process.

00:39:57:00 - 00:40:33:02

Um, we're confident that those are realistic. We've looked at those both in terms of, uh, pre-COVID, um, analysis and traffic levels, which is what the core assessment is based on, and, of course, post-Covid traffic levels. Uh, which, as you'll appreciate at the moment, is, uh, below the pre-COVID levels on which we've based our assessment. Um, and we've also looked at sensitivity testing, um, around some of those parameters to make sure that our mitigations are robust and at a level that can deliver both the Mod shares and also mitigate the impacts of any remaining road traffic that is on the network.

00:40:33:04 - 00:40:48:27

So there's not necessarily a direct correlation between failing to hit, um, environmental, um, impacts, uh, against a specific mode share. But as Mr. Lyness says, those mode shares are commitments under the DCI.

00:40:49:11 - 00:41:09:19

But using what you say about the modelling. Is robust. It's robust to the effect that 5250 4.2 people come by public transport in 2028. That's what it was. That was the outcome of the modelling. And the modelling defines the interventions.

00:41:12:00 - 00:41:51:12

Richard Higgins for the applicant. That's correct. The modelling informs the scale of mitigation and the measures that are included. Um, it doesn't go into finite detail on how we will employ those measures. And there is a wider toolkit, um, which, um, talks to the flexibility and the experience that we have in delivering high mode shares over a period of time, uh, with, you know, various changes in the both the transport network and indeed in the way that travel behaviour changes, uh, over, over time in response to a whole host of, uh, of different, uh, different factors, uh, both airport related and non airport related.

00:41:52:09 - 00:41:58:16

So that's where we have the confidence that those can be delivered and that the package of mitigation is consistent with meeting those, those measures.

00:41:59:10 - 00:42:30:23

Scotland for the applicant. Just to reinforce our point, serve the commitments and the toolkit that Mr. Higgins has referred to, or a general application. Um, they're not necessarily specific to the modelling that has been carried out for Mr. Higgins. So, for example, parking at charges or particularly the Transport Mitigation Fund, it's very purpose is to provide for mitigation measures that may be required and a manner that hasn't been foreseen at this stage.

00:42:31:06 - 00:43:15:10

Um, so we would resist again, any suggestion that, um, these commitments are somehow not going to be effective in circumstances where the Mod share commitment hasn't been, uh, hasn't been met or it's not anticipated to be met. The Transport Mitigation Fund effectively is a sort of adopted in part of the failsafe to make sure that we can respond at to any issues. And part of the reason for suggesting it is that back to the wider point that they made previously, if there is an issue identified, the way to remedy that is to provide further mitigation or make provision for further mitigation to address it, not the place controls on the growth of the airport.

00:43:16:13 - 00:43:22:02

Thank you. Maybe at this point, before I move on, I could hear from the other IPS. Mr. Bedford, do you want to?

00:43:24:14 - 00:44:02:27

Thank you, said Michael Bedford for the joint local authorities. Um, there are a large number of points embedded within this, um, item 3.1 um, and I will try to deal with them in a, um, hopefully a structured order. Um, first of all, on the applicant's response to your questions, um, about, um, the basis for suggesting, as we have suggested, as your, um, questioning, uh, as um,

00:44:04:12 - 00:44:37:21

um, sort of implied, we have suggested through the environmentally managed growth framework, uh, that there should be a sequence of meet your motion targets, um, prior to allowing the growth to proceed. Uh, and we've obviously provided a very detailed paper, uh, on that, um, at deadline five. The applicant response, uh, seems to be, well, that has no policy provenance as an approach.

00:44:38:06 - 00:44:49:09

And if I can deal with that point first, because we take issue with that and then I'll go on. So in, um. The, um.

00:44:51:06 - 00:45:41:26

Beyond the horizons, making best use of existing runways. There are a number of references which indicate, in our, um, reading of the policy, that the government's um, stance is not that, um, as it were. Growth should be unconstrained. It's growth subject to environmental limits. And we draw attention to paragraph 1.5, which refers to the airport strategies, uh, call for evidence and that the airport commission's recommendation was minded to be supportive of all airports who wish to make best use of their existing runways, including those in the South East, subject to environmental issues being addressed.

00:45:42:13 - 00:46:19:06

Paragraph 1.6, the same point the Aviation Strategy call for evidence specifically asked for views on the government's proposal to support airports throughout the UK making best use of their existing runways, subject to environmental issues being addressed. And then in paragraph 1.22. As airports look to make the best use of their existing runways, it is important that communities surrounding those airports share in the economic benefits of this and that adverse impacts such as noise and mitigated where possible.

00:46:19:08 - 00:47:03:13

But that paragraph also deals specifically paragraph 1.22 with surface access. And then in the paragraphs which sit under the heading Policy statement. And you remember we've had a debate before about how you interpret that overall document. But in the paragraphs which sit under the heading Policy statement, paragraph 1.26 indicates. That is part of any planning application. Airports will need to demonstrate how they will mitigate against local environmental issues, taking account of relevant national policy, including any new environmental policies from the um emerging Aviation Strategy.

00:47:04:14 - 00:47:43:28

She said. We see the policy position as being that, yes, if there is a case to be made for, uh, airport growth, um, uh, and better use of uh, runways, then that is something that the government is supportive of, but it is subject to meeting environmental, um, objectives. So we don't see there being any in-principle objection to an approach which says, well, if there would be adverse impacts which you are proposing to mitigate in a particular way.

00:47:45:08 - 00:48:28:12

But it is not being shown that you have mitigated them successfully. There's no policy objection to then saying in those circumstances you shall not have the growth until you have mitigated those impacts. So that's our starting point, that we don't we don't accept the applicant's suggestion that what we are proposing is in some way inconsistent with national policy. And so I wasn't going for the purposes of dealing with this agenda item, to go through the detail of what we've said about environmentally managed growth as a framework.

00:48:28:14 - 00:49:09:00

But you will have seen that we set that out, uh, fairly fully, uh, in our deadline five, um, submission, which is rep uh 5093. And so taking it, you're familiar with what we've said in that document. And then there are, um, a number of points which we consider our part of, uh, the issue of achieving, uh, the relevant mode shares for the surface access, um, which I want to come on to dealing with them.

00:49:09:02 - 00:49:41:10

And since mode by mode, if I can just briefly touch on those points. But there's a prior point if I can, through you, uh, invite the applicant to provide some clarification on. And it's a point which arises when you read the surface access commitments in rep three zero 28, together with what the applicant has said in response to your rule 17 letter on parking in rep for 019.

00:49:43:08 - 00:50:30:07

And the issue is it's not clear to us from having now read the applicant's position, whether the target of 55% by public transport to and from the airport, which is set out in PsaC commitment number one in rep 3028. It's not clear to us whether, when one is measuring, to see whether that target has been achieved, whether that is inclusive or exclusive of the use of the airport parking spaces that are not operated by the applicant.

00:50:30:23 - 00:51:01:22

Because you will note that the applicant has now described in rep for 019 those parking spaces as off airport, even though physically they are within the airport. And the applicant takes this point about, well, who controls those? We we've dealt with that. And we've also dealt with an inconsistency in the applicant's approach vis a vis the Hilton, um, uh, parking in the future baseline.

00:51:02:16 - 00:52:07:04

But the point we would welcome clarification on um, and they are somewhere off the order of 4690 odd spaces. So quite a sizeable number of spaces. And we've provided to you a breakdown of where they can be found. The short point is, does a trip by car to any one of those 4600 spaces count in the applicant's assessment as a journey made to the airport by car, so that it would feature in whether or not the 55% mode shared by public transport to the airport is achieved or not, or has the applicant separated those out because, on its terminology, its treating movements to and from those parking spaces as off airport and therefore not part of the target? I say we can't at the moment understand that we've seen clearly set out in the documentation and answer to that point.

00:52:07:06 - 00:52:43:00

So I say through you, sir, we would welcome some clarification from the applicant on that. That obviously also fights, or the answer to that bites on the way, then that surface access commitment number 16, in terms of monitoring works in the same document because that talks about monitoring parking capacity on airport. But we're not now entirely clear what the applicant means by that term, given what they've said in their deadline for response to your rule 17, uh, letter.

00:52:43:12 - 00:53:14:19

So that was a query point. If I can then move on to the next points. Certainly we are supportive of the use of parking charges and drop off charges and using pricing to keep the latter, i.e., drop off visits to a minimum, because we recognise as indeed does the applicant, that compared to somebody who comes and parks and then makes a flight, somebody who is dropped off and then makes a flight that involves effectively a double impact in terms of trip numbers.

00:53:14:21 - 00:53:47:03

So we, you know, we welcome the use of that, um, mechanism, uh, moving from directly from car mode, so far as train mode is concerned, we have noted obviously Network Rail, they are obviously here today and can speak for themselves, but we know that they have outstanding concerns. And that, of course, therefore goes to the realism of the mode share targets. And we would certainly welcome from the applicant some further reassurance on their deliverability.

00:53:48:07 - 00:54:26:12

Moving on to the mode of active travel, um, which is recognised in the sack as one of the access modes. We are, with respect, disappointed at the lack of ambition, uh, on the part of the applicant to provide improvements to available routes to make them more attractive and usable. I think we would recognize that other than very locally, um, resident. Um, um, travelers. Active travel is probably more relevant to this staff, um, movements than it is to the passenger movements.

00:54:26:14 - 00:55:12:00

I say, other than those who live very locally. Um, but whilst we've had dialogue with the applicant on a number of those routes, we haven't really been making the kind of progress that we would wish to see. And I don't want to take up too much time now, but in particular A23 Brighton Road to North

Terminal via the Longbridge roundabout, we think further improvements are needed. The Crescent to North Terminal via Riverside Garden Park and a new crossing of the A23, the Crescent to South Terminal via Car Park B, and then a route to allow cyclists to cross the railway between Victoria Road and Radford Road without having to dismount, which is, I think, the current, uh, position.

00:55:12:16 - 00:55:31:21

Then moving on to bus. But we also think that there is a lack of ambition. Uh, and we know that bus share at Gatwick is lower than is achieved at Stansted, and that the various transport measures, uh, don't include any proposals for bus priority.

00:55:33:17 - 00:56:07:04

Uh, then, uh, so those are on the individual modes. Um, and then I think the wider point about the timing, either phasing of travel improvement measures relative to, um, growth in passenger numbers linked back to what we said about environmentally managed growth in our 5093. Think, um, that, um. Yes, I think probably the final point on item 3.1 in relation to controls.

00:56:07:06 - 00:56:37:29

Yes. There is dialogue between us and the applicant which is continuing. But I think that, um, when we get down to some of the detail, I think the, the current position from the authorities is that some of the things which the applicant is proposing to address in the section 106, we think because they go to the heart of the deliverability of the SAC commitments, we think a number of those measures should be brought into the SAC itself, because they would then be subject to requirement 20.

00:56:38:17 - 00:56:45:18

Um, so that's, uh, as it were, a headline of our principle points on this item. Thank you sir.

00:56:48:09 - 00:56:51:13

Mr. Linus, do you want to answer those first before I move on to others?

00:56:52:03 - 00:56:54:16

Thank you very much, Scott. Linus. For the, uh, for the applicant.

00:56:56:23 - 00:57:29:01

Uh, if I can deal with the policy points. First of all, it removes my the minister of Bedford. Um, our position is that those don't in any way provide support for the proposition that controls on growth through environmentally managed growth are necessary. Fundamentally, the purpose of this examination is to work out whether what we've proposed is suitable and if the authority or suggest the authorities are suggesting that some form of control on growth through AMG, it should be imposed.

00:57:29:03 - 00:58:11:11

Instead, they've got the show that's necessary. And we say nothing in that policy indicates as much the wording and beyond the horizon, uh, provide support for making best use of existing runways subject to environmental issues being addressed. Nothing in there suggests that that would involve constraints on the growth of an airport that is deliberately left open, so that environmental issues may be addressed, and exactly the way that we are proposing in the surface access context through the commitments that we have been, um, suggesting similarly references to mitigating adverse impacts where that's possible and paragraph 1 to 2 or requirements for us to set out.

00:58:11:13 - 00:59:12:22

I will mitigate environmental issues at one, two, six. Again, those measures are entirely consistent with what we're proposing, and in no way indicate support for the specific measures of controlling growth, uh, on airport. So one would expect something like that to appear and be on the rise. And if seriously thought of as a policy objective and it simply is not not ties into the broad point of stepping

back from the policy, what sort of being contemplated here? Partly by the JLR and I think partly, sir, in your questions, is that if one step back from the chair and one anticipates a breach of the public transport mode share by a fraction of a percent, um, what we've said through our SACs is that there's going to be extensive monitoring, which will anticipate something about taking place, extensive toolkit of measures available to the airport and consultation and approval of the TFG to to rectify it.

00:59:12:24 - 00:59:56:01

And that's the appropriate approach to take. I repeat, it would be a very extreme measure to suggest that one should somehow stop the operation or growth of a nationally significant infrastructure project in those sorts of circumstances, as opposed to dealing with the normal route, which is to provide a specific means to address the issue that has been, um, identified. And as going back to your earlier point, sir, um, even if there is any anticipated breach that doesn't correlate into an impact on the road network, but any effect that might arise, there's provision made within the SACs to to address that.

00:59:56:09 - 01:00:36:03

Everything that we have suggested is entirely consistent with the policy references that Mr. Bedford gave. Those policy references do not in any way suggest environmentally managed growth and be entirely disproportionate for the reasons they've given. Um, as far as the specific query on the 55%, including er, excluding the use of car park spaces not operated by the applicant, I understand that the 55% includes, uh, the use of those spaces to clarify that for um, uh, for the jazz in relation to, uh, train modes.

01:00:36:05 - 01:01:06:24

I'm quite happy to leave that to see if Network Rail's anything. I can respond to that. In due course, I'll let Mr. Higgins deal with active travel. But on the final point, relating to the 106, um, we are preparing some amendments to the 106. Um, so we note the point that was made by the JLR about transferring some of the commitments relating to service access commitments into the service access commitments themselves. We've done that in part already.

01:01:06:26 - 01:01:19:01

Discussions are ongoing to achieve that further, and we'll incorporate those matters subject to further discussions of jazz at the next draft of the 106. But the principle of doing that have been acknowledged and accepted.

01:01:22:11 - 01:01:55:09

Richard Higgins for the applicant. Um, just come back a little bit on the question about the on airport. Non gal operated. So non applicant operated uh car parks uh, which are largely um hotel uh provision uh alongside uh hotels that currently exist on airport. Uh, so those hotels, those car parks are included in the annual Gatwick parking survey which underpins the data that's gone into the transport modelling.

01:01:55:15 - 01:01:58:06

So that capacity is included in.

01:02:04:21 - 01:02:35:06

Associated with those car parks will exist on the network and will have been captured in the data collection exercise because they would appear as if they were coming to park on airport. Um, it would be indistinguishable within the transport data collection, whether they were actually going to a hotel car park versus an airport car park. Um, so whilst they are on airport, um, they are not regarded in traffic terms as being off airport as suggested.

01:02:35:15 - 01:03:10:06

Um, and as Mr. Bedford says, the quantum of that car parking is approximately 4000, 4500 spaces. Um, if those had been excluded from the analysis, then we would have been presenting figures for off airport or non airport operated spaces or in the region of 17,000, but we are reporting 21,020 1500. So it's very clear comparison to the Gatwick parking Survey that those are included and have been accounted for in the analysis.

01:03:10:16 - 01:03:40:21

Um, were there to be a passenger that is surveyed by the CAA mode share um survey that is parked at a on airport hotel, then they would also be captured within the survey, um, as a departing passenger and would give the uh corresponding uh mode share information for their journey. So it will be included in all the assessment work. Um, I just move on briefly to the active travel provision.

01:03:41:01 - 01:04:11:11

Um, and we've talked extensively with the, uh, local authorities and other stakeholders around the provision for active travel. Um, and indeed, uh, made significant changes to the provision of active travel, particularly around Longbridge roundabout. Um, which is consistent with the work that's been undertaken by the local authorities in their local cycling and walking investment plans. Um, so there is consistency with the level of provision there.

01:04:11:22 - 01:04:44:20

Um, you may note from some of the detail in the DCO submission that the size of Longbridge roundabout, as is proposed, actually has increased in order to accommodate that additional active travel infrastructure by providing segregated crossing facilities for cycling and walking um, around the roundabout. Um, Mr. Bedford refers to a couple of uh, or a number of measures which are which we are still in discussions with the local authorities.

01:04:44:25 - 01:05:21:03

Uh, in terms of the justification or otherwise of those measures. We would point to the. Um. Current provision of National Cycle Route 21, which provides a segregated um access already north to south um, which does not require any interaction between non-motorised users um and road traffic on the A23. Um and that that is a um a well-used and indeed um, appropriate and signed route.

01:05:21:10 - 01:05:55:21

Um, which we are in the process of um, working on to enhance. Um, we have made additional provision for the crossing of the A23 where that is required. Um, we don't believe that there is, um, merit in respect of the provision for access to the airport to provide a dedicated cycle route through the middle of Riverside Garden Park, due to the nature of its landscape and recreation use. Uh, that national Cycle Route 21, which runs along the edge of the park, is sufficient.

01:05:56:07 - 01:06:27:25

Um, so a number of those points, we will respond direct to the authorities, uh, following the meetings that we've had very recently. And I understand that the authorities will be coming back to us with further information, uh, in respect of their, um, their current work for cycling and walking connections, uh, from Crawley, um, which we will also take into appropriate consideration just finally. And I will, um, as Mr. Linus suggest, um, defer to to Network Rail to talk more widely about rail.

01:06:27:27 - 01:07:05:24

But, um, the comment with respect to our bus and coach mode share being lower than Stansted. Um, that is true. Stansted has a very strong bus and coach mode shower and indeed, um, it would be worth comparison with other UK airports as well because Stansted is generally leading in that respect. Um, the corollary of that is that we have the highest rail mode share of any UK airport, and there is a degree to which the catchment area for airports, um, for public transport use at least tends to be, um, either predominantly bus or predominantly rail.

01:07:06:04 - 01:07:18:05

Um, but a lot of that is airport specific and relationship to major towns and cities in particular the the rail lines and connections to and from London for London airports.

01:07:19:19 - 01:07:40:12

Thank you. Just before we go into other parties, Mr. Linus, could I just ask you to clarify something? Potentially not now, but possibly in the post hearing submissions. You say that failure to meet the public transport. The mode target doesn't necessarily correlate to more traffic. I'd like an explanation of why you think that's so.

01:07:41:21 - 01:08:12:12

Uh, Mr. Higgins for the applicant. Um, so I was actually my comment, uh, so I, um, I won't deflect to Mr. Linus on this occasion. Um, so Monty tends to, um, become quite a binary, um, report between public transport and, uh, and private transport trips. However, the private transport trips, um, are, um, uh, composed of a number of different types of trips. Uh, notably park and fly, uh, kiss and fly or drop off and pick up.

01:08:12:17 - 01:09:03:06

Uh and also taxi modes. Now both the drop off pickup um and the taxi modes, uh, tend to have more movement to and from the airport than the park and park and fly use of on airport parking or indeed off airport parking tends to have, uh, one car trip, um, and then a return car trip, which is sometime after, usually a number of days later. Uh, so the impacts on the network of, um, a vehicle on the network for a park and fly movement, um, would be different to, um, a passenger being dropped off either by taxi or by friends and family at the forecourt where that vehicle, um, comes to the airport with the passenger, then leaves and then comes back again and then leaves for a final time.

01:09:03:08 - 01:09:42:12

So essentially for traffic movements versus two for park and fly. So we may be in a position where there is influence on the, um, attractiveness of some of the more impactful modes drop off and pickup, which, um, may reflect a change in the traffic flow, but not necessarily have the same, um, uh, sort of corresponding impact on mode shares meeting the mode shares. Um, in terms of its sort of specific um, service access commitment is around counting and measuring the amount of public transport use.

01:09:42:17 - 01:10:50:15

Um or indeed, in the case of employees, uh, public transport and active travel use what we have, um, sort of consistently said through the surface access strategies and, uh, the transport assessment is it will drive down the most impactful, um, car journeys as well, um, which will um, which may sort of, you know, sort of change the balance within the remaining car modes. But I think the other thing to sort of come back to, in terms of the impact of that traffic on the local road networks, um, is the spread of airport related movements versus the typical peak characteristics of um, commuter journeys? Um, and therefore the opportunity to, um, perhaps sort of influence through our parking strategy, the timing of when people may access car parks outside of peak periods in order to, um, balance out the potential impact on the local road network, without that necessarily being a direct transfer from one mode to another.

01:10:50:28 - 01:10:52:05

And if that helps.

01:10:52:29 - 01:11:21:18

Um, well, I think it might take a little while to think about that one, but, um, if you set it out, as you said there in written submission. I'll consider that, but. Um, basically it comes back to the point of

what your model was 54.2 and the car travel that related to that level. If it's 50.2. Just in the basic engineer in me thinks that must be more cars.

01:11:22:24 - 01:11:59:20

At Scotland Yard. So I think this would benefit from some further explanation and writing as an action point from the meeting. Thank you. But following on from that, I think the the important addition to that is that, uh, the SACs provide for action to be taken in the event that the Mod shares are anticipated not to be met. We're entirely entitled to assume, as part of environmental statement or the wider assessment of traffic to make certain assumptions about what we think the modelled traffic in the network is going to be based on certain mode splits, and to provide for mitigation in the event that there's an issue with that.

01:11:59:28 - 01:12:32:01

And the fundamental point is that that's entirely appropriate for us to make provision in that way for a range of measures, including the Transport Mitigation Fund. Response to that is not to control the growth of the airport. I've mentioned already that it would be highly extreme to do that in the case for having an infrastructure project. The same point probably applies to any development. If there is an issue with Mod share, the response to that is to require further mitigation to achieve the objectives, not to stop the development in question.

01:12:33:25 - 01:12:34:14

Thank you.

01:12:35:00 - 01:12:35:15

Okay.

01:12:37:09 - 01:13:27:21

So I don't obviously want to respond to all of those points. And clearly we don't agree with various things the applicant has said. But could I just raise a point again through you that if having heard the clarification from Mr. Higgins, uh, that the non gal operated car parking spaces at the airport are included in what is needed to achieve the 55% public transport target, could I invite the applicant through you when, as I understand, further work is being done on the sack? If you look at the various definitions in, I think it's paragraph 4.2.2 of the sack, if that point could be made explicit so that it's absolutely clear as we were moving forward, how one goes about that.

01:13:27:23 - 01:13:35:04

I mean, it's I think it's just a drafting point, but it would certainly be very helpful if it could be made explicit. So there's no future scope for ambiguity.

01:13:36:20 - 01:13:44:00

Thank you. Could have shown up particular point. It may be something that you two could potentially have a discussion of outside of this meeting.

01:13:45:06 - 01:13:50:12

Scott. Yes, sir. I'm. To answer the question directly, we can reflect that in the drafting of the SEC.

01:13:51:28 - 01:13:53:26

Okay, I've got a hand up online.

01:13:55:22 - 01:13:56:18

National Highways.

01:14:01:05 - 01:14:02:04

Thank you, sir. Ronald.

01:14:04:05 - 01:14:36:09

Please. Um, I do have a couple of brief comments on this agenda item. Um, I've had a difficult time to speak. I'll take that. Thanks. Okay. Indeed. Okay. Thank you. So, just as a preliminary point, um, I'd just like to make clear some national highways. We've actually been in this hearing virtually because progress is being made in the African only framework agreement and on project provisions. And we are, um, making progress and hoping to conclude agreements before the close of examination.

01:14:36:29 - 01:15:07:15

Um, I have two points to raise on the agenda item 3.1. That's mutual. And I think before raising those of us have to set the scene. So you would be aware that National Highways submitted its own preferred form of the surface access commitments. Deadline two and that's rep 2-056. And then the applicant responded and that was that. Rec 3-028. And so generally we consider that positive response. But we won't include the comments.

01:15:07:17 - 01:15:23:00

Uh deadline for and that's for 4-079. Um, as for the specific comments that we consider outstanding. So the first point is on roles and the relationship to move. So in previously second.

01:15:26:12 - 01:15:34:05

Wishes you do lack of controls. And so we cannot see the comprehensive information without some controls in place.

01:15:34:19 - 01:15:39:15

Excuse me a minute I think we're having problems with your audio. You move your mic slightly further away.

01:15:41:03 - 01:15:43:09

Is this any better? That's better, that's correct. Yeah.

01:15:43:24 - 01:15:53:28

Okay. Um, I'll just continue from where left off. Um, so one of the points I would like to make this is monitoring and controls are needed to ensure that.

01:15:56:15 - 01:15:57:00

Um.

01:15:58:26 - 01:16:16:18

Just for an example, we can see that some of the surface access components to be enhanced and just remove sample commitments five and six of the SAC required to use reasonable metrics to enter into agreements for financial support to buttress.

01:16:17:01 - 01:16:22:00

Sorry to interrupt you again. We're really struggling with the audio. So. Okay. Um, um.

01:16:23:10 - 01:16:24:18

It might be my microphone.

01:16:27:26 - 01:16:28:15

That helps.

01:16:30:04 - 01:16:30:25

Just try again.

01:16:31:21 - 01:16:33:07

Yeah. Is it any better?

01:16:34:29 - 01:16:36:09

It is for that bit. But

01:16:38:01 - 01:16:40:14

just keep talking. I'll tell you if it's a problem.

01:16:41:17 - 01:16:42:02

Sure.

01:16:42:13 - 01:16:42:28

Um,

01:16:44:12 - 01:16:49:08

in respect to commitments, five and six activities are required to

01:16:50:26 - 01:16:55:06

enter into agreements on financial security, but it's not clear on expenses.

01:16:56:01 - 01:16:58:08

I think we're still getting the same problem, I'm afraid.

01:16:58:12 - 01:17:03:11

Okay, let me just call my money and put it back in again while I'm on. If that's okay.

01:17:03:25 - 01:17:10:00

Yeah, indeed. Okay. Before we take any more on line, is there anyone else in the room wants to?

01:17:10:10 - 01:17:11:17

Can I ask, is this any better?

01:17:12:00 - 01:17:14:01

Oh, well, yes, that's actually a lot better.

01:17:15:25 - 01:17:17:22

It's very good to have to bear with me by that.

01:17:35:24 - 01:17:36:09

Hello.

01:17:36:17 - 01:17:37:03

How about now?

01:17:37:16 - 01:17:38:01

Okay.

01:17:38:03 - 01:18:09:10

That's good. Is that any better? Yep. Okay, hopefully this lasts. I will keep it brief. Don't worry. Um, the point I'm making about commitments five and six is that the applicants are required to use reasonable endeavours in the service access commitments to provide financial support towards bus routes. But it's not clear what the consequences would be if they fail to enter into those arrangements. And so we had proposed some alternative drafting to make clear that, um, highways authorities or other parties would have some recourse if an agreement had not been reached.

01:18:10:01 - 01:18:44:15

Um, the applicant has provided a response, but they haven't taken on board that amendment. And so if you look at rep for Dash 079 and appendix there, you'll see our comments and their comments. And then the second comment I'd like to make is about the definition of public transport. And so National Highways still retains some concerns around the definition of public transport within the surface access commitments. And broadly, that's because the definition adopted by the applicant is that the majority of the journey, um, being on public transport makes it a public transport journey, and that brings it within the future.

01:18:44:17 - 01:19:14:26

But then we believe this results in people impacting the SRN by starting or finishing their journeys by car. Um, being included within that mode. Share. And equally, it allows people who have travelled perhaps 49% of their journey by car, impacting the strategic SRN, um, to be included within a public transport journey. And so we had suggested some alternative drafting on that as well, to try to make clear, um, that there's a discrepancy there.

01:19:15:01 - 01:19:29:09

And again, so that is within the documents at rep four, dash 079. And the applicant did provide a response to which we responded to. And just the reference within that document is Ro 422 for you to look at. Thank you.

01:19:29:22 - 01:19:30:11

Thank you.

01:19:34:19 - 01:19:37:21

Um, I'll take a Network Rail. You know.

01:19:38:23 - 01:19:41:08

Abstract construct from Network Rail.

01:19:42:01 - 01:19:44:09

Um, our major comment is that we know.

01:19:44:11 - 01:19:54:14

That there isn't a rail specific mode share target. We think that would help with clarity around things. Uh, we support increasing rail mode share in often.

01:19:54:28 - 01:19:56:22

Struggling to hear you, actually.

01:19:57:01 - 01:20:00:02

Oh, blimey. Is that working? Yeah.

01:20:01:18 - 01:20:31:19

I shall have to pretend I'm doing karaoke and get closer to the mic. Sorry, Stuart. Historic network rail. Um, our main comment is we know that there isn't a rail specific mode shared target within the

target, and we believe there might be an opportunity around that to provide greater clarity around initiatives. Um, that said, we support increasing road rail mode share during the off peak area particularly. That's good for the environment and it supports wider rail efficient use of infrastructure.

01:20:32:06 - 01:21:02:01

We do have a concern around if that drove an increase around the peak. There is a finite capacity to the rail network. Um, and that could drive unreliability if too much is driven into it. That would actually be counterproductive to mode share, because unreliability of the system would drive people away from using it. However, we continue with a productive conversation with the applicant around opportunities to mitigate that. Thank you.

01:21:03:28 - 01:21:05:01

Anyone else in the room?

01:21:07:01 - 01:21:07:19

Yes.

01:21:12:19 - 01:21:57:08

Thank you, sir. Um, Tim North and I'm representing Holiday Extras Limited. So there's two fundamental points I wish to raise on this. The first question, I think, arose from one of your own questions, or one of the examining authorities questions of the applicant, and it concerns the question of their ability to alter parking charges or forecourt charges. A lot of the interventions have externality effects. If people can't park at the airport, or they see the prices of the airport parking to be too high and people will park elsewhere, they'll either park at authorized off airport car parks, although park unauthorized off airports.

01:21:57:22 - 01:22:32:14

These all have an effect on the road network. The second point which arises really from that is the figures which have been produced. The figure of 3700 passenger car parking spaces is attributable to MSC seven. In document rep 4019. That figure is inconsistent with the figure of 3250 passenger parking spaces. The same park car park recorded in the figure 3.4.2.

01:22:32:16 - 01:23:02:15

The car parking strategy. Although the applicant insists on 5570 spaces, walks Me 3700, plus the 2000 robotic car parking spaces being included within the future baseline. By virtue of their anticipated completion date. There's no reason why the same passenger car parking spaces are excluded. The same development in table one. Document rep for Python 019.

01:23:03:24 - 01:23:42:00

The other points which I wish to raise have already in part being raised by Mr. Bedford acting on behalf of the joint authorities. There are clearly a number of non gal or non airport operated on airport spaces operated outside. The airport boundary. Now the authority have. So the applicant has indicated that they are included in the figures. The fact remains that, um, a number of these car parking spaces outside the boundary of, uh, control.

01:23:42:02 - 01:24:23:23

That's the right word. Outside of being airport operated on airport spaces, I think is the terminology used by the applicant are all on airport, which obviously are all the subject of local plan policy GT3. And there is, in our view, a concern that if the applicant is to seek the airport related car parking on its own, airport operated on airport spaces that will have an impact on the other non gal spaces and their ability through Local Plan Policy GT3 to provide for additional car parking.

01:24:25:00 - 01:25:04:00

We take the view that there are, I think the figures being mentioned, 4500 or 4600, we reckon it's 4900 spaces, um, which are attributable to the non airport operated on airport spaces and non gal spaces if we want uh, we think that should be added to the figure of 4000, 40,600 in row A of the table one. And we should we also believe it should be deducted from the figure of authorised off airport spaces, which are 21,200, according to the applicant.

01:25:05:14 - 01:25:38:23

We have a major issue with respect to what is unauthorised, sorry, what is authorised off airport car parking spaces? The 21,200. There's been no robust assessment carried out to our knowledge of authorised off airport passenger car parking spaces undertaken by the applicant. It's drawn from the annual Gal accounts. They are not robust and I have myself been in contact with the council previously.

01:25:38:26 - 01:26:09:29

There were figures which are incorrect on authorised capacity of off airport authorised spaces. There's been no assessment of. Though no attention effectively has been paid to the planning status of individual sites, some of which only have a lawful seasonal use, whilst others being taken no account of where the car parking space is, particularly hotels or ancillary or incidental to the hotel.

01:26:10:22 - 01:26:50:09

Or indeed I'll have the benefit of planning permission or certificates of lawful use. And we feel that that that number is effectively deficient considerably. I have myself carried out. A sample of ten sites of airport. Looked at the sites which are registered the authorized capacity in the latest counts. They went out because they haven't taken into account. Back at these car parking spaces, related, particularly to some hotels off airport, do not have the benefit of planning permission for airport related use.

01:26:50:18 - 01:27:16:21

Do not have certificates of lawful use, planning or planning permission. They are considerable. And that has an impact on the entire table. Relating to or relating to Rep 151. Because it reflects itself as you proceed through it, to the extent that it can be shown. At the end, there's an oversupply. Spaces.

01:27:18:05 - 01:27:34:12

Mr. Noor. Thank you. I mean, it's largely about car parking, and this was about the next agenda item is about car parking. So presumably those comments are valid for that agenda item. This one is specifically about service access commitments.

01:27:35:05 - 01:27:40:12

I hear what you say, so I'll use that at the appropriate time. Thank you, thank you.

01:27:41:07 - 01:27:42:13

General Cagney wanted.

01:27:44:11 - 01:27:45:06

Uh, thank you, sir.

01:27:45:11 - 01:27:47:01

Lee White representing Cagney.

01:27:47:07 - 01:27:48:10

Um, I think I'll be very.

01:27:48:12 - 01:27:48:28

Brief, sir.

01:27:49:01 - 01:28:26:06

Firstly, I want to associate, um, Cagney with the comments from Mr. Bedford in relation to, um, the matters around mode share active travel and bus and bus service numbers. Um, I will come back to the issue of the timing of bus services being implemented, in particular later in the session. Um, I think our real concern is obviously about the wider community impacts that this will cause. Assuming that the modelling is it could be incorrect. I think it's fair to say I think we've seen enough from my view this morning that, um, there's clearly debate about car parking numbers.

01:28:26:14 - 01:29:04:22

There's clearly debate about the starting point for this application, the jumping off point that you raised in your earlier question, sir. I think from Cagney's point of view, that raises considerable doubts about the way the transport analysis has been conducted. Um, I think we do recognise that there are mechanisms in place to deal with, shall we say, the untoward and unexpected consequences. I think the key point for us is that obviously the TMF is capped. Um, but clearly, you know, we've got a question as to what occurs if the impacts are more severe than the TMF can mitigate.

01:29:05:04 - 01:29:36:03

Um, and I think that comes to your environmental point, sir, as well as the jumping off point issue. Um, you know, what does the airport do if the TMF, um, is required to work far harder than the money that's available? Certainly we recognise that the airport has done its best in the past over mot chair. Um, but I do see that, um, effectively, the amount of effort that needs to be put in, you know, it's the Pareto principle, isn't it? You know, that last 20% gain is the hardest to achieve.

01:29:36:05 - 01:29:52:25

And I really think from Cagney's point of view, we're very concerned the airport is not putting its best foot forward in that regard to deal with that fine. That final element of the merger? I think I'll leave it at that, sir, if I may, and obviously come back in more detail later. Thank you, thank you.

01:29:52:27 - 01:29:54:26

Anyone else in the room? Yes.

01:29:57:16 - 01:30:02:08

Thank you. Jonathan Essex on behalf of Gatwick Area Conservation Campaign.

01:30:02:10 - 01:30:33:26

Two points I'd like to flag which build on points which have already been made. Um, firstly, in response to to your questioning, um, I heard Gatwick talk about, you know, potential minor tweaks in parking and forecourt charges as a way of addressing a failure to deliver on the surface access commitments. Um, one concern might be that that effectively backfires, because what it could do while generating more income, clearly for the airport. Uh, you know, I guess they'd want to prefer those sort of measures.

01:30:33:28 - 01:31:09:27

It might drive off airport parking rather than on airport parking. And unless the the glitch in the surface access commitments that the National Highways gentleman mentioned online is actually, um, filled out, then effectively the surface access commitments look a bit like a chocolate teapot or a sieve in terms of their potential effectiveness in actually constraining matters, because what that might do is shift to a journey which is reliant on on airport parking to one which requires pick up and drop off off airport, but yet somehow is included in the surface access commitments.

01:31:09:29 - 01:32:04:13

Although it makes, um, congestion on the traffic net more network worse rather than better. Um, so it feels at the moment the way the detail of the surface access commitments exclude off airport parking risk us falling into that trap. If there is a minor, um, breach, which is addressed in exactly the way that Gatwick Airport proposed that they might consider doing so. But the second point I'd like to raise is a more major concern. What if the surface access commitments are met, but then subsequently road network, um is increased, increasing the ability to access by road, and at the very same time as more passengers travel to and from an expanded airport, the level of rail use increases on the Gatwick mainline, together with the propensity for other people not connected to the airport using that same rail line.

01:32:04:18 - 01:32:40:00

So. So we have a, um, a very great encouragement to travel by car and a constraint, a major constraint on, on the, on the rail line that wouldn't really be addressed unless there's major capital investment in public transport. Um, whether it's in rail infrastructure, whether it's in local bus journeys, sports staff travel or longer distance coach, um, subsidy on an ongoing basis. And and it's unclear how any of those could be achieved within the kind of some set out in the transport mitigation Fund.

01:32:40:02 - 01:33:12:14

And if it turns out that the modelling is is overoptimistic in any way, shape or form, then that greater concern may come to pass sooner rather than later. Um, so it's unclear to me how how how that that's going to be remedied. And I mean, Gatwick mentioned that they cannot watch a breach without there being any consequences. I think that's exactly what was said earlier on today. Um, but at the moment, there doesn't seem to be any mechanism to enforce Gatwick to actually do anything but watch.

01:33:13:00 - 01:33:49:04

Um, and I wonder what that remedy should be, what the mechanism for requiring Gatwick to meet its environmental obligations as, as it expands. So two points. One is about off airport parking backfire. And the current apparent exclusion from that in the SEC. And the other is what happens if there is a major constraint on shift towards achieving the Saks, whether it's in terms of constraint on availability of public transport or the increased ease of travel on the road network, um, that isn't able to be addressed by the minor kind of measures that have been expressed so far.

01:33:49:14 - 01:33:57:06

Thank you. But two. Is any more in the room? But two one line. Lisa Scott. First, please.

01:34:01:00 - 01:34:34:04

Thank you Lisa Scott for childhood Parish Council and Moore Valley Cycling Forum. I hope you can hear me. Okay. Um, I'd like to, um, reiterate and add to some of the points from, um, three of the points. So there's, um, the Holiday Inn mentioned that off airport parking and something that hasn't been mentioned. So the impact of, um, fly parking on local residents and the lack of parking availability for local residents.

01:34:34:06 - 01:35:16:13

So in the whole of the village of Hook Hood, we have now, um, eight parking spaces that are unregulated. So if our residents have caring needs, they have visiting carers, um, they have visiting family or they don't have their own off street parking. There's a significant limit on, um, availability of parking. So if a carer comes with a 15 minute window to pay a visit to an elderly resident, um, they could potentially get a parking permit for that 15 minutes, but then that cuts into the 15 minutes where the carer would be attending to the resident, or cuts out on the unpaid time for cuts into the unpaid time for the carer.

01:35:17:06 - 01:35:57:13

Um, second point is about the um active transport and the propensity shift onto rail. And as um councillor Essex has just pointed out about further demand for rail. Um, I don't see any consideration yet of the proposed housing around probably around 700 houses at Oakwood and maybe 3500 at Ifield. Um, the cost indication for those houses would mean the owners would be probably commuting into London in order to earn a wage to afford those mortgages, so they would be shifted onto the rail network to, um, so I think that completely validates.

01:35:57:15 - 01:36:29:03

And Councillor Essex's point and then the third point is about, um, cycling and walking access and a note that there was, um, suggestion that there was communications between local authorities on surface access. Um, unfortunately Milford Forum and parish Council who neighbour the airport, um, don't seem to have been included in this. We did have a number of significant points on this, particularly around cycleway 21, and I'd like to question the maps that are being looked at.

01:36:29:05 - 01:37:08:26

It was indicated that cycleway 21 runs from North Terminal to South Terminal. Um, but it doesn't. And it was indicated that there's no intention to improve the cycleway through Riverside Gardens because, um, that's not cycleway actually, that is the route of cycleway 21. Um, there was talk of the access from the Longbridge roundabout to South Terminal, which is a key route which would be linking a does link the, um, almost million pounds that was spent to upgrade the cycle route from Westville Park down to the Longbridge roundabout.

01:37:08:28 - 01:37:38:06

And I'd really like to see or the residents would really like to see that section upgraded to the quality that we see from South Terminal on to Crawley, which is a very good, um, provision. And but I don't see any efforts in making those provisions up to the level that would really increase the Mod share. And if we don't have streams and sites protected, um, out of traffic, then we're not going to see a mod share shift.

01:37:38:11 - 01:37:43:25

Thank you. Thank you and have Nola Cooper.

01:37:46:04 - 01:37:49:01

Thank you, sir. Can I just check that you can hear me? Okay.

01:37:49:10 - 01:37:49:25

Done.

01:37:50:06 - 01:38:27:05

Excellent. Thank you. Um, so my name is Nola Cooper. I'm a principal transport planner at Kent County Council. And you will be aware of the representations that we have already made throughout this examination regarding our concerns relating to the ambitious public transport mode share targets for Kent. Um, whilst we are supportive of improved public transport between Kent and the airport. We continue to remain concerned about how achievable these targets are, especially as past experience has proven that coach services between Kent and Gatwick have often struggled with long term viability, even with financial support.

01:38:28:04 - 01:38:59:10

Previously, we had asked for two sensitivity tests to be undertaken by the applicant and unfortunately these have still not been provided. So again, we would repeat our request for modal sensitivity tests to be undertaken and providing adverse case scenarios for both road and rail travel, and for these to be submitted as part of the examination. It is imperative that all interested parties understand the implications should the applicant fail to meet the committed mode share targets.

01:39:00:18 - 01:39:32:02

Furthermore, it must be clearly understood that Kent County Council does not support any growth at the airport, and our overall position on a northern runway project is one of opposition. However, should the examining authority be minded to recommend to the Secretary of State that consent is granted, then we would support the environmentally managed growth proposals put forward by the other local authorities. Robust controls must be implemented to ensure that mode share targets are met as part of this development.

01:39:32:04 - 01:39:32:24

Thank you.

01:39:36:14 - 01:39:37:11

Thank you.

01:39:42:06 - 01:39:59:04

Um, Mr. Linus. Ordinarily, I would come to you, but given the time and said there'd be a break at half 11. Yeah, well, I think we'll take the break and then you can do your response when we come back. So it's 1140 now. So we'll come back at 1155.