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FULL TRANSCRIPT (with timecode)

00:00:07:07 - 00:00:39:19

Can all those present hear me clearly? Okay. Thank you. And can I confirm that the live streaming of this event has commenced? Thank you very much. Um, it's now 10:00, and it's time to resume this issue. Specific hearing in relation to the application made by Gatwick Airport Limited, who we will refer to as the applicant for an order granting development consent for the Gatwick Airport northern runway project. Yesterday we considered items 1 to 5 on the agenda. Today we shall be looking at item 6 to 11 just before we move on to those items. There's just a few housekeeping matters that I need to deal with briefly.

00:00:40:14 - 00:01:13:10

So firstly please everybody set all their devices and phones to silent. There are no fire alarm tests or drills scheduled for today. So 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 the ground floor car parking charges will not apply to those attending this meeting. If you have any issues regarding parking, please speak to hotel reception in the first instance or the case team. And when using the desk based microphones, please ensure they are positioned close enough to your face.

00:01:14:24 - 00:01:47:24

In addition to this in-person event, the hearing is also taking place on a 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 to turn on your microphone and camera. 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 livestream.

00:01:47:26 - 00:02:19:13

When we recommence the meeting and restart the live stream. You'll need to refresh your browser page to view the restarted stream. We'll look to take a break at around 1130 this morning. Break for lunch around 1 p.m. for 45 minutes to an hour, and we'll also take an afternoon break around 3:15 p.m.. We intend to close the hearing no later than 5 p.m.. This hearing is carrying on from yesterday and today we will aim to complete items 6 to 11 on the agenda. Are there any questions at this stage about the procedural side of today's resumed hearing?

00:02:22:09 - 00:02:30:04

Nope. Not seeing any questions okay. Thank you. So we'll move on and we'll move on to our agenda item six. And I'll pass to Doctor Baruah to take us through this item. Thank you.

00:02:31:18 - 00:02:42:16

Um, thank you, Mr. Hockley, and good morning, everybody. Um, could we just put the agenda back on the screen, if that's possible, just to remind ourselves.

00:02:46:07 - 00:03:07:03

So I'll be covering item six. And, um, I work in assumption and certainly our intention is to, um, cover this prior to lunch. So we will aim to complete, uh, the oral submissions, lunch before lunch, and then anything else that we don't cover that we will cover in written submissions.

00:03:09:08 - 00:03:10:00

So.

00:03:12:01 - 00:03:15:00

I think it's fair to say so. 6.1 Noise envelopes.

00:03:16:15 - 00:03:49:00

We probably have more detailed written submissions on this than any other. If you like subtopic within the overall topic of noise, um, we would like to hear the full range of interested party views. And it may. And it may be that we'll take a break after 6.1 before we move on, because I expect this will last some time and we'll go into some detail. But we'll see how we get on. So just by way of introduction, I think it's a good idea to remind ourselves of what the 2018.

00:03:50:20 - 00:04:01:00

MPs says at 5.60. And I'll just read that out. Really? Um, recognize its importance and relevance in the examination of this application.

00:04:02:22 - 00:04:17:19

The applicant should put forward plans for noise envelope. Such an envelope should be tailored to local priorities and include clear noise performance targets. As such, the design of the envelope should be defined in consultation with local communities and relevant stakeholders.

00:04:19:28 - 00:04:31:17

It goes on to say later on, the benefits of future technological improvements should be shared between the applicant and its local communities, hence helping to achieve a balance between growth and noise reduction.

00:04:33:11 - 00:04:51:27

And then as long ago as 2013, the, um, the guidance document, which I know you're probably all familiar with, um, cap. 1129 recognized. And I just just a comment really clearly striking the right balance is not an easy task.

00:04:53:23 - 00:05:11:14

So we've noted, for example, um, the applicant has submitted an updated central case rep for that 004, but I don't think that affects the noise envelope proposals in front of us. Is that is that the case, Scott? For the applicant? Uh, no, sir.

00:05:12:06 - 00:06:04:06

Perhaps I can explain the position that'd be taken by the applicant. So, as you rightly said, rep for this 004 have set out the updated central case, um, fleet report, which was submitted at deadline for. And that set out the background, which explained that uncertainty had been recognized in relation to the preparation of the original central case assumptions when the application was submitted, uh, in particular, due to the Covid 19 pandemic and financial impacts on airlines that were associated with that, and as a consequence, the preparation of the slow fleet transition at that stage as well, um, which broadly showed a delay of about five years to the rate of fleet transition when compared with the original central guess.

00:06:05:04 - 00:06:41:00

Excuse me. Assumptions. As you know that the noise envelope was based on the slow fleet transition to provide certainty for both airlines, airports and the airport and local community. Um, now hours wrapped for 004, explained the Airports Commission further forecasting and noise assessment work during the summer of 2023 to review the evolving commercial situation post Covid 19, and provide

for an updated view of the degree to which fleet transition might progress in the next few years and noise contours.

00:06:41:02 - 00:07:11:06

The updated forecasts were available late last year. These were subject to further analysis earlier on this year, uh, and that forecasting analysis work was then used to produce the updated central case assumptions, which are in that document. Since then, we've been reflecting further on that updated central case assumptions report. And on representations that have been made relating to the need to incentivise airlines and provide a greater sharing of the benefits.

00:07:11:24 - 00:07:44:29

You'll have seen those representations, no doubt, sir. And uh, having regard to the updated information and with the benefit of the confidence gained from that information, um, the airport is prepared to strengthen its proposals for the noise envelope so that they're not based on the slow fleet transition, but they're based on the updated central case, uh, assumptions. I can ask Mr. Mitchell sitting to my right to explain the implications of that for the noise envelope itself.

00:07:45:01 - 00:07:49:11

But that's the that's the principle of the position when I prepared to take. Sir.

00:07:50:23 - 00:07:51:09

Come on.

00:07:52:00 - 00:07:57:10

Just clarify then. Um, we have we seen these updated proposals.

00:07:57:27 - 00:08:28:25

Sir? No, this has been the result of reflecting on, uh, representations that have been made preparing for the hearing. Uh, you have the updated central case assumptions report, obviously, but the implications of this for what the noise envelope would effectively be, we're going to need to update, uh, the examination on that. But I can ask Mr. Mitchell to explain in summary what effectively is going to happen as far as the proposal is concerned.

00:08:31:09 - 00:08:55:08

Um. Yeah, I think that would be helpful. Um, but it's slightly. It could be slightly, um, it could affect my questions and all this hearing proceeds. Given that unless I've misunderstood you. Um, you're going to explain now things we haven't yet seen in detail in writing, in terms of revised envelope proposals, have I understood? Just to be clear, I understood that. That's right.

00:08:55:10 - 00:09:25:29

We for the applicant, we do need to set down in writing by the noise envelope proposal will change, but a number of the agenda items that have been set out today obviously will be unaffected by the fact the noise envelope is changing a number of issues you've identified, which we're very happy to be at and still up for debate. Regardless of the change in the envelope itself, we thought it was appropriate to identify at this hearing, given that there has been a need for this to be considered internally within Gatwick.

00:09:26:01 - 00:09:47:07

Obviously you'll understand certain decision making processes need to be followed in order that we can make this offer to the examination. And we're making it now because we've needed to spend that time to go through that process. Uh, we do need to explain it in further detail at deadline six, but, uh, I can ask Mr. Mitchell to explain the benefits of what we're at now offering to the examination.

00:09:48:14 - 00:10:22:16

Okay, so what I'd ask then is that, um, applicant outline or summarize those changes. Um, briefly. Um, and then you'll have to appreciate that some of the questions and possibly some of the input from other interested parties might, might be if you'd like more against the original proposals on the basis that they are still welcome to those. But I do accept. And as we've worked through the agenda, I think once we pass this first bullet point or first a couple of bullet points, um, we might be talking about the more the general principles.

00:10:22:18 - 00:10:23:04

Yes.

00:10:23:06 - 00:10:39:20

Than necessarily the what I call the values or the or the the detail. But obviously that is still, you know, absolutely critical to, to understand that that is a policy compliant position, which should be your presumably, but your submission, um.

00:10:40:06 - 00:11:18:25

For the applicant. Yeah. So that's entirely, uh, understood. And we hope um, although the further detail needs to be explained, we hope the offer to strengthen the noise envelope was taken in the manner in which it proposed. We have listened, we have reflected on the envelope, and we hope that the strengthening of the offer is taken in that positive answer. But I'll ask Mr. Mr. Mitchell to explain. And of course, if there are questions that need to be put, uh, about what the implications of that will be in relation to points that may have been raised in relation to the original envelope, we can do our best to deal with those today and expand those further when we're explaining the new proposal in more detail.

00:11:20:08 - 00:11:37:09

I'm grateful for that. So yes, I'll ask the applicant to to give a bit more of a detail on, on, on on the the revised proposals. Is that fair? Fair. Anyway, over back over to you. Thank you. Good morning, Steve Mitchell for the applicant. I think I can do this quite briefly. Um.

00:11:37:21 - 00:12:11:28

As we've said, we'll put this in writing, obviously to clarify it. The main change, and it's a very obvious change, is that the noise limits in terms of the 16 hour LEC daytime and the eight hour LEC night time will be revised downwards. Um, I can give you the figures now if you like. Perhaps just enough to just say what that will be. If you remember, we have an initial noise envelope limit from opening, um, up until nine years after opening that will be reduced according to the figures in the updated central case report that you've just been hearing about.

00:12:12:15 - 00:12:43:26

Um, so two, will the later one, uh, that follows on from that, the second phase limit will also be reduced. Um, and for the day and the night time period. And I will just pick up on one value. Currently, if we deal with the first noise envelope period, the limiting area of the um, 16 hour LEC noise contour is 146.7. In the noise envelope document, that will be reduced to 135.5.

00:12:44:27 - 00:13:06:03

Which is the figure that you'll see in the updated central case fleet forecast. Um, you will also notice that the figure for 2019 for the daytime is 136.0. And I would just point out then that the first noise envelope period is less than the 2019 baseline. The daytime.

00:13:08:10 - 00:13:20:23

And I would also point out that that was always the case for the nighttime noise limits. They have always been lower than the 2019 baseline, and of course they'll be lower still with the new proposal.

00:13:22:09 - 00:13:51:12

One thing we will need to do is to revisit our analysis of sharing the benefits, which is, um, reported in index 14 .9.9. The report on the engagement of the noise envelope, which is app 179. We have some figures in there. Sorry. We have some figures in that appendix which estimate sharing of the benefits. We can revise those and deposit those with you to show the sharing of the benefits will obviously be larger with the new fleet assumption.

00:13:56:01 - 00:13:58:12

Thank you. I'm so sorry. If you're.

00:13:58:24 - 00:14:14:20

Sorry. Can I just clarify one point? I've been asked to clarify. The numbers I read out just now mean that with those limits in place with the northern runway in operation, it will not be allowed to be noisier than it was in 2019 during the day or during the night.

00:14:17:11 - 00:14:48:09

That's a helpful summing up, I think, isn't it? Um. Obviously. I did have a few questions. Um. On this, I think, um, as I said at the beginning, I really wanted to hear the views of other parties around the table. So so you've set out your, in summary, your your revised position, if I can describe it like that. Um, but I would like to. Okay, you know, get some input from others. If they would like to comment, I will start with the joint local authorities if that's possible.

00:14:49:23 - 00:15:31:29

Thank you, Sir Lois Lane for the joint local authorities. Um, so we're we're happy to see some movement on this. Um, it might be for Miss Condon to provide some of the detail on the forecasting mix, but essentially, we think that there are still potential, uh, forecasting issues around settings of levels within the envelope, but we're happy to. Oh, sorry. My microphone seems to be a bit intermittent here. I don't know if you can hear me clearly. Um, but we're happy to see that that our as we as far as we can tell, our position on fleet mix as appended to rep 5094 seems to have been accepted.

00:15:32:06 - 00:15:45:00

I'm sure the applicant will correct us if that's incorrect. Um, we're surprised to see this development obviously happening in the hearing, but we'll need to reflect a little bit further on it. But but good to see some movement.

00:15:46:15 - 00:15:56:09

Thank you. Um, can I ask anybody else who'd like to just comment? Generally at this stage, appreciating that there's perhaps some new information here.

00:16:00:00 - 00:16:01:00

It's fine, but yes.

00:16:02:09 - 00:16:06:01

Uh, sir. Thank you very much, Mr. Alden, for Cagney.

00:16:10:29 - 00:16:38:24

So it probably goes without saying that it is unsatisfactory. For a new case to have emerged very far into the examination process. When it appears, from what Mr. Linus was saying at the outset, that this is information which Google have had and have been considering for some long time.

00:16:40:13 - 00:17:11:14

Uh, it is perhaps relevant both to the issue we may pick up later on stakeholder engagement and that this is when the new case has emerged. But it is also relevant to the potential for parties to have spent time and expense with expert review on proposals that are apparently now abandoned. Nevertheless, um, Cagney's, uh, expert on noise, um, Mr.

00:17:11:16 - 00:17:35:01

Ben Holcomb is online. He does have some points to make in relation to noise contours. Um, those have both a general and a specific element to them. Um, it may be that he wishes to address some of the general points now and then we'll see the extent to which the specificity still remains relevant.

00:17:35:26 - 00:17:42:07

That's fine. I can see has his hand up on the screen. So, um. Mr. Holcomb, please.

00:17:42:21 - 00:17:52:18

Good morning everyone. Ben Holcomb for Cagney. Yes. Um, in light of these revelations, I think I'll keep my points quite high level. Um.

00:17:54:03 - 00:18:40:03

The noise limits should be set off the lowest contour areas that we have available, noting any sustainable development issues on practicality, and that would be to be in line with the overarching aviation noise policy statement. Um. As I'm sure we're all quite well versed with, and we can set that out in full in writing. But in this instance, that would be the previous central case or the outdated now central case. However, being outdated, we would now look towards the updated central case as it sounds as though the applicant is suggesting there is simply not enough information provided to date for us to in any way analyze the updated central case.

00:18:40:26 - 00:19:11:25

Um, for instance, in 2047, we don't have any primary metrics of like 16 hour or 8 hour, and in no years do we have any supplementary metrics at all to interrogate what these new limits proposed would be. And so we have no way of explaining them or actually doing anything with them. So whilst, um, the principle of the limits being lowered is welcomed, what they actually relate to is still an entire unknown.

00:19:14:02 - 00:19:32:01

And one further point is that. We still have not seen the applicant tie down these limits, um, sufficiently in the duration of the project. I believe they're still suggesting they might go up in 2047 or before, which would again be contrary to policy. And I'll be.

00:19:36:29 - 00:20:08:10

So thank you. So just to. Summarize. Um, and it may be that further information is forthcoming, and it would be very helpful if the applicant could identify as soon as possible when this further information is to be expected, so that everybody can be lined up to address it. Um, but there remain difficulties in assessing in light of the gaps in the information thus far provided. The.

00:20:08:12 - 00:20:19:15

The examination will be aware that this is a running theme in the in in the response that Cagney has made across a number of areas, but it is particularly acute in this area. Thank you very much.

00:20:21:00 - 00:20:43:18

I thank you. Thank you for that. Um, there's a couple more hands up. But what I. What I propose to do is to let those people, um, make their contributions. And then I'll ask the applicant to respond to the comments that that they've so far heard. Um, and then we'll move on to some of my questions. So I've got Lisa Scott, um, online please.

00:20:44:17 - 00:21:18:09

Thank you sir. My apologies for failure in camera. Um, I'm representing Charnwood Parish Council and, um, our, um, particularly our village Oakwood, which runs alongside the, um, runway. And I'm very hopeful that the new document will include some sort of envelope for ground noise. Um, Oakwood is significantly impacted by ground noise at particular times. And if the new runway is built, that will be 12m closer to our residents homes.

00:21:18:15 - 00:21:21:19

I'm not aware of any monitoring or, um.

00:21:23:11 - 00:21:55:16

Um, limits to ground noise. And we've experienced 90dB before now in local recreational areas. And ground noise, by its nature, isn't, um, a peak every three minutes when an aeroplane takes off, it's constant because you have multiple aeroplanes manoeuvring around the airport, and so it can be constant noise levels. And I really like to see ground noise properly considered within this.

00:21:55:18 - 00:21:56:06

Thank you.

00:21:58:15 - 00:22:03:23

Um. Thank you. Thank you very much for that. Um, I've also got Charles Lloyd on online, please.

00:22:06:05 - 00:22:07:13

Thanks very much.

00:22:07:23 - 00:22:43:03

Um, I'm going to keep my mic. I keep my camera off, if that's all right. I had an operation yesterday, and I look gruesome, but it's Charles Lloyd for the area conservation campaign. Um, I'd like to comment at some point this morning on the engagement in consultation process at the airport went through in relation to the noise envelope. I see that's on the agenda. Um, but perhaps for now, if I just focus on, uh, the proposals themselves. Um, the first point I want to make is that these proposals are, in our view, simply not compliant with government policy.

00:22:43:15 - 00:23:19:29

Uh, so the policy, the aviation policy framework says, and I think many of us know this, that is a general principle that the government expects. Future growth in aviation should ensure benefits are shared between the aviation industry and local communities. This means that the industry must continue to reduce and mitigate noise as airport capacity grows. Gatwick noise envelope proposals certainly if they were, do not achieve those policy principles. So for the first noise envelope period for nine years, the benefits of growth would increase almost entirely to the airport.

00:23:20:04 - 00:23:59:13

It would enjoy more than a 60% increase in passenger capacity. Well, while communities would suffer increases in noise, it's possible that there may now be a marginal benefit in noise. But even if there were, uh, the imbalance between the benefits that the industry would enjoy and that communities would, would, would realise is immense and clearly not policy compliant. Um, for the second noise envelope period, the impacts on communities, the noise impacts on communities would continue to be greater than in 2019 once account was taken of the frequency of aircraft, a key measure of community annoyance.

00:23:59:16 - 00:24:36:24

And after that second noise envelope period is, I think, um, Ben Holcomb has just said the proposed review process would potentially allow noise to increase above the 2019 base level on any measure. So rather than the airport reducing noise as capacity grows, as policy requires, uh, noise would increase very substantially and potentially indefinitely. And rather than the benefits of growth being shared, they'd flow almost entirely to the industry. Um, in other respects, the proposals contain no restrictions on noise in the winter period, so noise could grow indefinitely in the winter period.

00:24:36:26 - 00:25:11:09

And they have, in our view, negligible incentive effects on airlines to introduce quieter aircraft at Gatwick, an important principle that underlies the airports national policy statement and policy. Um, if I may, I'll just comment on the metric now and then and then then then I'll stop. At this point, the metric that Gatwick is proposing to use, like, uh, the sole metric for its noise envelope, simply isn't consistent with CAA policy, CA guidance, government policy or good practice.

00:25:11:13 - 00:25:42:16

It's widely accepted, very widely accepted, including by ICAO, that, um, the average noise measures to not portray aircraft noise as experienced by communities, and all relevant policy and guidance advises against its use as a sole metric. So, for example, the Aviation Policy Framework says we recommend that average noise contour should not be the only measure used. And it goes on to describe how a range of measures should be used as the AA guidance.

00:25:42:25 - 00:26:10:01

1129 uh recommends using a combination of measures and says that where unilateral agreement cannot be achieved, consideration should be given to designing envelopes using other metrics. Cat noise envelope, which is based solely on any few metrics, does not lead any of those tests. It could not be clearer that an envelope based on this single metric is neither appropriate or policy compliant. Thanks very much.

00:26:11:14 - 00:26:31:27

I thank you, Mr. Lloyd. I think we will pick up some of those points, um, later on under this item, but I'll, um, if there's nobody else for now. I'm just looking around the room. I'll give the applicant a chance to respond to those. And to be fair, initial responses to what I guess was news. Um, and then we'll move on.

00:26:32:02 - 00:27:06:20

So I apologize, you know, forgive me before the applicant responds. Michael Bedford, uh, also for the joint local authorities. So we've already expressed our, um, overall position and including reference to surprise, which is echoed by the points that Mr. Horn, um, uh, raised on behalf of Cagney at the way this is unfolded. But we are where we are, so we don't want to incense have a little rant about that, but we are very disappointed that there wasn't any forewarning from the applicant, uh, of this, uh, development.

00:27:06:22 - 00:28:00:12

But I'm just thinking in terms of the practicality of partly what we can deal with this morning where the parties have obviously prepared on one basis, but that may now be water under the bridge. But also in terms of the submissions to you, uh, in terms of the forthcoming deadlines, uh, at the moment, obviously, the next available deadline is deadline six on the 26th of June. Um, unless the panel were to set some interim alternative deadline, I'm assuming we won't be seeing this material from the applicant until deadline six, and that then means we won't be in a position to respond to it until deadline seven, which I think is, uh, the 15th of July, which, as you will know, comes after your Q2, uh, window on the 1st of July.

00:28:00:14 - 00:28:30:22

So there's a I haven't yet worked out what the solution is, but I can just see that there's a practicality issue that's beginning to unfold as to how we feed this information in the examination in a way that best helps you and allows it to be also tested and explored. Uh, and so it would be helpful if the applicant, in their response to those initial comments, could set out their thoughts as how they think this can be adequately, fairly, and efficiently managed in the context of the examination.

00:28:32:10 - 00:29:04:18

Uh, thank you, um, very much for that. I think, um, I think we share some of your, um, sort of surprise, perhaps, is a good word, isn't it? Um, can I ask the applicant, though, just to, um, I will try and get back onto the agenda as best I can. Um, I will try and cover the try and address the points on matters of principle and process rather than, um, get too stuck on. Specific values if I can use that sort of term, but I think we'll come back to some of that.

00:29:04:25 - 00:29:17:17

It may be a you know, I'm sitting there thinking, well, the response is going to be, well, there's more information to come. We haven't seen that. But. People have made some comments. I just like to give the applicant a chance to to respond to those initially.

00:29:18:00 - 00:29:53:16

Uh, thank you, Sir Scott, for, uh, the applicant. Uh, as far as the request for knowledge of when further information is going to be submitted. Uh, we are intending to submit that at deadline six, which, as we know, is next Wednesday. Um, we think that's sufficient time in order for us to put that information together and to give all parties an opportunity to comment on it. Um, we're quite disappointed by the way this is being characterized as somehow presenting an entirely new case and abandoning the noise case that has been put in front of you.

00:29:53:18 - 00:30:34:23

That's simply not case. What we are proposing is a strengthening of existing mitigation commitment by changing the contour areas. Any suggestion that we are fundamentally abandoning what we've done before is entirely misconceived. It's disappointing that a significant move on the part of the airport, which is held to reflect upon for some time, isn't being received in the positive light that was intended to be presented. Um, that that said, to confirm the position with JLR? No, we're not advancing a noise envelope that's based on the original central case, the updated central case.

00:30:35:08 - 00:31:07:21

And so far as the JLR are still pushing for some recognition of the original central case and the noise envelope. We don't accept that position for reasons that we can elaborate upon, um, as, as necessary. So as far as the process is concerned, sir, we don't accept that there should be a problem. Given that deadline six is fast approaching. What we're doing is changing the contour areas, much of the other information. The vast majority of all the information is still there, still relevant.

00:31:07:23 - 00:31:42:12

This is an evolution, uh, a positive, very positive evolution of an existing mitigation proposal. And, um, we reject any suggestion that it should somehow cause a major issue for those participating in the examination, given that we are moving towards recognising concerns that have been expressed by others, and one would hope that that would have been welcomed more at this stage of the examination. Um, I can ask Mr. Mitchell to pick up some points of detail.

00:31:42:23 - 00:32:11:17

Um, there was a point raised about the general approach to take in policy terms, the noise envelope that may be better left to the next agenda item. Because I'm conscious, sir, an innocent question for you is prompted the update to noise envelope before we've actually got the first agenda item on engagement and other matters that we've raised may be more appropriately addressed under the

second agenda item, but I can ask Mr. Mitchell to pick up any particular points now, unless you'd prefer to leave that to the second agenda item.

00:32:13:11 - 00:32:14:20

Uh. Thank you. Um.

00:32:17:08 - 00:32:47:09

I think. I think the trouble we have with this, I mean, item 1 or 6.1, first bullet was stakeholder engagement. And on a thread through some of the a lot of the responses has been, um, if I can summarize it, um. That people were, uh, did not feel they were being listened to or the consultation was was not as effective as it might have been. And now today. Unless I misunderstood this situation completely.

00:32:47:16 - 00:33:18:12

The applicant is bringing forward a revision to its proposals, which I understand are, you know, you would say as a constructive and progressive, um, move. Yeah. But the timing and the context. Is not really as helpful as it could have been, inasmuch as we've all well personally sitting here now thinking, well, this has come as a surprise, there's a lot more information that we're going to have to look at next week. Um, and that, um, that will affect. How it proceeds. Um, so I'm just.

00:33:18:15 - 00:33:28:04

I wasn't getting too bogged down in this. That is a. Not as helpful as it could have been, perhaps. And I'm using my words very carefully.

00:33:28:06 - 00:34:17:29

I think it was Scott Lanner for the applicant, sir, as you appreciate, as I mentioned, the updated central case was submitted at deadline for in relation to a process which the applicant has gone through to update central case work that was submitted at the time of the examination. So the deadline for that, I don't think there's any complaint about the fact that we took the time to examine the original central case assumption. Do that work based on appropriate timing this year and submit that information at deadline for since then, as I've mentioned, the airport has, as you would expect, given the purpose of an examination process that last six months, continue to reflect on the representations that have been made and the latest information that's being produced during the examination.

00:34:18:08 - 00:34:48:18

And it's not unusual for offers of mitigation to change during the course of the examination in response to recognised objections which are persistently being made by objectors. There is simply no procedural issue as far as the airport is concerned. We would respectfully suggest, sir, if one had been examining the position at today, the JLR and others would have been suggesting that the noise envelope needed to be tightened.

00:34:48:20 - 00:35:24:10

That's what we're doing, and we are at bringing that forward today so that that can be indicated to the examination as a what we hope would be perceived as a helpful response as part of a long standing consideration of the noise envelope process. So the fact that we're suggesting it today does not suggest some deficit and approach. As far as third parties are concerned, it's exactly the opposite. We've been listening, developing a noise envelope for a number of years in consultation with the local community. And this is an evolution of a process which is intended to help the examination and knowledge.

00:35:24:11 - 00:35:53:14

Concerns have been raised by third parties and otherwise. What would have happened today is that concerns have been raised by third parties. It may have been suggested that the airport had to go away and think about it. We've taken the step now of trying to be helpful, put forward proposals that meet

those concerns. There should be no problem with other parties at having a look at what we need to describe, which isn't going to be a huge amount of new information and respond to that accordingly.

00:36:04:18 - 00:36:28:01

Um. We reflect on some of this at the break, we'll move on through the agenda for the time being and try and make the most of the time and other people's time who've taken the trouble to attend today so we can move on to things that we can discuss and, um, and hear views on, um, that are generally applicable to this agenda, if you like. Yeah. Um.

00:36:29:12 - 00:37:10:00

Sorry. If I may just make one small quick point. Um, Estelle Dawson, on behalf of Cagney, just to pick up what Mr. Linus said about information coming in on the updated central case at deadline for. In Cagney's response to that at deadline five, we explicitly raised concern about this information coming in late in the day. We specifically raised that this had a knock on effect, requiring the updated noise assessment, and flagged that there was missing information in any event. So it's not the case that, um, gal's approach to the way in which information has come out has gone without comment or concern being raised throughout the process by a number, including Cagney.

00:37:11:00 - 00:37:15:09

I thank you, thank you. I was aware, I was aware of, um, comments. Thank you.

00:37:18:20 - 00:37:29:12

I'm just going to remind myself of where I was going to go next. But, um, we'll move on. Um, so I do have a simple question that I think is relevant, and you can perhaps answer it. Um,

00:37:31:10 - 00:37:43:01

um, so. Can you clarify? Can you clarify? Um, confirm how much quieter the fleet is likely to become overall by 2029 compared with 2019?

00:37:48:02 - 00:38:09:21

Steve Mitchell for the applicant. Um, I don't have that answer at my fingertips, but if I could make a, I think a relevant point about the discussion that's just happened. Um, the change to the updated central case fleet, as opposed to the slower transmission fleet, is to reduce the control errors by. About 8%.

00:38:11:11 - 00:38:41:16

The day and a bit less in the night. That means the noise envelope limits will be less than one decibel less than they were already proposed. But if I put that correctly. So let me put it another way then the new noise envelope limits will limit the airport's noise by about a decibel. Or if you see what I mean. Um, that's a very small change in noise, as those around the table will understand. It's a move in the right direction, which I think everybody understands.

00:38:42:00 - 00:38:55:27

But if I could just make one further point, that any discussions around how the noise envelope is administered and managed and processed throughout the years will remain exactly the same. So that doesn't affect this morning's discussions on those points.

00:38:58:18 - 00:39:02:02

So the actual question, are you able to respond to that deadline?

00:39:02:04 - 00:39:12:00

Six um, in the environmental statement, we do have the baseline forecast for 2029, which will account for the fleet transition between now and then.

00:39:13:26 - 00:39:22:24

I was asking a slightly different question, I think, which was how much quieter do you expect the fleet to get between 2019 and?

00:39:23:24 - 00:39:50:08

Yes, we do have the results of that noise modeling, which I can share with you, not in terms of decibels, but in terms of contour areas. I can answer that right now. So in the updated central case fleet report that everybody's been referring to this morning, we have an area of the daytime, uh, 2019 contour, which of course is the actual contour. That was the fleet. There's only one fleet in 2019 of 136.0, the number I mentioned earlier.

00:39:52:08 - 00:40:13:01

In 2029. Um, that reduces to 132.6. So that's the reduction with with the project just opened. I don't have the baseline reduction in front of me, but that is in the report. So we can see from the report how in the baseline case the airport would get quieter between now and 2029 with that fleet assumption.

00:40:15:17 - 00:40:29:19

Um, going back to my question, I think which was fairly clear, wasn't it? Was how much quieter the fleet. Is likely to get between 2019 and 2029. Um. Can you answer that in? Decibel terms.

00:40:31:12 - 00:40:33:06

But not. Why not? Not. Not today.

00:40:33:08 - 00:40:40:11

But I'll get back to you on that. We do have that modeling done, so I can I can answer that both for the daytime and the nighttime.

00:40:43:09 - 00:40:48:08

Sorry about that. 96, I would assume is the time line. Yes, we can get into.

00:40:50:24 - 00:40:52:19

Okay. Thank you for that. Um.

00:40:57:21 - 00:41:03:12

Does anybody else want to make any comments on that question and what they've heard from the applicant?

00:41:05:00 - 00:41:07:03

I the hand up? Is anybody in the room?

00:41:09:25 - 00:41:13:08

Okay, I've got the hand. I'll go with the person online.

00:41:14:16 - 00:41:15:09

Is it.

00:41:16:12 - 00:41:17:00

Nancy?

00:41:17:26 - 00:41:18:11

Yeah.

00:41:18:23 - 00:41:52:13

Hi. Um, the responses that I've heard from Gatwick don't really seem to be addressing the, uh, question from someone previously about the impact of noise on the frequency. So they're talking about the contour areas and the decibels, but they're not talking about the frequency, which is a massive impact on the noise. Um, with the fleet, it's talking about a quieter fleet. But if you've grown the fleet, the frequency, um, of, of airport, uh, airplanes and ground noise is going to intensify significantly.

00:41:56:22 - 00:42:02:25

Um. Thank you. I've also got, um, Mr. Holcomb on line. Um, if he'd like to go ahead.

00:42:05:18 - 00:42:16:12

Ben Holcomb on behalf of Cagney. I think it would be also very useful just to clarify what information we are expecting from the applicant at D6, if that's possible.

00:42:22:07 - 00:42:26:04

Can I ask the applicant to respond to both of those points?

00:42:26:11 - 00:42:49:23

I think, um, sorry. Steve Mitchell, through the applicant, I will be, uh, tabulating the new noise contour areas, to which I read out earlier. There are six more which change. Um, sorry, three more. So there's six more numbers to give you. Um, I will also answer, um, the examiner's question as to what would the baseline contour area be in 2029, the updated center case fleet.

00:42:51:16 - 00:42:59:16

And as I say, no other mechanics of how the noise envelope will. Will be operated, will be adjusted at all as a result of this.

00:43:03:01 - 00:43:21:05

Thank you. I'm not seeing any more hands. I'll go back to some of my earlier questions. Um. So you just pick up a point that was made by Mr. Lloyd, though. Does the applicant consider that noise limits should apply off peak? But yet in addition to peak.

00:43:24:05 - 00:43:32:10

Steve Mitchell for the applicant. I had the feeling that was on the agenda later on. It is, I think, when your comments about the time period, I.

00:43:32:12 - 00:43:36:01

Think it is. But I think as it's come up, I think we just ask you now.

00:43:36:03 - 00:43:37:25

Yes, certainly. Um.

00:43:39:07 - 00:43:40:08

The.

00:43:41:03 - 00:44:13:26

Noise contours and noise impact assessments for airports are done over the 92 day summer period that we probably familiar with for the 16th of June to the 15th of September, and have been for many years for good reason. Um, airports tend to be noisier in that period, tend to have more flights, and Gatwick most certainly is a summer peak airport, and we've heard a lot of information about that. There is really no prospect that the winter could become noisier than the summer. And you've heard lots of evidence, both from this side and from the JLA.

00:44:14:04 - 00:44:36:22

But in fact, the summer will remain just as peaky. Some of the rails glass evidence suggests it could be more peaky than I think, than we've assumed. So there is no prospect that the winter could become as noisy or noisier than the winter, than the summer. So we are quite content that by limiting summer noise contours, um, the airport is capped in terms of its noise impact.

00:44:40:26 - 00:44:41:11

Um.

00:44:43:21 - 00:44:54:11

But if you if you're so sure about the off peak, why wouldn't you accept a limit on during that period? A bill, albeit a different limit or something that's appropriate. But but the principle.

00:44:55:03 - 00:45:15:03

Well, we sorry Steve Mitchell for the applicant. We could decide on any period of the year or times of the day. Uh, if we wanted to, but there is a good reason why the 92 day limit is used. Because it is the worst period, and we are falling in line with that. Um.

00:45:16:24 - 00:45:22:20

Historical approach because we think it's correct. And we note that other airports do the same thing.

00:45:24:09 - 00:45:25:25

Thank you. Um.

00:45:27:29 - 00:46:01:09

I was going to ask a related question. I think it's that applies to your present position, which is in your. Original proposals. And in your revised proposals, if I call them that. Um, have you given the policy concerns and recurring concerns about, um, night noise in particular? And I think you might have it may have answered this as well. But I just want to be clear. Um, is there a differential between your approach at night compared with day, i.e. are you maximizing the reduction during the night compared with the day in some way or not?

00:46:04:15 - 00:46:35:21

Steve Mitchell for the applicant. I'm not entirely sure of the question, but what I would say with regards to the night is, um, Gatwick Airport is a designated airport. It has the night restrictions in place which will continue. Therefore growth in the night is restricted. And I'm talking about the eight hour night. Growth in the summer season is forecast to be 9% in the worst case years. Sorry, 10% in the worst case year.

00:46:35:23 - 00:46:38:03

Let me correct myself. Um.

00:46:39:21 - 00:47:25:11

Compared to the day when we're unrestricted, and the increase in the summer season is 19% of ATMs in the summer. And I would also point out that because of that designation, we can't grow at night. So night is automatically capped to some extent, um, which is different from other airports. And we may hear parallels with other airports. And therefore I would suggest the levels of control need to be appropriate as well. Um, the level of growth, for example, at the Luton expansion airport at night, which is not designated as subject to those restrictions, is about 40% of increase in flights at night is dramatically more than the increase that we are able to to contemplate.

00:47:25:18 - 00:47:34:09

So in that sense, the night is automatically more constrained and the noise envelope reflects that in the limits that we are now imposing.

00:47:36:28 - 00:48:00:23

Thank you. My question wasn't as clear as it could have been, but I think I think the answer was helpful. Um, but it makes me think about the sort of supplementary question which is the existing, I think you said. Forgive me if I've got this wrong, but the existing night limits will continue because of your designation. And you also have. Through the envelope in your proposals and night limit. So.

00:48:02:10 - 00:48:12:12

Well, we'll both bite if that is the right term. Or will they bite at different times? Or can you just explain the interaction and. How it works.

00:48:17:29 - 00:48:26:27

I can answer, sorry. Steve Mitchell, for an applicant in terms of the noise control, if you like. Um, as we know, the night you're talking about the night time.

00:48:27:15 - 00:48:28:00

Yes.

00:48:28:06 - 00:48:58:09

So the night regime, uh, which we're regulated under the Department of Transport, released the second half hour tonight and familiar with that period. The noise envelope, of course, covers the eight hour night, the full, um, period assumed when sleeping can happen. So both those restrictions will operate in parallel. So there are regulatory requirements for the 6.5 hours. And the noise envelope will now put an additional requirement through the DCO.

00:48:58:11 - 00:49:03:27

Over the full eight hours, they will operate, uh, indefinitely in parallel regimes.

00:49:06:04 - 00:49:19:04

Thank you. Um, I'm gonna again think about a point where I'd move on to my, um, third bullet. But are there any further comments from anybody else on what they've heard before?

00:49:20:00 - 00:50:02:01

Uh, Lois Lane for the joint local authorities. Uh, thank you, sir. Just on the night noise issue, this reflects something which has been a concern for us throughout the process around the impact of night noise. And you'll remember, sir, that we raised the issue of additional awakenings and shoulder periods at issue specific hearing five. Um, that's still something that we are concerned about. Uh, in terms of this perhaps preempts the metrics point, but in terms of metrics, we just wish to make the point very strongly that we think additional awakenings are a crucial factor here.

00:50:02:08 - 00:50:29:21

Um, we've made written submissions to that effect. Uh, and we think that that this is exactly the reason why that there is a potential here for additional sleep disturbance in those shoulder periods. And at the moment, additional awakenings are not tracked in the noise envelope, even as a secondary metric. We, in fact, think that they should be a primary metric, uh, for reasons that we've outlined. Uh, but just to flag that up at this stage. Thank you.

00:50:31:00 - 00:50:37:20

Yeah. Thank you. Thank you for that. Um. Mr. Lloyd is on line. Would you like to go ahead, please?

00:50:38:06 - 00:51:16:25

Thank you very much, Charles Lloyd, for the Gatwick area conservation campaign. Um, could could I comment both on the the winter period discussion that's just taking place and also on, on night flights on the winter period. I guess it's extremely clear why Gatwick don't want controls over noise in the winter period. They want us as as much freedom and flexibility to grow their business in that period as, as as they can get. Um, and it may be the case that the winter will never become as busy and as noisy as the summer, but it could equally be the case that the winter will become very significantly more noisy than it is at the moment.

00:51:16:27 - 00:51:50:16

And at the moment, under Gatwick proposals, communities are entirely unprotected from that eventuality, and I simply do not believe that that is right or policy compliant. It does. Noise envelope policy talks about giving communities certainty, and the only certainty they get is over whatever. It was a 62 day period that leaves a very, very great deal of the year for which there is no certainty and for which the, uh, the impacts on communities and the noise to which they're exposed could increase very substantially with no controls whatsoever.

00:51:50:18 - 00:52:22:05

So I continue to feel that that aspect of the noise envelope is fundamentally unsatisfactory in relation to night flights. The the airport's national policy statement, as I think we'll all know, uh, requires a ban on scheduled night flights between 11 p.m. and 7 a.m. and the NPS is says very clearly that it is an important and relevant consideration for applications for any airport nationally in the South-East, not just Heathrow.

00:52:22:07 - 00:53:03:19

It's extremely clear that Parliament felt that stronger controls over night noise were required, uh, than those afforded by the current Secretary of State. Noise limits. And that is why the and mandated a ban on night flights. And let's bear in mind that night flights at Heathrow, uh, have genuine economic value in some cases, uh, to an extent that I think simply could not be argued, uh, arises in the case of Gatwick. Um, I'd also want to make the point that it's not the case that the Secretary of State's controls over night flights will automatically axiomatically continue.

00:53:03:26 - 00:53:16:06

In the current consultation, there's a proposal that they might be dropped in the case of Stansted, having just gone through an inquiry of, of of this sort. Um, so we are.

00:53:17:12 - 00:53:18:28

We have a situation where the air.

00:53:19:09 - 00:53:37:09

Is very clear that night flight should be ruled out as part, if you like, of a deal on an airport expansion. And our view is that that aspect of the deal must be applied equally to Gatwick as to any other airport, if indeed the DCO was ever to be approved. Thank you.

00:53:40:20 - 00:53:52:15

Thank you, Mr. Lloyd. Um. There's somebody. Oh, there's some hands in the room, so I will go to the lady. Uh. There, please. Thank you. Can you introduce yourself first, please? And who you represent?

00:53:52:17 - 00:53:54:21

Yes. Hello. Um. Can you hear me?

00:53:55:00 - 00:54:28:22

Yeah. My. My name's Nicky Forsyth. Richards. I'm, um. I'm an individual. I'm a local resident. Um, I live in Oakley, um, and fairly close to the flight path. I just want to point out, on the subject of night

flights, that Gatwick Airport does not work within its current policy of eight hours. Um. Quiet. Um, I know this from personal experience. Every time there's an east wind, we see all the night flights coming in to land.

00:54:28:24 - 00:55:01:06

And the 11:00 watershed, in theory, will often, particularly in the summer, go on till 1230. I mean, it is every single night. It goes on well after 11:00 and at busy periods it goes on till 1230. I don't consider that a living within their means, living within the current regulations at all, and it disturbs me a lot to consider that that might be made worse.

00:55:01:11 - 00:55:29:17

I also think that it should be tightened up. I don't see any reason why Gatwick Airport shouldn't live within stopping flights landing at 11:00 at night. I mean, there's obviously I understand that there's the odd case when a flight, you know, for whatever reason, has to land in the middle of the night, we all understand there's the odd case, but this is this is standard practice that what Gatwick does.

00:55:31:18 - 00:55:34:09

Thank you very much. Um, there was a gentleman here.

00:55:34:26 - 00:56:08:24

Yeah. It means a plain wrong community group. Um, I was going to talk about the scope of, uh, uh, noise envelope. Um, Gatwick was quite unique in that at most airports, um, the noise envelope is representative of the noise that other residents outside the envelope are affected by, because generally, aircraft will continue climbing and progressively once they leave the noise envelope. Whereas at Gatwick, about 40% or more of departures are squeezed into that small gap of airspace to the north between Gatwick and Heathrow.

00:56:09:19 - 00:56:45:28

And most of those aircraft are very much restricted in the height they can go to because of Heathrow aircraft so far from aircraft, leaving the noise envelope and quite rapidly climbing and not making noise. Most of those aircraft fly across the north, fly over quite populated areas, um villages, um Reigate, parts of Redhill making a lot of noise. And from that point of view, I'm not quite sure it fits into this discussion, but it certainly shows that the noise envelope isn't really representative of the effect that noise has on people.

00:56:48:19 - 00:57:09:21

Thank you. Well, we heard some comments about, um, other metrics there and times of year. Um. On the other metrics, points or anything else the applicant wants to, um, respond to. Um, I'll give I'll ask them to to respond to that. And anything further they'd like to add to what they said before, if they think those things need further detail.

00:57:10:28 - 00:57:40:03

Uh, Scott Landers for the applicant. I'll ask Mr. Mitchell to pick up on points of detail that we've just heard. Can I deal briefly, though, with the point that's been raised by the jazz about night time restrictions? It appears to be linked to a representation they made about Gatwick as a designated airport, which they suggested was, I think, an historical anomaly and some recent representations.

00:57:41:25 - 00:58:14:00

Uh, the context the night flight restrictions regime, as we've said. Um, sir, is that effectively designation um, is carried out for this airport? The purpose of Civil Aviation Act 1982. Secretary of state has powers to designate to regulate noise from aircraft at airports, uh, including Gatwick, which are effectively of strategic significance to the country. And that context, the noise restrictions over the night have been, uh, have been set.

00:58:14:06 - 00:58:52:04

That legislative regime remains in place, and one is entitled to assume that it is going to continue to operate, given the powers that have been accorded to the Secretary of State. As matters stand at policy confirms that Gatwick has been designated for the purposes of allowing for noise restrictions to be imposed where the Secretary of State regards these as necessary, and the operative presumption is that it's appropriate for the government to take decisions on the right balance between noise controls and economic benefits.

00:58:52:12 - 00:59:43:09

That's the context in which the nighttime restrictions are imposed. The DFT consultation, which is taking taking place at the moment, does not propose to change the nighttime regime as it applies to Gatwick, Gatwick and propose a three year bridging that regime. There's nothing to suggest either, that the powers were there available under the 1982 act will not continue to be exercised where appropriate and in operating that regime, the government has said that it doesn't propose to change the nighttime regime and with specific reference to shoulder periods, that is included in the proposal that it is advancing, does not see any need to change the existing regime as applied to Gatwick, including the regime in relation to potential shoulder periods.

00:59:43:19 - 01:00:19:22

So our position is that, uh, that regime can be assumed to operate effectively. The context is the government to set the objective for nighttime controls, to take decisions on the right balance to be struck. And this examination is entitled to allow the nighttime regime to operate as it does presently, independently of the DCO. We do not, therefore, regard it as necessary to import extra restrictions in the way the JLS, anticipating through the DCO process as Mr.

01:00:19:24 - 01:00:21:21

Mitchell's pick up. Any other points?

01:00:22:29 - 01:00:54:28

Steve Mitchell for the applicant. Um, I'm only going to make two points. One is we heard some general experiences of people about how they experience, um, noise at the airport currently. And how they're therefore concerned that it will change in the future. Um, the important thing to say is that the distribution of flights, certainly in the two areas that were were talked about by the two, uh, people just making representations. Those flight paths will not change at all.

01:00:55:00 - 01:01:26:18

So we are talking about more flights. That's what the project will require is is designed to deliver. But we won't be changing those things. So for example, the route for departures to the north, which are what they are because of Heathrow restrictions, that routing will not change as a result of this project, for example. Um, I just want to pick up my second point and only the second point, um, about metrics in general. And though it's later on the agenda. So it might be we can skip some of that when we get there.

01:01:26:28 - 01:01:57:24

I won't go into. Respond to many of the points made just now, apart from the one point about additional awakenings. And the reason I think I should respond is that, um, having read representations, uh, including the joint local authorities, make a representation on the same point and several others do, that an additional awakening should be number one included in the noise envelope. And number two be judged a significant effect. And.

01:01:58:26 - 01:02:38:04

Fortunately, the CIA have reported some guidance on awakenings as an indicator of sleep disturbance as recently as 2022. The cap reference is 2251. If you want to look it up. And, um, that tells us that that was some research done following the Sona study research, and it looked at which metrics are best to judge sleep disturbance, both in terms of reported sleep disturbance and awakenings, which are not reported. Um, and to cut a long story short, when you get to the conclusion in chapter six and I'll read it to you, it's paragraph 6.6.

01:02:38:11 - 01:03:07:07

The analysis found that EdTech eight hour and Ell night do correlate with the number of additional aircraft noise induced awakenings arising from individual aircraft events at night, and the self-reported sleep disturbance results found in the Sona report. Consequently, the concerns that are expressed that averaging the nighttime noise exposure does not properly reflect the impact of individual aircraft noise events may be unfounded.

01:03:09:05 - 01:03:39:14

So to be clear, the Sears conclusion is that, um, like a tower is a good metric for judging sleep disturbance. And one of the features of Gatwick Airport that we have heard about is there are quite a lot of night flights, and that's a feature that's entirely permitted under the current regime that we've been talking about. And therefore. Those events are fairly frequent that we're familiar with. If it was an airport which only had a few events at night.

01:03:40:15 - 01:04:13:23

And clearly an LEC may not be a good logarithmic average of that sound energy. This case, with over 120 flights in the baseline in the eight hour night LEC is the correct metric to use to assess sleep disturbance and also therefore to assess the to set the noise envelope. If I can make one further point on this, um. The joint local authorities, um, suggest that if we were to plot a one awakening contour.

01:04:13:25 - 01:04:46:04

And that's not the project additional one awakening, that's one awakening in the baseline or the total noise that that might be beyond the nighttime lek 45 DB contour that we have reported. And they quote the same report that I just referred to as the reference. And if you read that report, it does say that figure two shows that one additional weakening contour for Gatwick lies near the lek. Sorry, it doesn't say that. I tell you what it says. First it says, um.

01:04:47:03 - 01:04:55:24

That the awakenings contours can be larger than the look at our contours. However, if you look at the figure and its figure two.

01:04:56:19 - 01:04:57:09

Which is the.

01:04:57:11 - 01:05:31:07

CIA's modeling of the one Awakening contour at Gatwick. The One Awakening contour that is shown sits on top of the Leica Tower. 48 decibel contour. Our assessment and our noise envelope is set at the 45 decibel contour, which is some distance beyond that. And the point I'm making is that if you were to look at one awakening, that contour lies within the leq 45 DB contour by some margin for Gatwick Airport, and therefore is encapsulated within the noise envelope that we've proposed.

01:05:37:12 - 01:05:40:19

Thank. Thank you. Um. So. Anything else? Um.

01:05:41:28 - 01:05:45:03

Thank you sir. I understand Mr. Rhodes has something to add to.

01:05:49:11 - 01:06:12:20

John Rhodes for the applicant, sir, if I may, just two brief points on planning and policy issues that have been raised, um, so far by parties. And the first relates to the characteristics of the noise envelope. Um, whether it should have winter limits, um, whether LEC is the right metric.

01:06:16:15 - 01:06:22:15

Sorry. So I missed those. I was, like, distracted them. Um. Um. Just. Just start again.

01:06:22:17 - 01:06:55:22

Thank you. Um. Points made about the characteristics of a noise envelope. Um, whether it should have a winter limit. Whether LEC is the right metric, and whether there should be additional metrics that will put this in or out. But just to note, and you're probably aware where this issue has been addressed before, uh, at Stansted, at Bristol, uh, and at Luton, the noise envelopes in those cases are based on the summer period and they're based on the LEC metric.

01:06:56:13 - 01:07:37:13

Um, Mr. Mitchell would be much better qualified than me to explain why, but I think one of the reasons may be based on the advice on cap 1129 that the metric deemed envelope should generate confidence, which means that it shouldn't be that complex. People should be able to understand it. Um, its purpose is principally achieved by one metric, um, and that the same. Paper from the CIA suggests that the noise envelope should not be so tight that it takes away or risks taking away the benefit of the consent granted, and we can see that disgust also understand instead.

01:07:37:21 - 01:08:10:17

And then the second point I just wanted to pick up was the assertion that national noise policy requires us to consistently reduce noise. And so that, of course, is the intention of the of the noise envelope as you heard. Um, by basing it on the updated central case, it would be quieter than 2019. There's a commitment to step it down, but there's also a review proposed which enables the benefit of further fleet transition to be captured.

01:08:10:19 - 01:08:44:25

So the purpose would be where practical the noise envelope could reduce over time. But in policy terms, just to be clear, the policies, you know, in the APF is to limit and where possible, reduce. And then, whilst that's been the subject of a great deal of debate, the government recognised that debate and the overarching Aviation Noise Policy statement last year, and the purpose of that stated purpose of that was to clarify. And create confidence for airports and their stakeholders as to what policy meant.

01:08:45:07 - 01:09:15:17

And it explained that, um, aviation noise must be mitigated as far as practical and realistic to do so. Limiting and where possible, reducing the total adverse impacts. And then also an overall reduction in total adverse effects is desirable. But in the context of sustainable growth and increase in total adverse effects may be offset by an increase in economic and consumer benefits. So that's the up to date statement of policy.

01:09:15:19 - 01:09:24:02

I said it's not our intention to increase impact. Um, but nevertheless that's the policy position.

01:09:25:23 - 01:09:57:15

Um. Thank you. Uh. The applicant. Um, just just I'm just going to sort of just try and orientate ourselves here. I mean, my intention, um, is to move on to the third bullet point. Um, we've had quite a bit of discussion about metrics. Times of day, times of year, secondary matrix. But I would like just

people to be clear on that. So if they've got anything else they intended to raise under those first two bullets. Um, not so we can't come back to them later, perhaps under a fourth bullet, but but they like to raise them now.

01:09:57:17 - 01:09:58:07

Yes, please.

01:09:59:09 - 01:10:08:14

So thank you. Um, Estella Horne, on behalf of Cagney. I'll take guidance from you, sir. But we were hoping to say something a bit more about stakeholder engagement.

01:10:09:12 - 01:10:16:09

I understand that you might wish to do that. So? So as it's my first bullet, I'm quite happy to take submissions on that.

01:10:16:11 - 01:10:17:21

Yes, I'm very grateful.

01:10:17:23 - 01:10:20:00

I'll hand over to Sally Pavey on that.

01:10:23:09 - 01:11:09:03

Thank you, sir. Sally Pavey for, uh, Cagney. Um. As you're aware, uh, sir Cagney is the umbrella aviation community environment group for Sussex, Surrey and Kent and participated in all the Atkins noise envelopes events and responded at every stage of those engagement. At each stage, we found our concerns and observations accepted but gave us no confidence as such. This is why we have now a noise expert in the room at these hearings, to ensure communities have a qualified expert to represent their concerns, so that we hope, sir, that Gatwick is not permitted to continue to ignore the noise issues it has today, both day and night.

01:11:09:05 - 01:11:09:27

Thank you.

01:11:11:08 - 01:11:15:27

I thank you and I see I've got. Was anybody else in the room I don't know, I don't always see.

01:11:17:15 - 01:11:22:07

Ah, as somebody else. Um, yes. On the, um, joint authorities aside.

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

Louise Condon for the joint authorities. Um, I'm not sure if this is the right time to make the comment, but I just wanted to make the comment in the context of the applicant putting forward at D6. Um, alternative uses to the right limits for the noise envelope. Um, firstly, you know, I very much welcome that the applicant has accepted, I believe, um, the view we put in at deadline five on the extent to which their revised central case effectively was an alternative slow transition case rather than a central case.

01:11:56:07 - 01:12:28:23

But I just wanted to put on the table and just sort of flag that there are still forecasting issues that relate to the setting of those noise envelope levels that go beyond simply the fleet mix. Um, they go in two ways and they go in two directions, but they, they do need to be taken into account. One is the general point we've been making about the rate of build up of demand on the north runway once it's

opened, where we think it will be considerably slower than the applicant assumes, even if it could eventually reach the levels of throughput they assert.

01:12:29:22 - 01:13:06:10

The second relates to the discussion that was just going on about winter versus summer. One of the consequences of the further work we did on the baseline, and looking at the whole question of peak spreading means that in practice, the actual peak in US in summer may well be substantially higher than the applicant has asserted. So again, those are all factors that need to be taken into account in setting the right noise envelope levels going forward. I don't want to go into any detail today, and indeed we will be putting a bit more detail in in our D6 submissions, but I think I just want to flag for you that those are two other factors you need to take into account.

01:13:07:14 - 01:13:19:05

But that's, um. Thank you for that. Um, I've got a couple of people online. If there's nobody else in the room. Anymore I can, yes, I can, yes. One more in the room. Thank you. Yeah.

01:13:21:29 - 01:13:36:01

Thank you, sir. Malcolm Fillmore, on behalf of the Raspberry Parish Council. Uh, raspberry is obviously the the parish immediately adjacent to the the runway to the west. And I'd just like to pick up a couple of points. Um.

01:13:37:21 - 01:14:11:00

The increase in night flights. Also, it's been referred to that the Department of Transport are looking at maintaining the same levels for the next period. That is only their proposal. The consultation of course, is is ongoing and there's been quite a number of representations made that that is not an appropriate, uh, way forward. So we don't know yet what the Department of Transport is saying about the number of night flights allowed at Gatwick, so it shouldn't be taken as read.

01:14:11:24 - 01:14:47:19

Um, I think what is also important is to note that. Although Gatwick has currently only recovered about 93% of pre-COVID, the number of night flights has actually increased compared to 2019. And in particular, uh, what we're finding at the moment is a substantial increase in early, very early morning flights starting at about 530, which really does disturb, uh, people quite considerably.

01:14:47:21 - 01:15:19:06

I mean, it's the, the, the number in, in, in May was double the number in that uh, half hour sector than it was in 2019. And this is a trend which we are very concerned about is continuing, uh, the, the number of night flights that go on between, uh, midnight and uh, 3:00 has also very substantial. And, um, I was told by Gatwick.

01:15:19:08 - 01:15:27:00

Well, of course, we haven't got very many complaints about that. That doesn't mean that it doesn't actually result in substantial sleep disturbance.

01:15:27:24 - 01:15:28:09

Thank you sir.

01:15:29:14 - 01:15:31:04

Okay. Thank you. I've got, um.

01:15:32:23 - 01:15:35:07

Two people on line. Um.

01:15:36:24 - 01:15:40:00

I think we'll start with, um, movieclip, please.

01:15:43:06 - 01:16:18:14

Thank you sir. On behalf of my valley, it was, um, just a general point, really, around stakeholder engagement. Um, obviously, we have heard today that, um, the applicant has is going to be presenting some fairly valuable information which, um, Mill Valley, along with the joint authorities and a number of other interested parties have been fighting for for some time. The, um, she will be well aware of the stigmas of common ground that have also recently been submitted. And there are a long list of engagement exercises that are listed in the back of those statements of common ground.

01:16:18:18 - 01:16:50:00

And I think today's, um, submission of information or presentation of forthcoming information from the applicant, um, backs up the fact that. None of those meetings should necessarily be taken as a sign of progress. Um, progress hopefully has now been made, but the arguments that have been being made by the joint local authorities and Mill Valley District Council have been going on for a number of years. Um, and a number of those points have been raised as issues.

01:16:50:10 - 01:17:24:22

Um, and are registered within the adequacy of consultation statements that were also submitted to the WSA. Um, so I just wanted to raise the general point that this is a prime example of where that stakeholder engagement with the applicant, particularly on noise, matters, um, falls very short of what we would expect. The fact is, is we should have been told ahead of this meeting that there was more going to be more information forthcoming. We were not there's no way that the applicant did not know that that information was going to be available to them.

01:17:25:09 - 01:17:38:06

Um, and so I just wanted to raise that as a point concern and as, as, um, Mr. Bedford said there are now issues which all of the local authorities will have to deal with in terms of process and indeed for yourselves. Thank you sir.

01:17:40:01 - 01:17:44:08

Thank you. Um, thank you for that. Um. And, Mr. Lloyd, please.

01:17:46:06 - 01:18:29:28

Thank you very much. I'd also like to comment on on engagement. Um, I mean, the echo did of course, consulted engage on its proposals back in 2022. Um, but it rejected, first of all, all of the engagement process proposals made by community groups and councils. And those proposals were designed to align the process with CaaS guidance and the airport's national policy statement. So we started with a non-compliant defective engagement process. The airport then refused to provide, uh, additional data and analysis that was requested that, in our view, was essential to effective noise and engagement and which only it was able to provide.

01:18:30:00 - 01:19:00:05

So we simply did not were not provided with the data to be able to judge authoritatively what metrics and what limits would be appropriate. Um, and finally, Gatwick rejected the overwhelming majority of comments on its proposals. And I think we should remind ourselves that there were nearly 6000 comments on the noise envelope in Gatwick. Initial consultation, and that of those, less than 10% of respondents supported Gatwick proposals.

01:19:01:00 - 01:19:03:09

And yet the noise envelope we see.

01:19:03:11 - 01:19:04:29
Presented to the authority.

01:19:05:02 - 01:19:50:15

Is, in all material respects, the same as the one described in that 2021 consultation. There have been two areas of change. Neither is material, in my view, so we had a tokenistic and ineffective engagement process. And I think it is fundamentally important that the airport should now be required to engage properly and under independent chairmanship to develop new noise envelope proposals. If I could also just comment briefly on the view from the gentleman from Gatwick a few moments ago about the use of LEC as a metric, it is simply not possible to characterise the CaaS view as being that a single LEC metric is acceptable for a noise envelope.

01:19:50:17 - 01:20:16:25

They are absolutely clear that noise envelope should use a combination of parameters and with respect to the view. That noise envelope should be simple is it may be a worthwhile aspiration, but community groups and councils and all other stakeholders are very competent to deal with complexity and noise envelopes and indeed believe that that significantly more than an electric is what is required. Thank you.

01:20:19:23 - 01:20:41:03

Thank you, Mr. Lloyd. Um, I think that's it for, um, comments I will. I wasn't going to do this. Give the applicant a chance to make a brief response. Then we'll have a break. Um, um, perhaps a 20 minute break. I'll come. I'll confirm that when we do it. But just so we have a chance to sort of clear our thoughts and reflect on what we've heard. So obviously. Applicant, briefly, please.

01:20:41:12 - 01:21:20:18

Uh, Scott, the applicant. Thank you, sir, I'll ask Mr. Sinclair from the airport to pick up any points relating to community engagement, specifically that he wishes to respond on. As Miss Condon's point on forecasting issues. I do not think we need to get into those today other than to say that insofar as there is reference to outstanding forecasting issues, our position is that we don't accept the points that have been raised by, uh, by York Aviation. But insofar as those are going to be reflected in comments, particularly on the future baseline work that are we expect to be submitted at deadline six, we can respond to those in due course rather than taking time on them today.

01:21:21:09 - 01:22:10:03

Um, as for at points, um, relating to, uh, the, uh, nighttime flights, disturbance from uh, from those, I think a number of those points appeared have been raised by the parish council in relation to the existing airport, obviously. Um, and, uh, not necessarily in relation to the project with the noise mitigation that is going to be proposed as part of it. But many advantages said, uh, whilst that consultation with the DFT in relation to nighttime flight is ongoing, the point is that this is a matter which is with the DFT, with the Secretary of State under a separate legislative, um, uh, regime, which we say there's no good reason to indicate that that will not operate effectively as an independent control, irrespective of the DCO.

01:22:10:15 - 01:22:45:04

Um, as for the response from Mill Valley in relation to stakeholder engagement, so Mr. Sinclair can pick that up, but we simply don't accept the implication that we've somehow been sitting on this information. We've done the updating work, as I've mentioned, submitted a deadline for. And after that, we've gone through decision making procedures which you'll recognize or have to be gone through at an airport such as this at cognizant of the concerns have been raised by, uh, by other parties.

01:22:45:10 - 01:23:16:29

But it's not fair, frankly, for others to suggest that, um, this is somehow a failure of a consultation process that has taken place over many years, of which this is the latest development and the refinement of the proposals an extremely helpful way, we suggest Mr. Lloyd's reference to a consultation process involves 6000 respondents, tends to confirm the robustness and the effectiveness of the consultation process, rather than the opposite. And I'll ask Mr. Sinclair to pick up on any points.

01:23:20:16 - 01:23:50:22

Thank you. Good morning, sir Andy Sinclair, head of noise and airspace at Gatwick Airport on behalf of the applicant. Um, I'm not surprised, but slightly disappointed by the characterization of the engagement process that the, uh, airport undertook. Um, as most people will know, that began with the consultation process that Mr. Lloyd alluded to and the 5941 responses that we received in relation to noise, 1000 of which specifically called out the noise envelope.

01:23:51:03 - 01:24:25:23

Um, again, it's worth saying that the noise envelope has evolved over the entire period, from the beginning of that consultation back in September 21st, that that 12 week public consultation through the establishment of a noise envelope group, which was based on our community based noise management board, um, what we did was to take the themes identified largely through that initial engagement process. But also through some themes that are identified through the the cap that has been mentioned today, cap 1129.

01:24:26:04 - 01:24:57:18

Um, and use that to create the basis for the framework through which the noise envelope group will work. Now that was a really important basis from which to start. Um, two points to make. One is the, I guess, the undue weight placed on cap 1129. Um, the Department of Transport and the Civil Aviation Authority have been really clear about the status of that cap. Um, I won't do it today, but we can talk through or provide a response to explains the difference in the types of civil aviation publication.

01:24:57:20 - 01:25:27:28

And this was clearly, um, identified as a, as a research study and certainly not policy and certainly not guidance. The second point I'd raise is that even though that was the case, we feel we went beyond that process and some of the things that were identified. One example would be the involvement of community noise action groups in that process. So, for example, Cap 1129 does not specifically call out the involvement of community groups in that process.

01:25:28:00 - 01:26:08:03

It talks about community stakeholders and specifically identifies local authorities. Um, we took the view that basing our engagement with local stakeholders using the noise Management Board was the most effective approach to that process. Uh, what that meant was we held 12 two hour meetings, um, with various stakeholders through that process. Um, outside of that process, um, we also engage separately through noise topic working groups. Um, I guess over the past or 18 months prior to, uh, prior to this examination, we would have engaged nine times with local authorities outside of the noise envelope group process.

01:26:08:05 - 01:26:43:12

Those 12 meetings, uh, in which local authorities were also involved. So, um, as far as we're concerned, the engagement was extensive. And it's worth making the point that. We welcome the involvement of the community nodes, action groups, some of which are gathered here today. But framing it on the basis of that public consultation was really important to us because, uh, you know, recent work, um, as we start to restructure our noise management board has shown that, um, uh. The noise action groups are not very well known amongst the local communities.

01:26:43:14 - 01:27:29:29

So an independent survey as part of recent work, um, that interviewed just over 2000 people, showed that around 1% was able to identify, um, Gatwick community noise action groups and that was a survey undertaken in the local area. So framing the consultation and engagement process in that way, that way, we felt gave us a really, um, solid foundation through which we could progress. The final point I would make is, um, if you look at the initial outline of the noise envelope and you look at where the noise envelope is today and the evolution that continues to take place, um, uh, I defy anyone to tell us we have not listened to stakeholders and developed the noise envelope on the basis of that process.

01:27:33:00 - 01:27:36:09

Let's call on the applicant. Um, Mr. Rhodes has something to add as well.

01:27:36:28 - 01:28:16:24

So just very briefly, in relation to the timing of the, uh, announcement that Mr. Lane has made this morning, that we would base the noise envelope on the updated, um, fleet mix. Just to remind you. So the updated fleet forecast was submitted at D4, responded to at D5. And as part of that response from the jazz, we received a very helpful document prepared by Mr. Condon reviewing the fleet forecast. That was on the 6th of June. Um, we reviewed that document. We have some issues that we will respond to it at D6, but nevertheless, uh, it shouldn't be said that either this process isn't working or that Gatwick is not listening.

01:28:16:26 - 01:29:02:09

It was as a result of that, and in anticipation of this hearing, that a board meeting was necessary last Friday at Gatwick, because you'll recognize a significance for the airport of accepting the noise envelope, it's never been constrained in that way before. And to tighten voluntarily tighten the noise envelope is a very significant step for the business to make. But what was Condon's paper and the work that Gatwick have done to help them to recognize that from the uncertainty of Covid, gaining more confidence around fleet mix for the future and that enabled that decision to be taken, is taken as promptly as it could be, and it was taken in as part of this process.

01:29:02:13 - 01:29:09:27

And as Mr. Sinclair says, it does, uh, demonstrate that Gatwick is listening and that this process is working.

01:29:14:26 - 01:29:34:25

Well, thank you everybody. Um. The time. I make. 1129. Um, I think we've actually got through the first two bullet points of 6.1. So I propose that we take a break now for 20 minutes. So we'll reconvene at, um, 10 to 12. We've adjourned. Thank you.