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00:00:05:04 - 00:00:39:26

1150. Uh, this uh hearing is resumed in into, um, other environmental matters. And we're still on agenda item six, uh, on noise. Uh, 6.1, um, on noise envelopes. And. I think we can now move on to my third bullet point. Um, which on my own notes, I've, I've had it assurance, assurance and enforcement, which is, I think more about process. Um, I'm hopeful that, um, these questions and discussion will still be relevant.

00:00:39:28 - 00:01:00:00

Um, bearing in mind what we've heard earlier. So, um, as things stand, um, so setting aside the limits and the metrics just for the, for the purposes of this, um, if the applicant exceeded its own proposal, how long would it take for this to be identified?

00:01:05:02 - 00:01:40:11

It's Martin Jarvis speaking on behalf of the applicant. And the principal way in which the noise emissions from the airport will be monitored will be for you through future forecasting on a five year period. So in reality, what will happen is the airport would identify a potential breach well in advance of that occurring and would then take the steps necessary to correct that before it occurs. There is, of course, monitoring of actual noise levels, but that's primarily as a measure to correlate and verify the forecasting to ensure that those breaches don't arise.

00:01:45:14 - 00:01:47:15

Thank you. Um, thank you for that. Um.

00:01:50:00 - 00:02:07:25

So if you identified. So what I heard there, I think was slightly different to what I expected. There was some element of anticipatory or I'll call it preventative. Um, analysis is can you just what would you like to maybe expand a bit on what you've just said, just so we understand it a bit more perhaps.

00:02:08:10 - 00:02:48:07

Yes. Martin Jarvis, on behalf of the applicant. So. Within every annual Monitoring and Forecasting report that submitted every year, we are required to submit a future forecast of the next five years participating Gatwick business, identifying noise emission levels from that anticipated level of business and type of flights. And that will explain the position for that five year period. If within that forecasting, it's shown that there's any breach predicted within any point in that five year period, there is then a restriction which says Gatwick cannot release capacity until it's identified the measures to correct that potential issue in the future.

00:02:48:15 - 00:02:53:25

So it's a forward looking preventative approach, which is the principal way that the noise envelope will work.

00:02:57:05 - 00:02:59:23

Thank you. No, thank you for that little bit extra. I'll, um.

00:03:01:16 - 00:03:10:03

I'll ask them. For. So all you're saying. Let's put it this way. Are you saying then that a breach would never happen?

00:03:11:18 - 00:03:22:10

I am saying that a breach is very unlikely to happen because it would have been identified in advance of it occurring. So it's not likely that a breach, an actual breach of the noise envelope limits will occur.

00:03:25:06 - 00:03:32:19

Is what you just described to me. Any different or development of what's in the various material in the submissions to date?

00:03:34:03 - 00:03:34:23

No, sir.

00:03:36:02 - 00:03:47:01

Thank you. I'll ask people to, um. On comments from interested parties on on just this then please. Um, starting with the local authorities.

00:03:47:15 - 00:04:26:02

Uh, thank you, sir. Lois Lane for the joint local authorities. Uh, this goes to what we've been referring to as the requirement for an environmentally managed, uh, growth framework. Uh, we would submit, uh, we put in our submissions on that concept at deadline five. Um, and essentially, the difference between the parties on this point at this stage seems to be that whereas what is being proposed by the applicant is that additional capacity wouldn't be able to be released if there was an anticipated breach.

00:04:26:04 - 00:05:06:22

We are saying that growth within, uh, permitted capacity should be constrained if environmental standards are not being met. Uh, so essentially, while both options have a degree of, uh, sort of prediction about them, uh, what we have submitted in uh, rep 5093 um, pardon me. 5094 um, is that. Is that there should be a system of thresholds and limits, and that where thresholds are exceeded on the way to limit that growth shouldn't be allowed within permitted capacity.

00:05:06:24 - 00:05:25:08

At that point. If those noise metrics that that have been committed to are not being met. So it's essentially a question of sort of timing and sequencing that that mitigation should be in place where the harms are being felt, that there shouldn't be a lag on that mitigation.

00:05:27:24 - 00:05:32:24

Um, if I could just allow, uh, Miss Congdon to come in on this. Louise Congdon for.

00:05:32:26 - 00:06:08:02

The joint local authorities. I think the practicalities of this having sort of listened to the response from the applicant or the comments this morning, is. Almost, whether it's a forecast breach or an actual breach. By the time you've identified that post coming into operation of the northern runway, you're already into having declared the capacity. Declaring capacity is about declaring the annual movement that the hourly movement limits that you can accommodate on the runway.

00:06:08:04 - 00:06:38:23

And as we've seen, that isn't precisely related to the actual movements at the airport. You end up with some hours where you've got more capacity available, whether or not the airlines want to use it or not. So at the point by which you've identified that there's either a breach or a forecast breach, which may say with the northern runway opening in 2000 and in in 2029, it would be into 2030 before you've identified that there's a breach or a forecast breach.

00:06:39:06 - 00:07:16:10

At that point, you have already fully declared the capacity for 2031. So the earliest you could actually say, well, we'll stop declaring any more capacity will be 2032. Whereby if the applicant is right and we don't accept this, but if the applicant is right on the rate of buildup of demand to use the northern runway, you've already allocated all of those slots. So you have an exceedance, you've allocated all of those slots, and then you're into the difficulties and the problems of how you take those slots back off airlines in circumstances where they have grandfather rights.

00:07:16:23 - 00:07:47:11

That's why we're saying you need to put in place these thresholds that actually allow you to say, we're getting a bit close. We'd better look at maybe not declaring any more capacity, maybe holding back some of that capacity that we've declared to the extent it's not already been allocated, and actually putting in place forward looking QC budgets, certainly for noise control purposes, to make sure that you're less likely to exceed your noise limit. We can't see what the danger is on putting in place forward looking QC budgets.

00:07:47:13 - 00:08:03:00

It's only the same mechanism is used in a 6.5 hour night period at the moment. Um, you know, there's no reason why that couldn't be done for the whole of the day, for the whole of the night period. That gives a bit more certainty and minimises the risk of an exceedance actually arising.

00:08:05:22 - 00:08:16:14

Thank you. Thank you for that. Um, I see I have a hand up. Um. From, uh, Mr. Holcomb on behalf of Cagney. Um. Yes, please.

00:08:17:18 - 00:08:52:28

Ben. On behalf of Cagney. Just to follow on from the points made by the jazz, there is that there is also does not appear to be any plan should a breach occur. That's purely relying on a breach to not occur. And then if a breach does occur, there's no plan in place and it takes even longer to actually fix. Rather than having a plan in place, however necessary it's deemed would be much more useful because should a breach then occur, everyone turns to the plan and starts rattling through it, rather than having to draw up a plan at the point in which a breach occurs.

00:08:53:00 - 00:08:57:17

And that can take many years, as we've seen with the breaches that have occurred historically at Luton.

00:09:02:04 - 00:09:02:19

Thank you.

00:09:05:21 - 00:09:09:13

Is there anybody else who'd like to comment on what they've heard?

00:09:11:03 - 00:09:18:15

But far on this I can't see anything online, so I will invite the applicant to respond to those points. Thank you.

00:09:18:29 - 00:09:51:18

Martin Jarvis, on behalf of the applicant, I am going to briefly respond to the comments made about, uh, environmentally managed growth in the use of threshold levels. And I will also address the point that's just been raised by Ben Holcomb about there not being a plan in place. I will then pass to Stephanie Weir, who's going to explain how Gatwick plans its business and releases capacity, and why

that alleviates some of the concerns expressed by Louise Condon. So in relation to the use of threshold levels, I think the difference between EMG and what's been proposed and what Gatwick is proposing is that EMG is instinctively backwards looking.

00:09:51:23 - 00:10:23:22

It's always looking at what's happened and how close you are to a limit. And as a consequence of that, it's absolutely necessary to have thresholds in place so you never actually exceed those limits or you're ensuring measures are in place. What Gatwick are doing is providing a five year future forecast within that, that will identify how close you are to the limits in all of those five years. And it's a paragraph 715 of our noise envelope document. Further information we have to submit in that annual Monitoring and Forecasting report is details of the actions that are required to be taken to remain in compliance.

00:10:23:24 - 00:10:44:05

So we will already be explaining the things we're doing so we don't breach the noise envelope. Then we get to the point that Mr. Holcomb has raised about there not being a plan in place. If there is a breach that's entirely incorrect. There's very clearly a section in the noise envelope on compliance plans that applies if there's a forecast breach or if there's an actual breach, which requires measures to be taken to bring Gatwick back into compliance.

00:10:47:25 - 00:11:30:23

Good morning Stephanie. We are for the applicant in relation to the declaration process. The declaration process at Gatwick is an extensive process that we undertake years before the actual declaration is done. Now, in order to understand how we arrive at the conclusions of the declaration process, you must understand that it is based on a business plan, a forecast that we do five years out and that we review periodically. We are looking and we are basing this knowledge on extensive, uh, relationships and conversations we have with the airlines on our long term contractual, uh, volume obligations with the airlines as well as the historic performance of the airlines.

00:11:30:25 - 00:12:08:28

We know what the airlines are going to do. We know which airlines would like to come into Gatwick, and we are able to forecast that properly. We start the declaration process in July. So in peak summer we have very good information of what has happened by the time we get to July. And we also have a very good idea in July of how the rest of the summer process is going to go. So we are able to accurately. Still accurately understand how much noise will be finished in that season, and also what we are expecting the demand to come for the next season.

00:12:09:00 - 00:12:26:01

So when you combine those two factors, we would know whether or not we can or cannot release capacity based on the performance of that season. So we have the full right as the airport to not release capacity. Should we be concerned about any potential breaches?

00:12:28:19 - 00:12:30:01

Okay, okay. Can I ask a sort of.

00:12:30:14 - 00:13:02:07

Sorry on behalf of the applicant? I'd also just like to explain the point around this idea. There's a lag to the mitigation being in place, and that the capacity has already been declared by the point at which that breach occurs and it can't be corrected. That would be correct, were it not the case that there was such a forward looking forecast being undertaken, aligned with the business planning? It's not likely you're going to identify a breach in year 1 or 2 when you didn't identify it, when it was in years four and five. So you're always going to be reacting and restricting the declaration of capacity before that breach arises.

00:13:02:09 - 00:13:22:19

This is very specifically why we have stated that if there's a forecast breach in any of those five years, Gatwick cannot release capacity in the next season or until it has corrected what that predicted issue will be. So that will always prevent the breach arising, and therefore it's not the case that there is always a lag to the restrictions on capacity applying.

00:13:24:29 - 00:13:34:08

I thank you for that further detail. I'm going to still allow people to come back or comment on what they've heard, as there was some, um, disagreements there.

00:13:36:02 - 00:14:11:09

Louise Condon for the joint local authorities. I've heard what the applicant has said, but with respect, I still don't think it provides that certainty if the capacity has already been released. Potentially you've already made the declaration. Maybe it's not been taken up, um, entirely. There may be a lag. It's very reliant on this sort of trust in the internal process. If the applicant is so confident that it's always going to get its forecasting right. I don't see why it is resisting having appropriate forward looking budgets and thresholds in place.

00:14:11:11 - 00:14:42:19

All they do is give the communities more certainty that those limits can't be breached. I mean, I hear what the applicant says about the robustness of its business planning processes and the accuracy of its forecasting. Um, I think having again looked at some of the material that's been submitted at D5, we will be coming back on that accuracy and the reliability of it. Um, in terms of other issues. But I think it goes to this point, you know, it's all very well saying, trust us, we've got a business plan. Trust us, we won't declare capacity.

00:14:42:21 - 00:15:01:23

But looking at the ramp up in the early years that the applicant expects, they expect effectively most of the capacity from the northern runway to be taken up in the first few years, in which case the horse has already bolted. So we really can't see why forward looking controls aren't appropriate in terms of managing that and giving assurance.

00:15:03:13 - 00:15:18:04

Thank you. Um, I appreciate you want to come back on that. Um, I suppose for us here, I mean, and I think I've read also. Ben. Let me. Let me invite Ben. Mr. Holcomb, sorry to to, um, comment before I carry on.

00:15:18:20 - 00:16:00:05

Mr. Holcomb on behalf of Cagney. Yes. The statements within, uh, the document reference rep five zero 30 is the updated, um, that's the tracked version that we're referring to. They simply state that a plan will be put in place. There's no actual meat to this plan or any substance to this plan. And there's a very different things. Um, and it's just from a second point, the only thing that is committed to that I can see in that plan is what Gao or the applicant will look at the input data into the noise model, uh, rather than actually thinking there's any breach, they're going to just try and find the way that the model is wrong rather than having a bridge.

00:16:04:12 - 00:16:38:11

Thank you. Um. Before. Before he was born. I suppose when I came to this subject area, I was thinking, you've got business plans and forecasts that that in my mind you then convert to an Oracle an operating plan, which is where you get into the nitty gritty of of frankly. Numbers of slots, numbers of flights, types of flights, times a day, etc., etc., etc.. Um, and it's and that can be a complicated

process. Appreciate that. And there's possibilities for planning and things change. Um, so what role is there? Um, I think my question is, um.

00:16:41:01 - 00:16:52:28

If that approach that you've outlined. I mean, will it be independently checked, verified and provide to provide assurance that it is robust as you as you suggest?

00:16:54:10 - 00:16:59:15

Uh, Martin Jarvis, on behalf of the applicant. Yes. It will be independently verified by the CIA.

00:17:01:00 - 00:17:02:27

And as long as I was expecting. Um.

00:17:05:10 - 00:17:08:08

Would you like to respond to the other points made by the other interested parties?

00:17:08:10 - 00:17:41:07

Yes. Thank you sir. So in respect to the point made by Ben Holcomb, I would just direct to paragraph 7.2 of the noise envelope, which explains what a compliance plan needs to include. It's quite comprehensive. Um, obviously what would be in that plan would be reflective of the issue that's being experienced, and therefore it can't be prescriptive as to what the measures would be. But it does clearly detail the information that would need to come forward and that would need to satisfy, as we've just discussed, the CAA, that they agree that this would be appropriate to rectify any forecast breach or any actual breach in the very unlikely event that occurs.

00:17:41:16 - 00:18:25:09

I think to respond to the points made on behalf of the Glas would identify that the ways the Glas have approached this in preventing environmentally managed growth is not to ask for a forward looking mechanism to be in place, it's to look for a backwards looking mechanism to be in place, which then engages controls in the event threshold limits are met, which is not. The approach Gatwick has taken, is it considers a forward looking approach as far superior to that in terms of preventing breaches from arising. Looking further into the future, rather than looking back at one year previous to see if there is a problem with regards to whether it's appropriate to convert that into a QC budget or something of that nature within Gatwick Sound Planning, it will be considering how it can best convey to act as the person that declares the slots and allocates those.

00:18:25:11 - 00:18:45:02

How they do that, that may well be converted to a QC budget, but the fact is we are needing to be compliant with the noise contour. There will be a QC budget that responds to that. It does not naturally flow that you therefore need both. What you need is a clear identification of what the control is, which can be understood by communities in a clear way, which is what Gatwick has proposed.

00:18:47:28 - 00:18:54:13

Thank you. I think I think I'll allow the authorities to respond to those comments. Thank you.

00:18:54:19 - 00:19:34:15

If I may come back just very briefly, Louise Congdon for the joint local authority. I know this lady wants to get in as well, Doctor Lane. Um. Just on that specific point about QC budgets in the role. I think they are forward looking tools and with the greatest respect. One of the reasons that we've proposed that, and I think it alludes to something Mr. Hawkins just said for Cagney, is the lessons that were learnt at Luton, where there was a breach and the airport operator, with the best of intentions, thought they had put in place mechanisms to prevent the exceedance carrying forward of the noise control.

00:19:34:20 - 00:20:06:15

And so it was all done with the best of intent, with the best goodwill and planning, as we've heard from the applicant here. And I think when pressed at the Luton examination and the Luton Green controlled growth papers are in front of you, I think now they've been submitted I think or, or referenced they it became clear to us working on the Luton DCO that actually you need something more than simply forward forecasting retrospective controls. You actually have to start really planning your limits.

00:20:06:17 - 00:20:28:03

And that once the declaration has been made, as I said before, the horse has bolted. So I think all we're saying is there was a lot of work done there to look at how actually you could make sure that controls were robust. And all we're suggesting is that those same learnings are applied here to make sure that it minimizes the risk of an exceedance.

00:20:32:14 - 00:20:33:19

He wants to say anything.

00:20:33:21 - 00:20:35:14

More on the joint authorities.

00:20:36:06 - 00:21:09:00

It's so. Yes. Lois Lane, on behalf of the joint local authorities, this is on the monitoring issue and the CIA. Just to make the point that we're still not happy with local authorities not having a monitoring role. There's been quite a lot of exchange of representations, which you will have seen about the role of competent authorities under EU regulation five, nine, eight of 2014 and article six three of that regulation and the domestic implementing regulations in its deadline.

00:21:09:02 - 00:21:40:25

Three representation rep 3106 the applicant cited one of the recitals in that um regulation recital. 13 as as supposedly evidence that we, as an organisation with local community interests at heart, weren't able to be competent authorities. We don't agree with that for a number of reasons. I won't go through them in in detail now, but essentially we would just make the point that, that that text is, is from a recital.

00:21:40:29 - 00:22:22:27

So it doesn't have direct legal force. We would question through you whether the applicant is, uh, sort of challenging the lawfulness of the 2018 domestic implementing regulations, which do have local authorities as competent authorities for the purpose of monitoring of noise restriction or operating restrictions under article 63. Um, and just one final point the applicant admitted in its rep three uh submission the final sentence of recital 13, which reads that this should not be understood as requiring member States to modify their administrative structures or decision making procedures.

00:22:22:29 - 00:22:39:27

So essentially, we we still think that we are competent authorities for the purposes of monitoring operating restrictions. We think that the noise envelope would be an operating restriction or at least contain them. And we think that we should have a role in monitoring of the noise envelope.

00:22:42:18 - 00:22:49:08

Thank you. I've got a hand in the room, so I'll take that first before going to the people. On, on. Thank you.

00:22:50:13 - 00:23:13:11

I said thank you, Estelle de Haan, on behalf of Cagney, just to endorse, in terms of the legal analysis, everything that the joint local authorities have just said. Uh, we agree with their interpretation of the regulations and are very concerned about the suggestion of the local authorities being excluded from the process and wrongly so. I know also Mr. Holcomb has something to say about this as well.

00:23:15:22 - 00:23:20:01

Yes. Thank you. Um, I can see, um, it's the Holcomb, please.

00:23:20:22 - 00:23:47:02

And Holcomb, on behalf of Cagney. Yes. Just to further add to that point, at the, um, P19 enquiries, it was known at Luton Airport, um, to regularise the noise breaches that had occurred. Uh, the inspectors had very, very strong praise arising from how the local authorities had handled the matter. And, uh, there's clear parallels to be drawn to this instance as well, I think.

00:23:50:27 - 00:23:55:14

Thank you. Um, I've also got Mr. Lloyd online, Mr. Lloyd.

00:23:55:20 - 00:24:26:11

Thanks very much. Charles Lloyd from from GAC. Um, if there were to be a breach of the noise envelope, the result would be an additional noise burden being imposed on communities. Um, but Gatwick doesn't appear to be proposing that breaches would have either any financial consequence or any or trigger any compensatory reductions in future noise limits. Um, and both of those are things that the CaaS advice in Cap 1119 suggests should be included.

00:24:26:13 - 00:24:50:23

So there should be a financial consequence. There should be a sum of money paid to communities to compensate them for the additional noise burden that have been imposed on them, and that there should be, and that future limit criteria should be reduced to reflect the excessive noise that communities have been asked to suffer. Um, so those are points that we put in our past representations, but as yet, there's no reference to them in anything that Gatwick has proposed or said to us. Thank you.

00:24:52:29 - 00:25:03:16

Thank you, Mr. Lodge. I think you've anticipated one of my questions, actually. Um. Uh, so if there's nothing else, I'd ask the applicant to respond.

00:25:05:12 - 00:25:07:18

Try anything they wish to respond to. What I've heard there.

00:25:08:29 - 00:25:43:14

Thank you, sir. Sir Martin Jarvis, on behalf of the applicant, to respond to the first point around the learnings from Luton and looking at EMG, we obviously looked at that very carefully when it was proposed and we considered whether that was an appropriate approach to defining a noise envelope or whether there was a better approach that can be taken. We are very happy that there's a better approach that can be taken. If we look at the example of Luton having breached its noise levels, explained by Miss Condon, Luton breached its noise levels because it wasn't future forecasting what its noise levels would be, and if it had have been, arguably that breach would not have occurred.

00:25:43:18 - 00:26:13:29

We do not consider that the appropriate response to that for Gatwick is to then take an approach where we are sort of acting with a relevant level of willful blindness, of looking backwards year on year, to understand if we're close to a limit, and we then have to do something very quickly to correct it, rather than being able to put in place a well-considered plan. Looking 4 or 5 years into the future, which will

prevent these issues arising. So I think we have listened to the lessons learned there, and we've come up with a proposal which responds to that.

00:26:14:11 - 00:26:53:20

In terms of the comment around who should be the the authority to monitor the noise envelope and the comments that it should be the local authorities in accordance with the regulations. I would dispute that. I do not think that is what the 2018 regulations provide for. They very specifically provide that in circumstances where the restriction has been imposed under a DCO, it's appropriate for another authority to be monitoring that, and we will respond to that in writing to clarify the position. There's no issue with the lawfulness of the proposals and proposing the CAA as the appropriate independent and expertise and expert body to consider this issue.

00:26:54:10 - 00:27:36:01

Thirdly, I will address the point of whether what would happen if there were a breach and that there's no consequence for Gatwick in those circumstances. We all know that's obviously not the case. The first thing that Gatwick would need to do if there were a forecast breach for an actual breach is produced a compliance plan that would have cost attached to it in terms of the measures that would need to be taken by the airport, and it would ensure compliance moving forward in the unlikely circumstances where that did not occur and Gatwick was not able to come back into compliance. There are enforcement provisions in the Planning Act for just this reason, and actions could be taken to require Gatwick to take steps which again would have financial consequences, which could, for example, be court injunctions requiring the airport to operate in a different way.

00:27:36:03 - 00:27:52:15

That would be within the scope of what the legislation provides for. We are simply bringing forward a framework which is within that scope, with an applicant who has knowledge that they have to comply with what the noise envelope requires, because if there were a breach, there would be much more significant financial and business implications for them.

00:27:54:03 - 00:27:57:27

No Scotland Yard. Mr. Rhodes have something to add in relation to Luton?

00:27:58:00 - 00:27:58:15

I think.

00:27:59:13 - 00:28:31:01

And your drawings for the applicant. Just a couple of short points, if I may. And really, to identify that, I think there is an issue of principle here, and it's an issue of who controls the airport essentially. And it's, you know, interesting that the local authorities are not happy with the fact that Gatwick is a designated airport, but it is a designated airport until government policy and guidance changes. That is the position, and it's the position for the reasons set out in the APS APF.

00:28:31:17 - 00:29:12:10

Um, and I hope you may understand Gatwick reluctance to surrender control of its airport to the local authorities when the proposal for an environmentally managed growth would require Gatwick to plan and agree with the local authorities margins less than the growth of the airport, and agree actions in order to plan beyond that. And we don't know exactly how that would work, but the EMG document submitted, for instance, suggests that there should be a two year delay on slot allocation in order that the local authorities can make sure that there's going to be no breach.

00:29:12:29 - 00:29:46:21

Um, which does seem to us a remarkable suggestion, but it also perhaps explains a reluctance to surrender that control. Gatwick has absolutely no desire to breach its noise envelope. It would be very

disruptive for business and for reputation if it did and has as well as said Gatwick knows its airport. But two particular things. One is that the approach to forecasting five years ahead on an annual basis is different from that which was suggested at Luton.

00:29:46:23 - 00:30:17:01

And we think there's no reason to think why that's not going to be effective, to look five years ahead, to see if there might be a breach and then ask why would there be a breach? What would have to happen for that to be so wrong that there was a breach? Um, but also to recognise that Gatwick is going to clearly going to plan with a buffer to make sure it doesn't breach the envelope. Um, and as we get used to how to do that, we'll get better and better that I suspect.

00:30:17:18 - 00:30:57:15

Um, but two things to say in relation to that. One is the independent verification from the CAA. So they are the expert body for these purposes, and they are effectively going to police this arrangement. Um, but the second thing to say is that we have asked ourselves, in anticipation of this hearing, exactly what would we do on a day to day basis to make sure that we stay within the envelope. And we propose to set that out to you at deadline six? Um, we don't think it's necessary to kind of tie down those actions, because what it will explain is there are a number of tools available to an airport to make sure it stays within its, um, limits.

00:30:57:27 - 00:31:15:21

Um, but we will set out our options and are the way we would go about it, um, and particularly the role of the CAA in testing that with us independently verifying it. And we hope that that would provide you with confidence that the noise envelope will be observed.

00:31:20:01 - 00:31:21:10

Thank you. Thank you. Um.

00:31:23:27 - 00:31:54:00

I think at this point we've heard a good range of views there. If nobody else has got anything to add to that. Um, I think we've already covered some of the things that I was going to cover under item four in terms of additional metrics or alternatives and those sorts of things. I'll just give people in the room an online a final opportunity to make any comments. On item 6.1 on the agenda. Otherwise, I will move on to item 6.2.

00:31:56:06 - 00:31:57:09

Yeah. Okay. Yeah.

00:31:58:03 - 00:32:28:19

So I'm very grateful the stallion on behalf of Cagney just to flag that, um, picking up what was said earlier in terms of community engagement about the reference by the applicant to something of which we were unaware, which was apparently a survey that was undertaken or some surveys. And we're going to make some submissions about that, um, at deadline six. But to flag if the applicant is going to be relying on that information, we would like to see the surveys. We would like to know where the surveys were conducted.

00:32:28:21 - 00:32:35:16

We would like to see the questions that were asked, asked for the surveys, and we would like to understand why the surveys were undertaken. Thank you.

00:32:37:01 - 00:32:41:03

Thank you. Um, does the applicant want to respond to that briefly?

00:32:44:04 - 00:32:44:19

Mhm.

00:32:44:21 - 00:32:49:15

Uh, Scott, for the applicant we can we can take that away sir and see what information can be provided.

00:32:50:14 - 00:32:55:14

Thank you. I've got also, um, the joint authorities. Yes.

00:32:56:05 - 00:33:18:27

Please confirm to the joint local authorities, I think, just to clarify or to sort of put down a marker. I think we made the point that Gatwick proposals introduce a two year lag in terms of changes in declaration of capacity. We didn't suggest that there should be a two year lag, but we can perhaps clarify that in our responses post submission. Post hearing.

00:33:20:22 - 00:33:22:03

Yeah, that would be helpful.

00:33:25:04 - 00:33:29:06

If there's nobody else. I thought there was, but perhaps they've gone. Um.

00:33:31:08 - 00:33:40:23

I'm just letting them know online. I'd like to move on if we can, um, to try and get through the rest of this before. Before 1:00 ish.

00:33:42:08 - 00:33:48:24

So I'm moving on to noise insulation. So a change of a change of subtopic, if you like. Um.

00:33:52:18 - 00:33:59:19

A question really, since the applicant is, could the applicant be more proactive in encouraging the take up of of the relevant schemes?

00:34:04:01 - 00:34:39:12

Steve Mitchell for the applicant. Um, we have laid out how the schemes will be advertised in the update to the noise insulation scheme, um, including contacting all residents who are eligible. Um. I would make a general point here that we've had. At deadline five. The submission from the Joint Local Authorities with approximately 30 detailed comments on the noise insulation scheme. Um, and we think there is definitely merit in engaging with them on those specific points.

00:34:39:14 - 00:35:06:25

And we're going to propose a topic working group to go through that in the next few weeks. Um, so we will be submitting an update to the noise insulation scheme to address those suggestions as best we can. They are quite specific, and I'm sure you want to cover a few of them today, but as an overriding principle, we'd like to go through them and and adopt as many as we can within reasonable, um, levels of confidence, of course.

00:35:08:17 - 00:35:25:12

Thank you for that. Um, I think that's probably preempted some of my questions because obviously I'm aware there's quite a quite a few comments. Detailed comments. Um. Expects that, um, the joint authorities may well be covering some of my comments. But I'll let them speak for themselves.

00:35:26:10 - 00:36:03:14

Thank you, sir Lois Lane for the joint local authorities. We're very glad to hear that about the proposed, uh, topic working group. Would be very glad to engage with that. Um, I won't run through the full, detailed list of our our concerns there. Set out in section three of rep 5094, which is our response to previous submissions. Um, they include a sort of very high level that we think that there would be merit in the use of of single mode contours to determine the extent of the qualifying contours.

00:36:03:18 - 00:36:41:04

Uh, we think that there would be merit in determining the boundaries of contours around settlement boundaries. Just so you avoid a situation where you have sort of half of a short road being included and half not. Um, we think that there would be merit in including an area, again, under a one additional awakening, uh, contour. But we're aware that there's there's some disagreement there. Um, and crucially, we think that the inner zone ought to commence from 60dB, um, like, uh, 60 now rather than 63 as proposed.

00:36:41:08 - 00:37:14:23

Um, that would be in line with the approach that is recommended, uh, in aviation 2050. Um, at paragraph 3.122 of that document where the government is considering the idea of shifting towards a or proposing, in fact, to shift towards a 60 decibel threshold for the inner zone of noise insulation schemes. Um, we have a number of other sort of more detailed concerns, but those are the high level, uh, things that we'd like to see some kind of movement on from the current scheme.

00:37:17:16 - 00:37:22:03

Would anybody else like to comment on? Um. This this item.

00:37:24:04 - 00:37:32:24

Quite medication schemes. Yes, I can see. Um. Uh. I'll start with, um, Lisa. Scott, please.

00:37:40:02 - 00:37:43:27

Is it? This is Scott online with the hand up.

00:37:49:18 - 00:37:54:01

Well, I'll move on to Mr. Hall. Sorry. Can you. Can you hear me now? Yes, we can hear you. Yes. Thank you.

00:37:54:09 - 00:37:56:24

Apologies. That problem is my microphone.

00:37:57:01 - 00:38:30:13

Um. Thank you sir. Lisa Scott, Charnwood parish Council. Um, we've had local residents unhappy with the quality of the windows that have been put in, for example, um, the secondary glazing that's been supplied for residents that want to retain their sash windows and have gone for the secondary glazing option. In some properties, those secondary sash windows, uh, are too heavy for people to actually open, um, and are failing in quite short period of time.

00:38:30:15 - 00:39:08:07

So I think the quality is a question with regard to the level of uptake, um, within the latest um, consultation. Um, gal did admit that the mechanical ventilation system that they're proposing would be insufficient to deal with heat. Um, at that heat, at heat peaks during the summer. Um, so they're already admitting that what they're proposing is insufficient. And I'd like to see residents offered air to air heat pumps, which act as, um, air conditioning, um, capacity within summer months.

00:39:08:09 - 00:39:40:13

Then that would certainly be, um, adequate, um, to deal with the heat and would still, um, keep the level of noise, um, down enough so that windows can be kept closed. Um, and I would agree that I think the noise contours are not sufficient. Um, we we should be extending that to cover more residents who are, um, suffering from ground noise in particular, which, um, as I mentioned in one of my earlier points, it's it's not then the three minute peaks.

00:39:40:15 - 00:39:46:12

It's it can be a constant noise level for a period of time. Thank you.

00:39:49:27 - 00:39:54:19

Uh. Thank you. Um, and I see Mr. Holcomb has his hand up. Um.

00:39:57:07 - 00:40:20:07

I've been hoping for a lot of Cagney. Yes, we always suspect that a large number of them are similar to those raised by the joint local authorities. But in five one, two one, we've set out a number of clarifications that could be made to the noise insulation scheme. A lot of them are matters of wording more than anything. Um.

00:40:22:03 - 00:41:07:21

More difficult, but there are some outstanding matters that seem to be conflicting, and such as in the Noise Insulation Scheme document, it says that ground noise criteria are the same as air noise. And then in later documents submitted at the last deadline, um, it appears that ground noise only goes as far as the inner zone and that there is no outer zone equivalent. Um, so there are these sort of conflicting issues that need to be bottomed out quite quickly, I think. And there is a one overarching issue that the applicant stated that they have previously insulated just over 400 properties in one year, so therefore they are confident they can insulate 400 properties in and believe it's four years before significant effects occur.

00:41:08:23 - 00:41:32:09

If they can insulate 400 properties in one year, why are they not pushing for that? This time out? We could reach a far wider number of properties because if mitigation is not installed before significant effects can occur, then it's not mitigation. It's purely compensation for a significant effect that has already occurred. And, um, that's simply not really acceptable.

00:41:35:17 - 00:41:43:00

Uh, thank you, Mr. Holcomb. Um. Lisa. Scott, you still have your hand up if you. But just the legacy and.

00:41:46:18 - 00:41:50:19

Upper hand in the room here. So, um. Go ahead please.

00:41:56:15 - 00:41:57:01

Okay.

00:41:57:03 - 00:42:33:08

Thank you. Um. Just, uh. Oh, I'm Nicky Forsyth Richards. I'm a local resident living in Oakley. Um, a comment on the noise insulation scheme. Um, I see that as a an admission and understanding from from Gatwick Airport. That noise increases. Um, noise will increase. Um, but those, uh, you know, they're doing something within the noise insulation scheme area, but those outside of that area will get the increased noise, and there doesn't seem to be anything to be done for them.

00:42:33:25 - 00:43:05:04

Also, that's fine. Once you're in the house and you've got all the windows and doors closed. But, um, you know, many of us enjoy being in the garden and listening to the birds, and there's nothing that you can do with doubling the number of flights that's going to go anywhere near doing dealing with that. Also, I gather that I'm hearing that there's something about sort of an air conditioning system, but, um, at nighttime, the current best advice about getting a good night's sleep is to have the window open.

00:43:05:20 - 00:43:19:21

Um, and that doesn't work very well with Gatwick. Many, um, night flights going on after the watershed. And at 11, 1130 and before, before six in the morning.

00:43:22:04 - 00:43:22:20

I thank you.

00:43:23:14 - 00:43:25:12

Uh, yes. Uh, yes.

00:43:26:19 - 00:43:29:24

Uh, Malcolm Fillmore was my parish council. Um,

00:43:31:18 - 00:43:44:08

we obviously live in an area which is impacted, uh, seriously, by noise. Um, and there have been, uh, observations in the, in the area that, um,

00:43:45:23 - 00:44:18:12

it's sort of the offer is a one size fits all, and it doesn't really, uh, fit everybody's, uh, requirements. Uh, part of Russell is in a conservation area, and that does limit the, uh, what can actually be done on, on, on, um, you know, fitment of noise, attenuation things and double glazing. We have invited, uh, Gatwick to send a representative to come and, uh, discuss with us, um, uh, the parish council.

00:44:18:21 - 00:44:50:18

Uh, yeah. So we can have a debate. Unfortunately, they've declined to do so. And I wonder whether, uh, they might, uh, reconsider that position so that we can come along and we can have a discussion, we show them the issues that and, uh, you know, perhaps to get a better answer than the, uh, because I believe they only use a single supplier. And, um, you know, maybe we need some, uh, uh, some different answers than the proposals envisage.

00:44:52:17 - 00:45:11:29

Thank you. Um. Oh. And I can't see any more hands. Um, so I think there are quite a number of, um, topics, subtopics around quality, around timing, um, uh, around specific site specific, um, points. Um, but I'll certainly give you a chance to respond to those.

00:45:12:20 - 00:45:33:13

Scott. For the applicant. So as you've indicated, the numbers of numbers of very detailed, uh, points there. We anticipate that some will be raised in written submissions, and it's probably the best place for us to deal with those, uh, in response. But having said that, it allows Mr. Mitchell if there's anything he wants to say at this stage pending a written response to these detailed points.

00:45:34:28 - 00:45:38:18

Thank you. Steve Mitchell for the applicant. Um, I have noted.

00:45:40:03 - 00:46:17:22

Between 8 and 10 points that have been put, which I will try to respond to roughly in the order they were mentioned. Just before that, I would like to say something a bit more positive about the noise

insulation scheme. Um, the current scheme covers about 2000 properties at Gatwick. It's been there for many years and the latest scheme was upgraded in 2014. Um, before we looked to offer a new scheme for the northern runway, we did a social survey, sorry, a survey of the people who had taken up the existing scheme to understand some of the difficulties.

00:46:18:03 - 00:46:51:28

I don't think we spoke to the people that have mentioned it today about quality, etc., but we certainly wrote to every single person who had taken up the scheme, and we had 157 responses, which we analysed, and I've mentioned some of that in various documents. We can submit that review if you'd like to. I'd like to see it. So that noise insulation scheme review. Um. Helped us to understand what might work better than the current scheme. Current scheme then includes about 4300 properties.

00:46:52:00 - 00:47:29:08

That's roughly twice as big as the current scheme. Importantly, it doesn't just aim to mitigate the incremental impact of the of the project, which we haven't talked about very much today. Um, the incremental impact of adding 10% flights at night and 19% of flights during the day is quite small in terms of noise increase and wouldn't warrant this kind of noise insulation scheme. But what we have taken, the approach is to mitigate the total noise from the airport that will prevail in the future, which is a more generous approach and one that we think is the correct one.

00:47:30:03 - 00:47:38:26

And as you note, we have an inner zone addressing the significant observable adverse effect level and an outer zone addressing lower levels.

00:47:40:24 - 00:48:12:16

So that would be my opening comment, just to pick off some of the points and respond quite briefly. It may well preempt some of your questions as well in terms of single mode contour. We have discussed that with the topic working group over quite a few months actually. Uh, we agree to disagree that there is CA guidance. I think it's cap 1731. I don't have the number right in front of me, which tells us that the best correlation to noise annoyance is average mode, not single mode.

00:48:12:29 - 00:48:58:03

Further, um, it would actually be potentially unfair to apply to a single mode contour if you think about it, because there would be people in the zone at Gatwick 30% of the time at one end, and there'd be people in the zone at 70% of the time at the other end that would be offered exactly the same thing. So that, in summary, is where we've got to on the single mode debate. And I would also point out, if you are interested in precedent, other airports that have been named this morning, including the most recent decision at Luton, uh, operate average mode contours in the same way that we do, which of course, is also the definition of the Lowell is in terms of average mode, is not in terms of a single mode, for the good reasons that I've just summarized.

00:48:59:06 - 00:49:29:22

In terms of boundaries around settlements. We're open to discuss that with you. What I would say is that the, um, current scheme. Dating back over ten years was effectively a map. Um, the new scheme is available online through the online er, video that's publicly accessible. And the, uh, since the environmental statement and the local authorities have had access to it for many months before that. The whole point there is that you can zoom in to the line thickness of a line on a map to find out if you qualify.

00:49:29:24 - 00:49:43:00

So I think the technology just move us forward there, but that's something we can talk about with the topic working group. The issue of an additional awakening I dealt with earlier. Um, but I would just make one additional discussion on that.

00:49:44:15 - 00:50:18:00

If we're going to talk about the significance of an additional awakening here. And what's being proposed to us is that that's sufficiently significant to warrant noise insulation. We need to understand and remember what an awakening is. And just let's just remember, an awakening is something that's measured with an activator or more likely, an EEG graph and encephalopathy graph. If I can say that word correctly, and in essence, 20 or 24 ish awakenings occur every night, and the vast majority of them go unnoticed.

00:50:18:26 - 00:50:47:12

We're being suggested, it's been suggested to us that if that number should increase from 20 to 21, be predicted to do so, that would warrant noise insulation. Um, I don't believe that's correct. There is some research around reporting the results of that, and whilst that is relevant, if you're considering the entire health impact aggregated over many thousands or millions of people, that might be useful thing to look at. It's not significant on an individual basis.

00:50:50:05 - 00:51:21:00

Um. Dealing with the quality of the secondary glazing. Um, all I can say is we will be re tendering the package and using a specific secondary glazing supplier in addition to a primary or primary glazing supplier. Then we move to the subject of heat and overheating, um, which again we can talk about and we have talked about with the topic working group. The solution that we offer is not air conditioning. Um, we don't believe it's appropriate to.

00:51:22:04 - 00:51:50:10

Offer an energy consuming solution to this and neither does any other, any other airport believe that's the right way to go. So we won't be offering any heat pumps or air conditioning solution. What we have offered across the inner and the outer scheme is acoustic ventilators, delivering approximately 170m<sup>3</sup> of air per hour, which is enough to change the air in a large bedroom or dining room at least twice an hour.

00:51:51:28 - 00:52:22:26

What we can't do is say that we can avoid overheating at any particular property because the property already exists. It's not reasonable to go into that property and rebuild it to avoid overheating. There's also the offer of blinds, which is a standard offer in the noise insulation regulations for roads and railways in this country, and we're open to discuss the extent of that with the joint local authorities through our topic working group. Brown noise was mentioned. The noise insulation scheme does include ground noise.

00:52:22:28 - 00:52:55:21

Now Mr. Holcomb asked, why does it not go into the outer zone for ground noise? And the reason is this the requirement in the inner zone is to avoid that significant adverse effect. And that's why noise insulation is the final measure. If other measures don't work beyond that, in the AutoZone the requirement is to minimize where practicable. With regards to the ground noise, which of course comes from the ground, not from the air. There are ways of reducing ground noise through practical measures.

00:52:56:00 - 00:53:18:00

And if you look at Gatwick Airport and it's quite difficult to see this. There is a very large bund around the northern perimeter of the airport, which is very effective at reducing noise from the ground going out. There's also a thing called the serpentine wall, which was built in the 1980s, which was a very large, um, wiggly wall around the area. And there's also a.

00:53:19:20 - 00:53:51:27

A trunk road to the east and other roads in the other area. Elevate ambient noise, which makes ground noise less noticeable, so there are measures that have been taken already by the airport, and there are additional measures, such as reconfiguring the Bund at the western end of the airport as part of this project, which control ground noise at source, which is the right way to do it, and they address the policy requirement to minimise ground noise. So we don't need to go into the outer zone to offer noise insulation because we've met the policy requirement to minimise noise.

00:53:53:11 - 00:53:53:26

Um.

00:53:58:06 - 00:54:31:07

I think that's probably covered. Um, yes. Mr. Holcomb made the point. About 400 properties per year being treated. It was in 2015 for the current scheme and that. We should actually therefore accelerate the process. What that gives us is confidence that we can deliver the scheme rapidly. And he made the point that we need to avoid the significant adverse effects occurring. Now, something that hasn't been said today is that the significant adverse effects of aircraft noise and ground noise.

00:54:31:09 - 00:54:40:06

Well, first of all, the aircraft noise are related to 80 properties. They're all within a significant adverse effect level zone, actually.

00:54:41:21 - 00:55:14:29

So the purpose of the noise insulation scheme is to address that. But as I said earlier, it's also to address the totality of noise. So we will definitely install the inner zone before those significant adverse effects happen at those properties, including the ground noise properties. There's no need to install the outer zone before the change in noise arises, because in the outer zone, in no cases is that significant in terms of EIA assessment rules that we've followed. And I note, no one has challenged us throughout this entire process.

00:55:15:05 - 00:55:45:18

So just to be clear that we will roll out the noise insulation scheme ahead of all the significant adverse effects occurring that's committed in the document as it stands. Just to wrap up, as I say, I look forward to meeting with the Topic Working group in the coming weeks to deal with some of the minor points. And as Mr. Holcomb said, some of them are wording that needs tidying and perhaps correcting. I accept, and we always were expecting to do a further revision to noise insulation scheme. We're open to do that and we look forward to doing that.

00:55:49:02 - 00:56:17:28

Thank you for those very detailed. Um, um, responses. Um, a couple of things I just pick up from that. Um, I may need to give people a chance to come in again, but, um. Spoke a bit about this in some way about the topic working group. Um, which which sounds like a constructive, um, um, approach. So when, when will the outputs from that be submitted into the examination? Do you think?

00:56:20:22 - 00:56:46:01

Um. Certainly not next week. We'd like to arrange the meeting. Um. We have. We would like to have arranged. Agreed. A date for the meeting before deadline six. If you thought. I mean to have the meeting shortly after that. Um. I wouldn't like to pre-empt the outcome of that. There may be some more work to do, so I personally wouldn't be particularly confident about meeting deadline seven either. Perhaps we can come back to you on a program for that.

00:56:47:20 - 00:57:07:02

If we could have an indication of when you will come back on deadline six, I think that would be a start. Um, we've also noted there was an invitation from, uh, Councilor Fillmore to to attend the parish council meeting, and I don't think he responded to that offer.

00:57:08:00 - 00:57:08:15  
Golden.

00:57:10:09 - 00:57:29:22  
I'll hand over to Andy Sinclair. But as I did say, partly in response. Um, in terms of, I think his general question was, you know, have you engaged on what noise insulation scheme should be like? And I did answer by mentioning the review of the scheme that I was lucky enough to lead back in 2019. But Andy Sinclair might like to answer more specifically.

00:57:30:00 - 00:57:31:07  
That'd be helpful. Yeah. Thank you.

00:57:33:23 - 00:57:40:24  
Sir Andy Sinclair on behalf of the applicant. Mr. Mitchell has already outlined the engagement that's taking place.

00:57:41:03 - 00:57:41:18  
Um.

00:57:41:27 - 00:58:11:05  
There's a clear distinction between the current scheme and the future scheme. And I think what Mr. Fillmore was talking about was the future scheme. We've had feedback on the current scheme, which, as Mr. Mitchell has already mentioned, has already been addressed. So when the very final stages of appointing a new contractor to deliver the service, um, it was felt, given that this process was taking place, any discussion over a future noise insulation scheme should be conducted through this process and through a future noise topic working group, rather than bilaterally through a parish council meeting.

00:58:15:05 - 00:58:16:29  
Happy to listen to a response to that.

00:58:17:01 - 00:58:17:16  
If

00:58:19:04 - 00:58:50:25  
the the the purpose of Malcolm Fillmore on behalf of Boston Parish Council. Part of the process, I had hoped, might be to encourage a discussion so that we could identify some of the issues that needed to be dealt with under the, uh, the scheme, um, rather than just, uh, assuming what they would be. Though the practical aspects of it I thought might be important and helpful.

00:58:53:20 - 00:58:56:10  
A final comments on this.

00:58:56:15 - 00:59:23:28  
Well, Steve Mitchell for the applicant, I could probably respond. Um, I could make the point that when we surveyed all the existing people that had taken up the scheme, we did invite them to give feedback, and we analysed the written feedback from 157 people. We only visited a few, but that was only practicable at the time. But I suggest we say we've offered a topic working group, which I think we're going to hold. Perhaps the parish council could feed their comments through that process.

00:59:28:08 - 00:59:51:24

Thank you. I am going to move on. Unless there's anything else on the first bullet point. Really, I'd like just to. I'm conscious of the time. Obviously we're now. Ten minutes, almost to 1:00. Um, the efficacy of noise insulation. So can I just ask, uh, the applicant, um. Very simple question. Really? How, how do you know it works?

00:59:56:09 - 01:00:29:06

Steve Mitchell for the applicant. Two parts to my answer one, if you like, is case law, and I can refer to various projects, including the Cranford agreement in um, where it was agreed that noise insulation was a suitable solution to address impacts within the social zone. But on a more practical level, which I suspect is the gist of your question. I would again refer back to the responses to the survey that we did, and perhaps we should submit that survey.

01:00:29:18 - 01:00:52:25

Um, of it was hundred and 58, not 157 people that completed our questionnaire. Um, 68% found the scheme had improved aircraft noise within their homes to some extent. 50% said it had reduced sleep disturbance. 80% said it would disturb them less if the house could be adequately ventilated without opening the windows.

01:00:55:20 - 01:01:28:23

To the end, 74% would consider an alternative form of ventilation, such as wall mounted acoustic ventilators. Those are the headlines. But to me, that very clearly points to the fact that the existing scheme would be considerably improved with acoustic ventilators, which is why they're part of the scheme. And of course, that's also recommended in aviation 2050. The ventilation should be addressed. I think I'll stop there. So we have done our research at Gatwick. And new scheme aims to address, um, what feedback we've had.

01:01:30:21 - 01:01:58:01

Okay. Well, that's that's interesting. Um, do you actually design it to meet a particular. I suppose I'm trying to objectify that really a bit more. So. I mean, how. What's your design target for the I mean, recognizing, of course, that it benefits people when they're inside the properties inside their homes. Um, what's your target? What's your design target, if you like, for your, um, package of measures in terms of the internal noise levels and what's your sort of reference or justification for that?

01:01:59:03 - 01:02:02:05

Thank you. Steve Mitchell for the applicant. Um.

01:02:04:03 - 01:02:38:06

The examiners will understand the noise insulation regulations for roads and railways, and they don't set, um, numerical internal absolute levels. For good reason that, um, there may be other parts of the building structure which allow noise in which we're not part of the scheme, and it would be very difficult for the applicant to, um. Address, wall construction, or even roof construction, for example, to keep the noise out. What we have done in the current scheme is to specify the minimum performance of the glazing.

01:02:38:25 - 01:03:10:00

And we've also picked up on doors and ceilings to upstairs bedrooms as possible weak points and for the inner zone. But in a commitment to look at the ceiling space if it's appropriate and practicable to do that. So that that is not a weak link. Um, and there's some questions around that which we can discuss in the topic working group. But the principle is clearly there that we will go beyond the glazing for the inner zone where it's appropriate to do so. So the performance of the glazing is specified as RW 35.

01:03:10:11 - 01:03:16:27

You'll know broadly what, what that means um and the implied internal noise levels follow from that.

01:03:20:04 - 01:03:26:18

Okay, let's pick up on one point. We've already said about the, um, the survey that you have done. Will you be submitting that?

01:03:27:15 - 01:03:47:09

Okay. Awesome job on behalf of the applicant. In terms of the efficacy of the mitigation and the sort of practical requirement of what that would achieve. If I could just refer you to paragraphs four, two, two to four, two, five of the Noise Insulation Scheme document, which sets out the decibel levels that are proposed to be achieved by each of those measures.

01:03:51:00 - 01:03:54:00

That was in the revised. That's within the revised version.

01:03:54:02 - 01:03:56:27

They are the paragraph numbers from the revised version. Yes, sir.

01:03:56:29 - 01:04:04:01

Yes, sir. It's a document ref for zero, one, 7 or 8, depending on whether you're looking at the cleaner, the track version.

01:04:05:16 - 01:04:08:00

What can you tell me? Just as you found the reference?

01:04:08:18 - 01:04:37:13

Yes I can. Um, so there is an acoustic double glazing to noise sensitive rooms with an acoustic performance of a formulaic explanation. Um, which would be more to Steve than it does to me. Uh, for acoustic ventilators, it will achieve a noise reduction of at least 40dB to outside levels. For doors, it would be at least five decibels. And then there is a Steve mentioned the need to look at ceilings to again understand if you can achieve a further five decibels of reduction in noise.

01:04:39:08 - 01:05:03:24

Um, Steve Mitchell for the applicant. I, I did mention the specification of the glazing quite briefly, and I said it was an RW of 35, which I think the examiner knows what that means. And several people in the room do. Um, you asked if we'd be happy to submit the review of the current noise insulation scheme that was carried out in 2018. Yes, we'd be happy to submit that deadline. Six.

01:05:05:25 - 01:05:06:23

Thank you. I think that.

01:05:06:25 - 01:05:07:18

Was your question.

01:05:07:20 - 01:05:14:07

It was I think I think there was a slight obviously your colleague was trying to add more add more to your previous answer. Um.

01:05:16:27 - 01:05:21:04

They actually provide a lot of information there. Um. So

01:05:22:19 - 01:05:38:18

I guess the question I'm asking I'm not expected to come up with the answer to this was. I think I did ask it. What's the actual design target for the internal noise levels within habitable rooms of the premises significantly affected? I don't think you actually answered that question.

01:05:40:01 - 01:05:43:10

Steve Mitchell, the applicant. I did attempt to answer that.

01:05:45:17 - 01:05:46:12

What's the answer?

01:05:48:02 - 01:05:57:03

I think I've given my answer in terms of the specification of the glazing and the way that in the inner zone, other elements of the building fabric would also be addressed.

01:05:58:21 - 01:06:19:25

But it would depend on. Let's be putting simply how loud it is outside, won't it? And the nature. The nature and characteristics of that noise. As to what you would achieve inside with a certain construction specification. I'm sure you don't understand what I'm getting at. I mean, if you were if you were a local authority looking at a housing development.

01:06:20:21 - 01:06:21:06

Um.

01:06:21:18 - 01:06:22:20

Coming to the airport.

01:06:25:10 - 01:06:28:20

It's all important to comment how they will go about that in terms of a.

01:06:31:02 - 01:06:58:09

Go ahead. Steve Mitchell I did say we can't specify a target internal noise level. And I gave the reasons why that is the applicant. It wouldn't be reasonable for the applicant to rebuild the home if it happened to be made of very poor walls, for example. That's not something we would be expected to do. It's not something that's done at other airports or even within things like the noise insulation regulations so well-established in this country.

01:07:02:03 - 01:07:03:09

I mean, the specification.

01:07:03:11 - 01:07:25:13

I've given you for the glazing, um, is a is a, an acoustic glazing where people in the room would know that our W 35 is a is a good standard of acoustic glazing to apply, but also apply, of course, to the secondary glazing which one of the residents referred to, which is the solution in buildings that don't want to change the existing glazing?

01:07:26:11 - 01:07:42:00

Okay. I thank you for your, um, um, responses. Um, any final comments really on. The second bullet point from anybody else in the room or online before I move on.

01:07:43:28 - 01:07:44:24

Yes. Okay.

01:07:44:26 - 01:08:08:02

Afternoon, sir. Um, Daisy noble, on behalf of Marathon Asset Management and the Holiday Inn. Um, so we're not commenting directly on the noise insulation scheme as such. I just, um, wish to make a few points about, um, specific mitigation discussions that we've been having with the applicant in respect of the Holiday Inn. So if that's an appropriate time. So I'll address you briefly on that.

01:08:09:12 - 01:08:10:14

Just go ahead briefly.

01:08:11:00 - 01:08:48:06

Thank you. Um, so as you'll be aware, from our written representations and appearances at previous hearings, we have been, um, seeking to work with the applicant in respect of a range of matters, including the impact of noise on the hotel. Um, as you may have seen set out in our recent letter, which we submitted at deadline five, and the reference for that is rep 5124. We have become very concerned at the speed of progress on these matters. In particular, there have been a number of significant delays by the applicant in providing um documents and information to us, um, in particular.

01:08:48:08 - 01:09:24:26

Most recently, there's been a delay of five weeks, um, in returning comments on the heads of terms that we're working towards, um, and generally a lack of progress in respect of mitigation proposals, including those in respect of noise. Um, whilst over the past week there has been some progress which we welcome. Um, time is rapidly running out in which to reach a satisfactory resolution of the issues that we've identified. And whilst we remain committed to working with the applicant, um, we feel that concrete and effective proposals have not been forthcoming to mitigate the effects on the Holiday Inn, including in respect of noise.

01:09:25:12 - 01:09:58:14

And so this puts us in a very difficult position. Um, and it's only through incurring significant costs that we're able to continue to press for meaningful progress. Um, and plainly, to where we are now, there's a risk that if satisfactory progress isn't made by the time identified for further compulsory acquisition hearings in July, we will be left with no alternative but to move to a position of objection in respect to the proposals. Um, and that would include seeking the exclusion of our interests from the DCO and or protective provisions on the face of the order.

01:09:58:27 - 01:10:27:24

Um, we therefore hope that the progress that has been made over the last week can be sustained to avoid the need to take these further steps, but that really is dependent on the applicant. Um, sir, thank you for bearing with me. By way of that update, I just wish to introduce, um, to my left, Miss Eleanor Ditz from Stantec to address you, um, in relation to the issues we're having in respect of agreeing mitigation measures, specifically in relation to noise at the hotel.

01:10:30:03 - 01:11:05:07

I'll go just on behalf of Marathon Asset Management. And there are a range of matters that remain in disagreement between ourselves and the applicant, one of which being suitable internal noise limits and also which facades are affected. However, for the purposes of this hearing, I'm going to focus on the main issues with Gail's proposed mitigation strategy for the hotel. As just indicated, Google has carried out additional testing at the hotel, the results of which have informed Gail's proposed mitigation strategy on the basis of the findings within their report, which for reference is examination.

01:11:05:17 - 01:11:42:18

Library reference rep 5082. They have suggested two mitigation options one, that the hotel uses a limited number of guest rooms only, i.e. those that overlook the hotel car park rather than the A217 for the cabin crew members. Now, you may recall that they require appropriate sleeping conditions, not only through the night, but also during the day. The second proposed mitigation option is to simply close the triple vents on the facades of the hotel, as a way to reduce internal noise levels.

01:11:43:15 - 01:12:16:24

We have reviewed the suggested mitigation measures and find them to be woefully inadequate and impractical for the following reasons. First with respect to cabin crew members. The Holiday Inn currently caters for up to 30 cabin crew members each day. However, there are only 28 rooms which meet the contractual requirements on the rear facade of the hotel overlooking the car park. Therefore, on most days the hotel would fail to provide sufficient number of guest rooms to fulfil their current cabin crew obligations.

01:12:16:26 - 01:13:09:27

If this strategy were to be adopted. Being limited in this way, however, would also mean that the hotel would not be able to pursue future cabin crew contracts for the duration of the construction programme. Being neither able to fulfill current contracts or pursue additional contracts would therefore have a significant impact on the hotel's business operations. For this reason, this proposed mitigation strategy is not considered to be appropriate by Holiday Inn. Second. With regard to closing the triple vents, Holiday Inn believe that a this would fail to provide sufficient protection against all noise sources, and b this is not an attractive proposal in circumstances where building regulations require continuous background ventilation of rooms for which the hotel relies on the trickle vents being open, as they do not have a central air handling system.

01:13:10:23 - 01:13:45:18

In circumstances where there is no other means of ventilation, this would plainly not be an acceptable mitigation strategy. The same issue arises with the applicant's proposal that secondary glazing could be installed on the facade facing the A2 on seven. So far, there has been no suggestion as to how adequate ventilation within the hotel could be maintained in this situation either. The relevant references to the building regs will be included in our post hearing note, but in circumstances where there is no other means of ventilation, this would plainly not be an acceptable mitigation strategy.

01:13:46:07 - 01:13:57:07

Taken together, our position is therefore that the mitigation proposed is impractical and ineffective. We remain concerned, therefore, that at present no acceptable mitigation solution has been proposed.

01:13:58:04 - 01:14:12:23

Thank you. Thank you very much. Um, I'll give the applicant a chance to respond. I, I fully understand there are there will be further discussions between the parties, so I'm happy for that to be a brief response or even a response in writing. Um.

01:14:13:18 - 01:14:50:13

Thank you, Sir Steve Mitchell for the applicant, I think I should. Mention a couple of points. Um. We've been working rather hard with the hotel to understand the details of how they operate, and indeed a detailed acoustic test of the facade performance, which Eleanor joined us for. And I'm happy that she was able to witness that test and verify it with us. We've managed to whittle down the problem to a matter of days, when there's some construction activities that have to take place in the grounds, including chainsaws, which are quite difficult to mitigate for safety reasons.

01:14:50:21 - 01:15:22:27

It's only during those brief periods that we think the cabin crew sleeping during the day would need mitigation. In terms of the cabin crew sleeping during the day. When I spoke to the hotel manager when I was there, there were about 20 cabin crew, so maybe 20 or 30 is a reasonable number. I did ask

him how many rooms are available for the cabin crew. The answer was approximately 90. So we clearly have a difference of opinion. I hadn't heard the number of 28 rooms until just now, but try and get to the bottom of that.

01:15:22:29 - 01:16:00:08

But I was under the impression that there were 90 rooms suitable for cabin crew out of 206, spread roughly equally on either side of the property. So therefore there'd be at least 45 available for 20 cabin crew, which would make that mitigation measure practicable. Um, I won't when I'm tricking vent points other than to say clearly a trickle rent is available now to be closed or open in the context of the durations of the construction noise impacts that I just referred to in our mind, that wouldn't be a problem. So we'll continue to engage with them, perhaps particularly on those points of detail around the number of rooms which we seem to have a different set of information from.

01:16:00:14 - 01:16:03:28

Uh, to that that was given to me in person by the hotel manager.

01:16:05:06 - 01:16:31:15

Uh, Scott Myers for the applicant. I'm not going to get into the detail of, uh, the time it's been taken to reach this stage, but put it on record. We don't accept any accusation. We've been dilatory at all. We've had to carry out the work that Mr. Mitchell has suggested. And I understand that heads of terms, uh, are with Marathon Asset Management, and the meeting took place last week, if necessary, to explain our position further. But we just don't accept any accusation that we've been dilatory.

01:16:33:06 - 01:17:01:17

I thank you for that. Um, given the time, um, rather than, um, deal with, if you like. To briefly what's left on the agenda. Um, I'm proposing to. Refer that to any written submissions, but I will give anybody who wishes to in the room or online, um, a chance to make any final comments on what they've heard to date. Um, in this what they've heard in this, um, giving.

01:17:04:03 - 01:17:08:16

So I don't know what it's like to make any final submissions.

01:17:12:04 - 01:17:23:18

So can I just ask? Before that happens, there's Delta on for Cagney. Um, so did you just suggest that we're going to move after lunch straight on to ecology? Or are we going to deal with 6.3 after lunch? Sorry, I just didn't understand. No.

01:17:24:08 - 01:17:34:09

No. So. So we'll move on to we move on to item seven, isn't it ecology after lunch. So if there's anything you wish to add on noise, um, now is the time to do it.

01:17:34:24 - 01:17:35:19

Thank you very much.

01:17:38:14 - 01:18:09:03

Um, thank you, sir. Lois Lane for the joint local authorities. Um, we don't have much to add one point on the noise mitigation insulation scheme that we would just appreciate some clarity on. And this might be something that comes up in the topic working group, but if not, uh, it would be great to have some clarity at some stage is just how any mechanism would work for the results of those surveys we've been hearing about to feed back into the design of the noise insulation scheme.

01:18:09:08 - 01:18:33:01

Um, now, it may be that that's something that comes up in discussions, but, uh, we would just like to invite the applicant through you to just ideally to submit that survey and also just to provide an explanation for how the results of those surveys will inform the design of the scheme in future. Um, and I think unless anyone to my left has anything else they want to add to that. No. Thank you.

01:18:34:02 - 01:18:35:24

Um, Mr. Holcomb, online, please.

01:18:37:07 - 01:19:12:27

And how come on behalf of Cagney, um, yes will respond to the final points in writing. But there is one thing is that there have been so many updates and changes and new baselines and new central cases of court cases coming through, that it would be hugely beneficial to actually have an updated noise chapter rather than the piecemeal approach that we currently have. Um, there's the new baseline, the new central case. There is the errors that have been raised in the ground noise assessment from the applicant themselves. Um, and what we consider to be a huge amount of missing information in terms of new contours and supplementary metrics.

01:19:13:12 - 01:19:29:00

And I think an update to the ground, to the noise chapter itself would not only highlight these things, but allow us to move forwards with what we do know, rather than spreading it over a large number of documents. Thank you.

01:19:30:11 - 01:19:34:24

Thank you very much. Um, is there anybody else? Yes, there is in the room, please.

01:19:36:15 - 01:20:10:17

Thank you. Nikki Forsyth Richards, local resident. Um, comment made earlier, um, by one of the Gatwick staff, um, was that Gatwick is committed to environmentally managed growth. Now, this is slightly off the topic of noise, but I haven't had an opportunity before to to discuss this one. The big picture is that we have a massive, massive, urgent need to reduce flights because of climate change. And I know government policy is not there on this.

01:20:10:19 - 01:20:39:12

Government policy is not doing. It is not supporting it. But I would ask you each individually whether you can honestly look your children in the eye, knowing that one of the biggest things that you could have done in your lifetime is to say no to Gatwick expanding and do something to to support climate change. I see that as the biggest issue of of everything here. Thank you.

01:20:39:19 - 01:20:58:15

Um, I want all the applicants respond to that last point. Um, should they wish to make any comment? I think I think the comment probably on the, the survey and that I think we've already committed to provide that and that will feed into other things that we. Topic working group. But any brief, any brief final comments really, I think would be what I would say.

01:20:59:26 - 01:21:27:28

Be very brief. I'm not sure I quite understand the point that's being made by the JLA because of the survey that was carried out already informed the way in which the noise insulation scheme has come forward. But obviously, if there are any issues that need to be discussed further in the topic working group, they can be. Um, as for the point about the noise information, I think there's a letter agenda item. We know the x. I want to raise the question about a consolidated environmental step, and perhaps we can cover that issue then.

01:21:28:13 - 01:21:33:20

Correct? You're absolutely correct. So, um, the time now is, um.

01:21:35:16 - 01:21:43:11

1311. Uh, we will adjourn and start again at 2:00 with item seven on on the agenda. Thank you.