

Gatwick Northern Runway

TR020005

National Highways Responses to Examining Authority's Second Written Questions at Deadline 7

July 2024

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1 Introduction and Responses to the Examining Authority's Second Written Questions

This document has been prepared by National Highways to set out its responses to the Examining Authority's Written Questions issued on the 1st July 2024 which are either directed or of relevance to National Highways. These can be found in Table 1.1 below.

Table 1-1 National Highways Response to the Examining Authority's Second Written Questions

WQ No	Question to	Reference (in bold) and Question	National Highways Response
Development Consent Order and Control Documents			
DCO.2.13	National Highways Local Authorities	Art. 27 (Compulsory acquisition of land) The Applicant and NH disagree about the inclusion of 'use' within Art. 27. What specific change would NH wish to see in this article and why? Is the inclusion of 'construction, operation and maintenance in Art. 27(1) necessary/ appropriate?	National Highways notes that the Applicant is seeking a wide power to "use" any land acquired for any other purposes in "connection with or ancillary" to its undertaking. The Applicant is seeking permanent powers over parts of the Strategic Road Network (SRN) (i.e. parts of the M23). This broad wording implies that the Applicant may be able to acquire parts of the SRN for highway works and then subsequently or separately use them for airport related purposes. This is unacceptable and significantly out of sync with the need to acquire proportionate powers. If land belonging to National Highways is acquired, it should only be used for the works specified to occur on the land as part of the DCO application (as set out in Schedule 1 to the draft DCO and in the Works Plans). National Highways accordingly requests the removal of article 27(1)(b) which is unprecedented in other airport DCOs. National Highways supports the use of "construction, operation and maintenance" in article 27(1)(a) as this text clarifies the purposes the Applicant is using to acquire land.
DCO.2.20	Applicant National Highways	Schedule 2 (Requirements) <u>R6 National highway works</u> The Applicant and NH are engaging on the matter of reference to a 'provisional certificate' which is not defined in the main body of the DCO or Schedule 2. As the term is used in Requirement (R) 6(3) why can it not be defined? Is there a relevant precedent for the definition of terms. NH may wish to comment.	Provisional certificate is defined as part of the National Highways protective provisions at Part 3 of Schedule 9. National Highways has no objection to the use of this definition outside of the protective provisions, if its use is considered helpful by the Applicant and the Examining Authority. For completeness, the definition is: "Provisional certificate" means the certificate of provisional completion relating to those aspects of the specified works that have resulted in any alteration to the strategic road network to be issued by National Highways in accordance with paragraph 8 [reference to protective provisions at Part 3 of Schedule 9] when it considers the specified works are substantially complete and may be opened for traffic;
Traffic and Transport			
TT.2.1	Applicant National Highways	National Networks National Policy Statement 2024 (2024 NNNPS) NH's response to ExQ1 GEN.1.33 [REP3-138] in the last bullet point highlights that "Paragraph 5.283: "The Applicant should provide evidence that the development improves the operation of the network and assists with capacity issues." Importantly, this sentence does not appear in the 2015 NNNPS and National Highways considers it is relevant to the Applicant's proposals. In light of the specific matters relating to the proposed expansion, and the assessments provided, National Highways does not consider such evidence has been provided." Although the 2015 NNNPS has effect for this application, the 2024 NNNPS could be an important and relevant matter. What evidence has been provided that the development improves the operation of the network and assists with capacity issues?	National Highways is not yet in a position to confirm that the evidence provided does in fact show that the development improves the operation of the network. National Highways is in continued dialogue with the Applicant about the management of operational effects on the road network, and is confident that an agreement can be reached on this issue. National Highways will confirm its position as soon as possible. The matters of concern are: <ol style="list-style-type: none">1. The timing of the delivery of the NRP highway works.2. The construction-related impacts of the surface access works on the Strategic Road Network, and in particular the potential for queuing back onto the M23 mainline, which would pose a potential safety concern.3. The security that the BAU Signalisation scheme will be delivered on time.4. The Transport Mitigation Fund (secured under the Surface Access Commitments) not being sufficient to mitigate impacts which may arise in the operational phase.

WQ No	Question to	Reference (in bold) and Question	National Highways Response
TT.2.12	Applicant National Highways Highways Authorities	<p>Active Travel Access to Airport</p> <p>The North and South Terminal Roundabouts BAU Improvement Scheme Plans [REP6-012] show concept designs for signalisation of the north and south terminal roundabouts.</p> <p>Should there be controlled pedestrian and cycle crossings on any elements of these design layouts to enable safe active travel around the airport?</p>	<p>National Highways has maintained ongoing liaison with the Applicant in relation to the BAU Scheme as the proposals have developed. The Applicant has previously shared with National Highways several BAU Concept Design documents for review, including a Walking, Cycling, Horse-Riding Assessment and Review (WCHAR) and a Preliminary Road Safety Audit, both originally authored in 2019.</p> <p>The Applicant undertook an assessment of the existing provisions in the vicinity of South Terminal, which was supported by site visits and confirmed that the existing layout does not provide any non-motorised crossing facilities. This is due to the fact that there is no clear desire line north / south across the Gatwick Spur or Airport Way at South Terminal that is not already provided by more appropriate segregated crossing points to the east and west. Existing public right of way facilities traversing east / west utilise crossing points within the Gatwick Airport boundary. As a consequence, the Applicant did not propose any opportunity areas at South Terminal provide either uncontrolled or controlled crossing points. In principle, National Highways agrees with the conclusion of the Applicant.</p> <p>At North Terminal Roundabout, the only location where there is a recognised interaction with pedestrians and road user traffic is where Footpath 346_2sy intersects with North Terminal Roundabout at Longbridge Way and Northway. This is presented on the latest iteration of the Applicant's Streets, Rights of Way and Access Plans [REP3-013]. The outcome of the WCHAR identified an opportunity to provide a crossing point at this location in order to facilitate the safe connectivity to the existing public right of way. It is understood that the Applicant has not incorporated these crossing proposals into the BAU scheme, despite being identified in the WCHAR a and separately highlighted as part of a Preliminary Road Safety Audit. The reason the Applicant provided in its Designer's Response to this Preliminary Road Safety Audit is as follows:</p> <p><i>"The addition of a formalised crossing facility for pedestrians and cyclists across Longbridge Way has not been proposed as part of the improvement works, as it may encourage the use of the informal and unsafe footpath along the A23 slip road verge. It is suggested that improved pedestrian and cyclist facilities across the site are incorporated as part of a wider scheme to better connect the airport with North Terminal, South Terminal and Longbridge Roundabout"</i></p> <p>Whilst National Highways agrees with the Applicant that this informal route should not be promoted, it notes that a desire line has been identified and is used by the general public. Therefore, the junction would benefit from the provision of a crossing facility in order to ensure that this desire line is safe for non-motorised users. The Applicant should therefore implement a crossing facility, as requested in the WCHAR and Preliminary Road Safety Audit, in conjunction with other improvements in order to mitigate the concern in relation to the informal route being used in preference to the public right of way. This could include more effective signage of the existing public right of way and improved surfacing on the alignment of the public right of way, as recommended in the WCHAR opportunities, which could seek to mitigate these concerns.</p> <p>As the BAU scheme progresses through to preliminary design, National Highways would require the Applicant to demonstrate that any proposals introduced as part of the BAU scheme complies with all aspects of the DMRB. This would include an updated GG142 Walking, Cycling and Horse Riding Assessment and Review, alongside a GG119 Stage 1 Road Safety Audit to inform the appropriateness of any proposed facilities.</p> <p>National Highways would also require any proposed facilities to be factored into the traffic modelling of both the BAU scheme and the proposals submitted as part of the Development Consent Order in order to assess how this would impact the capacity of the junction and ensure that there are no adverse impacts on the road network.</p>