



**Horsham
District
Council**



Gatwick Airport Northern Runway Project

Examination Ref: TR020005

Joint Local Authorities Response to the Applicant's Deadline 6 Submissions

APPENDICES

Deadline 7: 15 July 2024

Crawley Borough Council (GATW-AFP107)

Mid Sussex District Council (20044737)

Reigate and Banstead Borough Council (20044474)

East Sussex County Council (20044514)

Mole Valley District Council (20044578)

Horsham District Council (20044739)

West Sussex County Council (20044715)

Surrey County Council (20044665)

Tandridge District Council (20043605)

Kent County Council (20044780)

Appendix A



Gatwick Airport Northern Runway Project

Environmental Statement

Appendix 5.4.1: Surface Access Commitments – Tracked Version

Book 5

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1. Introduction

- 1.1.1 This document forms the Environmental Statement (ES) Appendix 5.4.1: Surface Access Commitments. The ES presents the findings of the Environmental Impact Assessment (EIA) process of the proposed Northern Runway Project ("the Project").
- 1.1.2 This document is the Surface Access Commitments ("SACs") which Gatwick Airport Limited ("GAL") is committing to in relation to surface access at Gatwick Airport, as part of the Project.

2. Context

- 2.1.1 Surface access refers to all the ways in which passengers, visitors, employees and goods/cargo traffic travel to or from an airport except when they are in an aircraft. This includes travelling to or from the airport by public transport, taxis, cars, lorries, walking, and cycling.
- 2.1.2 Since 2000, the Government has required every major airport in the UK with over 1,000 annual passenger air traffic movements to prepare an Airport Surface Access Strategy ("ASAS") setting out the measures to be taken to increase the proportion of trips made to and from that airport by sustainable transport modes, including public transport, cycling and walking. This is a continuing requirement of the 2013 Aviation Policy Framework (Ref 1-1) and of the more recent Flightpath to the Future (Ref 1-2), which states that Government expects "...airports, through their surface access strategies, to set targets for sustainable passenger and staff travel to and from the airport".
- 2.1.3 GAL has an existing ASAS (Ref 1-3), published in October 2022, which sets out targets and action plans for increasing the proportion of passenger and staff journeys using sustainable transport modes to and from Gatwick Airport. The action plans set out how a range of measures will be deployed to achieve the targets. Not all of those measures are within GAL's control; several require working in partnership with infrastructure providers and/or service operators.
- 2.1.4 The ASAS (Ref 1-3) also describes the approach to monitoring progress through an Airport Transport Forum, which has existed at Gatwick since 1998 and meets annually. The Transport Forum Steering Group (TFSG) meets quarterly and is responsible for monitoring and challenging GAL's progress against its existing ASAS action plans and targets, and for supporting a collaborative approach with local authorities, transport agencies and service providers. The TFSG consists of GAL, local highway and planning authorities, National Highways, [National Network Rail](#), transport operators and agencies, business and passenger representatives and other interested parties.
- 2.1.5 In pursuing an increase in public transport mode share, Gatwick has consistently out-performed other major UK airports over the last 10-15 years, seeing considerable growth in the percentage of trips using sustainable modes, where other London airports have experienced lower or little improvement in mode shares. GAL has achieved this whilst working with stakeholders and service providers to deliver successive ASAS objectives and targets. This has been largely due to our successful promotion and support for rail travel to and from the airport and is reflected in our Decade of Change (Ref 1-4) targets for sustainable travel. GAL also has a Section 106 commitment regarding managing on-airport car parking to avoid excess capacity and also to use a levy on car parking to provide funding for sustainable travel initiatives aimed at both passengers and staff (our Sustainable Transport Fund or "STF").
- 2.1.6 Gatwick's ASAS (Ref 1-3) is purposely ambitious in tone and intended to set the strategic vision and framework within which sustainable travel to the Airport is promoted. It is also a product of a policy requirement that exists independently of the Project proposals. As such, rather than update the existing ASAS (Ref 1-3) to incorporate measures specific to the Project and commit to the same in the DCO (which would inevitably change the narrative and tone of the document), it was considered more appropriate to instead commit separately to specific surface access outcomes identified through the development and assessment work which has informed the Project (the

- SACs). These will then then be subject to separate scrutiny, monitoring and reporting obligations outside of, but complementary to, the existing ASAS process with the TFSG described above.
- 2.1.7 This document is secured as a legally binding commitment under the DCO, providing an additional level of assurance and security to stakeholders as to GAL's commitment to its specified surface access outcomes.
- 2.1.8 This document does not include the highway improvement works which form part of the design of the Project and are secured separately as part of the draft DCO. These works are described in the **Environmental Statement, Chapter 5: Project Description** (~~REP1-016~~) and are secured in ~~the draft DCO, REP1-016~~ and are secured in the draft DCO.
- 2.1.9 Looking forward, GAL will produce a new ASAS in line with the existing policy requirements. Subject to the DCO consent being granted, any future ASAS will be developed in full cognisance of the commitments GAL is making about surface access outcomes and measures as part of the Project, as secured by this document, and become the means through which those commitments are delivered. However, for the avoidance of doubt, this document and its commitments would remain in full force and effect, independent of that future ASAS, and GAL would continue to need to demonstrate compliance with its terms.

3. Objectives of the SACs

3.1.1 The objectives of this document are as follows:

- to ensure that GAL's commitments to sustainable travel, made as part of the Project, and the core surface access outcomes which have been identified in the **Environmental Statement** (ES) (Doc Refs. 5.1-5.4) and **Transport Assessment** (TA) [\[AS-079\]](#) 4 are delivered. This will provide assurance that the surface access related environmental effects forecast through the assessment are not exceeded and includes measures identified to reduce surface access related Greenhouse Gas (GHG) emissions arising from the Project; and,
- to provide the monitoring and governance framework for reporting on, and ensuring compliance with, the SACs.

3.1.2 The SACs comprise commitments to:

- achieve specific passenger and staff sustainable travel mode shares;
- implement certain measures and interventions which GAL will use to achieve the mode share commitments; and
- implement and follow a specified monitoring and reporting process in relation to the SACs to provide assurance that the commitments are being complied with.

4. Mode Shares

4.1 Background

- 4.1.1 The proportions of air passenger and staff journeys by different transport modes vary daily, weekly, monthly and annually. They are influenced by the volume of air passenger movements, the balance of business and leisure travel and the mix of short haul and long haul flights as well as by airport operations. They reflect the geographic distributions of passengers and staff, and the modes available to them providing reasonable access to and from the airport.
- 4.1.2 The preferred choice of mode is based on many behavioural factors, some of which GAL can influence but are outside GAL's control.
- 4.1.3 GAL currently monitors quarterly mode shares based on air passenger surveys undertaken independently by the Civil Aviation Authority (CAA) and measures its mode share outcomes as an annual average to smooth out the variations that occur across the year. GAL proposes to adopt a moving annual average based on reported quarterly data going forwards in order to reflect the available CAA data. This is consistent with the current approach to reporting CAA data to the Transport Forum Steering Group. The commitments also cover staff travel, which is not captured by the CAA and reporting a greater level of detail.

4.2 Mode Share Commitments

- 4.2.1 GAL must achieve the following annualised mode shares by the third anniversary of the commencement of dual runway operations and on an annual basis thereafter:
- **Commitment 1** - A minimum of 55% of air passenger journeys to and from the Airport to be made by public transport;
 - **Commitment 2** - A minimum of 55% of airport staff journeys to and from the Airport to be made by public transport, shared travel and active modes;
 - **Commitment 3** - A reduction of air passenger drop-off and pick-up car journeys at the Airport to a mode share of no more than 12% of surface access journeys; and
 - **Commitment 4** - At least 15% of airport staff journeys to and from the Airport where those staff journeys originate or conclude within 8km of the Airport (such "staff journey" being a single one-way trip to or from the Airport) to be made by active modes.
- 4.2.2 The terms used in the mode share commitments are defined as follows:
- "commencement of dual runway operations" means the first day on which commercial air transport movements are scheduled to depart from both the [repositioned](#) northern runway and the ~~current~~ main runway as notified by GAL to the relevant planning authority in accordance with Requirement [203](#) of the ~~DCO (Doc Ref. 2.1)~~ [Development Consent Order](#);
 - "Air passengers" are ~~these passengers departing or arriving on flights and~~ travelling to or from the Airport, [or travelling to and from the Airport from Airport related facilities](#), using the surface access networks. They do not include passengers transferring between flights within the Airport;
 - ["Airport related facilities" means those hotels which are within or adjacent to the airport boundary and provide accommodation to passengers prior to departure, and airport-related](#)

[car parking \(including both on-airport and off-airport car parking\) whether operated by GAL or not;](#)

- "Airport staff" are those who are employed directly by GAL or any other employer at Gatwick and who class the buildings and operational areas of the airport as their main place of work (in accordance with employer and employee travel surveys) within the Airport boundary;
- A "public transport" journey is one where the majority of the journey (measured by proportion of overall travel time) is made by rail, local bus, regional/express bus or coach or any other commercially operated shared transport services available for public use;
- An "active travel" journey is one where the majority of the journey is made on foot or by cycle modes;
- A "shared travel" journey is one where the majority of the journey is made by a private car or other road vehicle containing more than one staff member (including the driver), and all of those staff members are travelling to or from the Airport. This includes group travel solely in relation to a journey to work at the Airport and car-sharing for more than one Airport employee. It does not include any journeys resulting in employees dropped off or picked up; and
- "Mode share" is the proportion of the total number of journeys made to and from the Airport by a particular mode of transport.

5. Measures and Interventions

5.1 Background

- 5.1.1 GAL has the ability to use a number of different surface access related measures and interventions to achieve its committed mode share outcomes set out above. These range from those which GAL has direct control over (for example, car park pricing and forecourt charging to deter non-sustainable travel), to others which necessarily rely on some degree of collaboration with third parties (for example, new bus and coach routes or alterations to rail services).
- 5.1.2 The mode share commitments set out above are proposed to provide confidence and assurance as to the ultimate outcome that will be achieved, whilst maintaining flexibility as to the measures which GAL will utilise to do so. This is appropriate considering the medium to long-term nature of these mode-share commitments, which makes specifying the combination of measures at this stage impractical and unrealistic. It also recognises the need for further refinement, following consent, to respond to circumstances as they arise in the future, through discussions with third parties who would be GAL's partners in delivering certain interventions (e.g. new bus or coach routes).
- 5.1.3 Notwithstanding this flexibility, GAL is committing to a number of specific interventions which are sufficiently certain and will be integral features of GAL's achievement of the mode share commitments. They are though only a sub-set of the toolbox of interventions which GAL expects to be able to draw upon in the future and so will be supplemented with additional interventions in the future in order to deliver or where possible improve upon the mode share commitments in the SACs.

5.2 Intervention Commitments

Enhanced regional express bus or coach services

- 5.2.1 Analysis of our catchment areas for passenger and staff journeys to and from the airport identified those locations where there is significant trip-making but relatively low public transport mode share, largely in areas not well served by rail services to and from Gatwick. Our proposal is to fill these gaps by providing new and enhanced regional express bus or coach routes in partnership with a suitable service provider. This follows GAL's established approach for subsidising the public transport network serving the airport via its Sustainable Transport Fund, which is set out in GAL's current Section 106 Agreement. The STF provides financial support to services ensuring 24/7 access from local areas and has previously supported services to East Sussex, Surrey and Kent.
- 5.2.2 The following regional bus and coach enhancements are proposed as shown in **Table 1**.

Table 1: Proposed routes and frequencies for new regional bus or coach services

Indicative Route	Frequency in future baseline	Indicative Frequency with Project
Chatham – Maidstone – Sevenoaks – Gatwick	Two-hourly	Half-hourly daytime, hourly early/late

Bexley – Footscray – Gatwick	-	Hourly
Tunbridge Wells – East Grinstead – Gatwick	-	Half-hourly
Worthing – Horsham – Gatwick	-	Hourly

Daytime: between the hours of 0700-1900

Commitment 5 –

- (1) GAL must provide reasonable financial support to enable the services detailed in Table 1 above, or others which result in an equivalent level of improved public transport accessibility, to sustain their operation and promote their use for a minimum of five years. GAL recognises that agreement with operators and/or local authorities will be needed on the detail of each route.
- (2) GAL must use reasonable endeavours to enter into an agreement on financial support relating to the proposed routes in Table 1 above (or where applicable, for other routes) with the relevant transport operators and/or local authorities (as applicable) prior to the third anniversary of the commencement of dual runway operations.
- (3) GAL shall consult the TFSG on the details of the routes and operational timetable prior to the earlier of:
 - a) the second anniversary of the commencement of dual runway operations; or
 - b) the commencement of operations of the proposed routes in Table 1 above (or where applicable, for other routes).

Beyond the specific Commitment 5, to fund the services in Table 1 for a minimum of five years, GAL will if necessary to meet Commitments 1 to 4 of the SACs, fund additional regional bus and express coach services.

For the purposes of this Commitment 5, “public transport accessibility” shall mean the ease to which passengers and staff have access to public transport services in catchment areas that are not currently served by direct bus/coach or rail connections in order to provide a viable alternative to car travel from those areas.

Enhanced local bus services

5.2.3 Analysis of our staff journeys to and from work at the airport is an established method that supports GAL’s approach to subsidising local services, particularly early morning, late night and weekend services, via the STF. Our proposal is to further strengthen the bus network within areas close to the airport where large numbers of staff are resident, based on the distribution and mode share of existing journeys, and extend or improve the frequency of key services with a suitable provider.

5.2.4 The assessment assumes the local bus route enhancements shown in **Table 2**.

Table 2: Proposed routes and frequencies for enhanced local bus services

Route	Indicative Frequency with Project
4/5	6 bph daytime; 4 bph early/late

Commented [SS1]: The Joint Local Authorities, in various submissions have raised concerns as to whether the bus and coach service provision is acceptable to meet the mode share commitments and that there is no provision or consideration of the need for bus priority measures.

East Sussex County Council have raised concern in their LIR that at the present time, the only public transport access to the airport from East Sussex is by rail and there are no direct bus or coach services available. ESCC have the following specific requests:

- Extending the 261 route beyond East Grinstead to provide a direct service between Uckfield and Gatwick Airport. ESCC wish to see the operational hours of the service extended to include early mornings, evenings and weekends.

- An hourly bus service from Uckfield to Gatwick Airport and extending this service to Hailsham / Hellingly (we had previously identified an extension to Heathfield but with recent housing allocations for the Hailsham/Hellingly area this is now considered the higher priority area for connectivity to Gatwick.

- A Crowborough to Gatwick service which could run via Forest Row and East Grinstead thereby, in combination with the extended 261 Uckfield – Forest Row – East Grinstead – Gatwick service, doubling the frequency between Forest Row and Gatwick.

Commented [SS2]: The JLAs consider that the introduction of these services will be too late and that they should be introduced earlier to ensure they are effective. It is suggested that these should start on commencement of dual runway operations.

Commented [SS3]: Based on the proposed change to Commitment 5 (2) it is also necessary to amend the wording of (3). It may be easier that GAL consult TFSG 6 months prior to operation of the services.



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10	10 bph daytime; 6 bph early/late
20	6 bph daytime; 4 bph early/late
22	2 bph in peaks, 1 bph other times
100	6 bph daytime; 4 bph early/late

bph: buses per hour
 Daytime: between the hours of 0700-1900

Commitment 6 –

- (1) GAL must provide reasonable financial support in relation to the services detailed in Table 2 above, or others which result in an equivalent level of public transport accessibility, to sustain their operation and promote their use for a minimum of five years. GAL recognises that agreement with operators and/or local authorities will be needed on the detail of each route.
- (2) GAL must use reasonable endeavours to enter into an agreement on financial support relating to the proposed routes in Table 2 above (or where applicable, for other routes) with the relevant transport operators and/or local authorities (as applicable) prior to the third anniversary of the commencement of dual runway operations.
- (3) GAL shall consult the TFSG on the details of the routes and operational timetable prior to the earlier of:
 - a) the second anniversary of the commencement of dual runway operations; or
 - b) the commencement of operations of the proposed routes in Table 2 above (or where applicable, for other routes).

Beyond the specific Commitment 6, to fund the services identified in Table 2 for a minimum of five years. GAL will if considered necessary to meet Commitments 1 to 4 of the SACs, fund additional local bus services or increased frequency or hours of operation of services.

For the purposes of this Commitment 6, “public transport accessibility” shall mean the ease to which passengers and staff have access to public transport services in catchment areas that are not currently served by direct bus/coach or rail connections in order to provide a viable alternative to car travel from those areas.

Commitment 7 - GAL must also provide reasonable financial support for direct services from Crawley Down and Copthorne to Gatwick to improve local accessibility to the airport. Whilst not required to deliver the mode share commitments, the intention will be to extend and/or enhance routes to continue non-stop from Crawley to Gatwick or provide improved frequency or hours of operation.

Bus and Coach Services Fund

5.2.5 GAL will invest a minimum of £10 million in a Bus and Coach Services Fund which will be made available to support the financial commitments referred to in Commitments 5-7 above. The intention of this fund is to give assurance that resource will be available for interventions in support of the achievement of the mode share commitments, in particular the public transport commitments.

Commitment 7A –

- (1) GAL must invest a minimum of £10 million to support the introduction or operation (including expansion or enhancement) of the services referred to in Commitments 5-7 above (the "Bus and Coach Services Fund").

Commented [SS4]: As per Commitment 5, the JLAs consider that the introduction of these services will be too late and that they should be introduced earlier to ensure they are effective. It is suggested that these should start on commencement of dual runway operations.

Commented [SS5]: As per Commitment 5, based on the proposed change to Commitment 6 (2) it is also necessary to amend the wording of (3). It may be easier that GAL consult TFSG 6 months prior to operation of the services.

Commented [SS6]: The public transport accessibility definition has been reproduced from that included at Commitment 5. However, the enhanced local bus services, under Commitment 6, relate to service frequency improvements rather than new routes which increase public transport accessibility. The definition of public transport accessibility for Commitment 6, in addition to referring to public transport accessibility, should also mean the increased ease to which those with access to existing public transport services are able to use them due to increased frequencies and hours of operation.



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- (2) GAL must submit to Crawley Borough Council (for distribution to other local authorities as applicable) an annual statement setting out the investment in the services committed to in the preceding year until the later of (a) the ninth anniversary of the commencement of dual runway operations and (b) £10 million of the Bus and Coach Services Fund has been spent.

Active Travel

5.2.5.2.6 The highway proposals which form part of the Project include physical improvements to active travel infrastructure at Longbridge Roundabout, alongside the A23 London Road and Longbridge Way, between South Terminal, Gatwick Airport railway station and Balcombe Road and alongside Perimeter Road North between North and South Terminals. These improvements supplement the existing active travel routes, which are already largely off-road and will be retained.

5.2.6.2.7 The physical improvements as part of the Project form part of our commitment to supporting more active travel by employees living close to the airport, which includes a specific mode share target. A wider package of measures will be delivered to help achieve Commitment 4 including additional signage, promotion, staff incentives and information. GAL will also enhance on-site facilities to ensure sufficient cycle storage, changing facilities, lockers and showers are available and these support the aim of encouraging more staff to walk and cycle. [These measures to promote active travel will be developed in consultation with the TFSG.](#)

Air passenger car parking

5.2.7.2.8 As part of its 'business as usual' operations, GAL proposes to provide up to ~~6,570~~**5,750** additional car parking spaces, making a total of approximately ~~53,270~~**52,450** spaces available for staff and passenger parking. The Project contains proposals for up to a further 1,100 car parking spaces, bringing the total to approximately ~~54,370~~**53,550** spaces. GAL will provide these spaces over a period of time as demand requires.

5.2.8.2.9 GAL is committed to ensuring that the Project does not lead to traffic nuisance in the surrounding neighbourhood, including indiscriminate and unauthorised parking and waiting.

Commitment 8 - GAL therefore commits to provide [sufficient funding being a minimum of £x](#) for:

- [support for effective parking controls and/or monitoring on surrounding streets if considered necessary by the relevant local authority; and/or](#)
- [support for local authorities in their enforcement actions against unauthorised off-airport passenger car parking.](#)

Commitment 8A - GAL shall assess the need for additional parking over and above that required to replace capacity lost as a result of construction in connection with the Project; [and provide sufficient but no more additional on-Airport public car parking spaces than necessary \(and not exceed 1,100 spaces\) to achieve a combined on and off airport supply that is consistent with the mode share commitments \(commitments 1-4\);](#) and GAL shall consult with the TFSG in advance of providing such parking.

Air passenger car parking charges

5.2.9.2.10 GAL regularly reviews and amends its parking charges in response to anticipated demand at different times of year and needs to be able to retain the flexibility to do this for commercial reasons.

Commitment 9 - Nevertheless, GAL must use parking charges to influence air passenger travel choices and support its approach to sustainable surface access, to the extent necessary to achieve the mode share commitments.

Commented [SS7]: The JLAs still have concerns that there are additional active travel connections that should be provided to mitigate the impacts of the project and ensure there are attractive routes between the airport and local communities. These additional measures sought include, but are not limited to, enhancements to Riverside Garden Park and National Cycle Route 21.

The JLAs will continue to engage with the Applicant to seek agreement on this matter.

Commented [SS8]: The Joint Local Authorities concerns remain that the mitigation offered through the S106 agreement is insufficient to meet the commitments made under Commitment 8. The level of financial support currently offered would not enable effective parking controls, their monitoring and sufficient support for local authorities in their planning enforcement actions. The Joint Authorities will continue to fully engage with the Applicant to seek an agreeable solution through the S106 agreement. Should an agreeable solution not be found this wording may have to change, as the commitments within the wording are not considered to align with the mitigation offered.



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Forecourt charging

~~5.2-105.2.11~~ GAL regularly reviews and amends the forecourt access charge and needs to be able to retain the flexibility to do this for commercial reasons.

Commitment 10 - Nevertheless, forecourt charges are an important influence on mode choice and GAL commits to using forecourt charges to influence passenger travel choices and support its approach to sustainable surface access, to the extent necessary to achieve the mode share commitments.

Staff Travel

Commitment 11 - GAL commits to maintaining the number of parking spaces allocated for staff use at or below current levels (6,100 spaces) and that the staff car parking will only be in use for staff only. There will therefore be no increase in staff parking provision as part of the Project.

Commitment 12 -

- (1) GAL commits to introducing measures to discourage single-occupancy private vehicle use by staff. GAL also commits to implementing incentives for active travel and increasing discounts for staff using public transport. The precise nature of those measures will need to be defined in due course, in consultation with employers and staff. However, for clarity such measures could include, but not be limited to, personalised travel planning for staff, financial incentives such as cycle to work scheme and discounted public transport vouchers, car share database and increased parking charges for single occupancy vehicles.
- (2) No part of the second runway operations may begin until ~~GAL has consulted the measures highlighted in paragraph (1) have been developed in consultation with and approved by the local highway authorities and National Highways with the TFSG in respect of the measures under paragraph (1) above.~~

Commented [SS9]: It is acknowledged that the precise nature of the measures may not be able to set out at the moment in time but for clarity and ensuring certainty of outcome it would assist if example mitigation measures could be included. Example measures are included for other commitments ie 12A.

Ultra-low and Zero Emission Vehicles

Commitment 12A - GAL shall produce a strategy for providing charging infrastructure for electric vehicles used to access the Airport (both passenger and staff) to facilitate the use of ultra-low and zero emission vehicles for those journeys that are made by car. The strategy will include but is not limited to the provision of charging facilities in staff car parks, parking products for airport passengers using electric vehicles, and on-airport charging facilities for both airport and non-airport users. GAL will publish its strategy, in consultation with the TFSG, by 2030 in support of its wider Surface Access Commitments to promote sustainable travel.

Sustainable Transport Fund

~~5.2-115.2.12~~ GAL's existing Sustainable Transport Fund (STF) is used to create a funding stream for initiatives aimed at increasing the use of sustainable transport modes, in support of the measures contained in the current ASAS. Initiatives that are part or wholly funded through the STF are discussed and agreed with the TFSG. The STF is currently administered under periodic Section 106 commitments, which are regularly reviewed and renewed.

~~5.2-125.2.13~~ The STF is calculated as a levy on the number of available air passenger car parking spaces and the number of staff parking permits issued each year. The tariff charged on each air passenger space increases each year. Since 2020 there is also a financial contribution from forecourt charges in to the STF. For clarity this fund is entirely separate to the Transport



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Mitigation Fund, Bus and Coach Services Fund and other funding referred to specifically in the Section 106 agreement or other Commitments and is just one mechanism by which GAL ensures compliance with Commitments 1 – 4. For the avoidance of doubt GAL remains responsible for complying with and fully funding Commitments 1 – 4 regardless of the funding stream used.

Commitment 13 ←=

- (1) GAL will continue to use the STF to support measures that will help to achieve the mode share commitments and the measures, to be funded by the STF, shall be determined following consultation with the TFSG. ~~GAL will maintain the annual increase in the tariff value on air passenger spaces.~~ GAL will maintain the annual increase in the tariff value on air passenger spaces.
- (2) From the Commencement Date (as defined in the DCO), the STF shall be made available to provide funding to initiatives aimed at increasing the use of sustainable transport modes and in support of delivering the Surface Access Commitments.
- (3) On or before 31 March in any year following the Commencement Date, GAL shall make a payment to the Sustainable Transport Fund calculated on the basis of the values from the preceding calendar year and shall be the sum of:
- £10 per annum for each Staff Car Park Pass Holder (a person whose employment is located at Gatwick Airport and holds a valid pass provided by GAL to allow them to park their vehicle in a designated area across Gatwick Airport);(indexed)
 - a levy on the total supply of spaces in public car parks operated and available for operation by or on behalf of GAL in the preceding year at the rate per space of £34.75 (Indexed);
 - 1.8% of the fees collected each calendar year from the drivers of vehicles using the terminal forecourt passenger drop off zones;
 - 100% of the funds generated through fines for Red Route Contraventions (a road traffic offence for which GAL, as highway authority, has authority to enforce a fine); and
 - any sums brought forward from previous years.

GAL shall not be required to make payment into the STF pursuant to paragraph (3) above in any year to the extent that such payment would increase the unallocated or uncommitted funds in the STF to or above a value of £10 million PROVIDED THAT regardless of whether GAL has paid funds into the STF in a given year, GAL remains responsible for complying with and fully funding Commitments 1-4.

- (4) Following the ninth anniversary of the commencement of dual runway operations, if the Councils agree with GAL that the Mode Share Commitments (Commitments 1-4 in this document) have been met, the Councils may confirm in writing that GAL is not required to make payment into the STF pursuant to paragraph (3) above in any particular year.
- (5) On or before 31 March of any year following the Commencement Date until the ninth anniversary of the commencement of dual runway operations GAL shall submit to the Crawley Borough Council (for distribution to other local authorities as applicable) a statement detailing the use of the STF over the preceding calendar year including:
- the value of funds contributed to the STF;
 - details of payments out of the STF;
 - a description of the initiatives that were paid for by the STF; and

Commented [SS10]: The JLAs acknowledge that this is taken from the existing S106 but query why such a low proportion of forecourt charges are included in the STF?

Commented [SS11]: The JLAs cannot agree to paragraph 5. As stated in paragraph 4.2.1 of the SACs GAL must achieve the mode share commitments 1 to 4 by the third anniversary of commencement of dual runway operations and on an **annual basis thereafter**. Given commitments 1 to 4 are an ongoing requirement the Councils would never be in a position to confirm that GAL is not able to make payment into the STF after 9 years. GAL may be meeting the SACs 9 years post commencement of dual runway operation but then a breach occurs when further growth occurs. It is therefore essential that the STF is held to cover any potential future breaches and ensure the mode share SACs are met.

However, a clause could be included that allows an alternative means to the STF, of funding the SACs to be agreed with the Councils.

However, this would only be if the SACs Commitment 1 to 4 are being consistently met over numerous years and any horizon year must be appropriate and 9 years is not considered to be, given that airport growth would still be occurring at this point.



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d. [the remaining balance of the STF.](#)

Transport Mitigation Fund

Commitment 14 - GAL will also set aside a Transport Mitigation Fund (TMF) of £x to support further interventions, particularly should the need arise for additional measures in the area surrounding the Airport as a direct result of airport-related growth. The intention of this fund is ~~to give assurance that for~~ resources ~~will to~~ be available ~~for additional interventions in support of the commitments set out in this document,~~ or to provide mitigation of an unforeseen or unintended impact from the Project. This may relate to physical infrastructure, changes to public transport services or facilities off-airport. Requests for and decisions on allocation from the TMF would be addressed through the Transport Mitigation Fund Decision Group in accordance with the provisions in Schedule 3 of the Section 106 Agreement ~~[REP2-004].~~ ~~REP2-004].~~

Commented [SS12]: The TMF is solely to fund unintended or unforeseen consequences resulting from the Project. It is not to provide for additional interventions in support of the commitments, this is covered by other funds such as the Bus & Coach Fund and STF.

Commented [SS13]: The Joint Authorities have outstanding concerns in relation to the operation of the Transport Mitigation Fund and how the Transport Mitigation Fund Decision Group will operate and make decisions. The Joint Local Authorities will continue to engage with the Applicant to seek to address these outstanding matters.

For clarity it would be useful to include the value of this fund and how long it will operate for.

6. Monitoring and Reporting

6.1 Background

- 6.1.1 GAL recognises that it is necessary to monitor the actual outcomes that are anticipated to result from deploying the measures listed above and to provide periodic review of whether, and assurance that, the committed mode shares are being achieved. The Transport Assessment demonstrates that the mitigation put forward as part of the application for development consent for the Project (including those measures/commitments made in this document) are forecast to be appropriate in mitigating the potential impacts of the Project.
- 6.1.2 The **Transport Assessment** (Doc Ref. 7.4) sets out how we have modelled these interventions and assessed how well they contribute to the proposed outcomes. This analysis has been compared against existing behaviour and mode share trends and with our future baseline, which is informed by our existing ASAS. We are confident that the committed mode shares are challenging but achievable. The measures secured as part of this document will be brought forward iteratively, informed by the rate of passenger growth and performance against the headline mode share targets identified through annual monitoring.
- 6.1.3 GAL already collects data on travel and transport from a number of industry sources and its own data collection programmes. This will continue and GAL will collect or commission additional data to ensure sufficient information is available to capture the scope of the commitments, as part of monitoring progress on the committed mode shares. GAL also commits to a formal, structured approach to reporting monitoring data with independent verification.
- 6.1.4 The objectives of the proposed monitoring exercise are to measure progress on achieving mode share targets consistent with the Environmental Assessment and DCO commitments, and support the identification of impacts on surrounding communities and transport networks that should be reflected in the Surface Access Commitments.

6.2 Monitoring Commitments

Commitment 15 – GAL commits to undertaking a comprehensive monitoring exercise based on the data sources listed in **Table 3**. Not all of these sources are in GAL’s control; some would need to be provided by service operators and GAL will reach agreement with those operators on any commercial confidentiality considerations. GAL commits to fund any additional surveys and counts as reasonably required to complete this monitoring exercise.

Table 3: Sources of monitoring information

Type of information	Source	Frequency
Passenger travel data	CAA passenger surveys	Quarterly
	GAL ‘Profiler’ passenger surveys	Quarterly
Car park usage	Continuous barrier counts at all car parks	Continuous
Forecourt usage	Continuous road traffic monitoring (Automatic Number Plate Recognition)	Continuous

Type of information	Source	Frequency
Traffic flows	Continuous road traffic monitoring sites operated by GAL	Continuous
	Continuous road traffic monitoring sites* operated by highway authorities (<i>*with agreement</i>)	Continuous
Rail passenger data	Gatwick Airport station passenger gateline data* (<i>*under the terms of confidentiality agreements with operators</i>)	Monthly / quarterly (to be agreed)
Bus and coach passenger data	Ticket / boarding data* for Gatwick services (<i>*under the terms of confidentiality agreements with operators</i>)	Monthly / quarterly (to be agreed)
Staff travel	GAL regular staff travel survey	Every 2 years
	On-airport staff parking surveys	Monthly
	Regular walking / cycling surveys	Twice a year
	Audits of use of on-airport active travel facilities	Monthly

Commented [SS14]: The SAC commitments related to staff travel (Commitments 2 and 4) are annual requirements and therefore in order to assess how these are met it is not clear why the staff travel survey would only be carried out every 2 years. The regular walking and cycling surveys may inform adherence to commitment 4. However, to assess commitment 2 it is assumed that a staff travel survey is required. The JLAs suggest that a sample survey (format to be agreed with TSFG) is conducted every year but such that each individual staff member is only surveyed every other year.

Commitment 16 – GAL will prepare an Annual Monitoring Report (AMR) which will contain information about:

- The data collected in the preceding year;
- Parking capacity on-airport
- Outcomes from the staff travel survey (every other year);
- The number and mode share of journeys made by air passengers;
- The number and mode share of journeys made by airport staff;
- The measures currently in use, including the committed interventions and any additional measures which GAL has chosen to implement to achieve its mode share commitments;
- Any identified trends from the latest and previous data;
- The anticipated future trajectory of mode shares and progress towards achieving the committed mode shares; and
- Proposals for introducing, changing or withdrawing certain measures or interventions.

6.2.1 The first AMR will be produced no later than six months before the commencement of dual runway operations.

Commented [SS15]: It would be good practice to produce an AMR upon consent.

6.2.2 The AMR will be provided to the TFSG prior to publication so that it can provide a response. Once received, GAL will publish on the GAL website both the AMR and the TFSG's response at the same time.

6.2.3 In addition to the AMR, GAL will report quarterly to the TFSG, who will also be given access to data collected for the purposes of monitoring except those which are commercially sensitive. GAL will seek to agree appropriate aggregation and summaries of any sensitive data in a form such that it can be shared.

6.2.4 In addition to the AMR and the quarterly reporting to the TFSG, GAL will continue to produce an Action Plan in line with its commitments in the Airport Surface Access Strategy (the "ASAS-AP"). The ASAS-AP presents GAL's plan for achieving the targets set out in the ASAS and the Decade of Change (Ref 1-4), and will also support the achievement of the mode share commitments. The ASAS-AP will be reviewed with the TFSG quarterly and reported on at the annual meeting of the Gatwick Area Transport Forum.

- 6.2.5 GAL will also identify whether there are circumstances beyond its control (for example extreme weather events or industrial action disrupting transport services) which have impacted on its ability to achieve its commitments in the SACs and will advise the TFSG that those events may affect the outcomes reported in the AMR. TFSG will decide and confirm whether they agree with GAL's view that matters are beyond GAL's control and whether those events may affect the outcomes in the AMR. For clarity the baseline public transport services are considered to be those during 2024 (the DCO examination) and not the services levels as modelled within the DCO submission, and this is not considered to be a matter that is beyond the control of GAL.
- 6.2.6 If the AMR shows that the mode share commitments have not been met or, in GAL's or the TFSG's reasonable opinion, suggests they may not be met (having regard to any circumstances beyond GAL's control which may be responsible), GAL will in consultation with the TFSG prepare an action plan to identify such additional interventions which are considered reasonably necessary to correct such actual or potential non-achievement of the mode share commitments. The action plan shall be subject to approval by the TFSG (such approval not to be unreasonably withheld). These actions will apply to measures in GAL's control, or those actions that can be agreed with third parties such as service providers (and GAL shall use reasonable endeavours to agree such measures with third parties). GAL will implement the measures in the action plan once approved by the TFSG.
- 6.2.7 If two successive AMRs continue to show that the mode share commitments have not been met or, in GAL's or the TFSG's reasonable opinion, suggests they may not be met (having regard to any circumstances beyond GAL's control which may be responsible), GAL will prepare a further action plan (the "SAC Mitigation Action Plan") and will provide this to the TFSG, together with additional data if necessary and possible, in order that the TFSG can consider, comment on and approve or reject the SAC Mitigation Action Plan. The TFSG may propose additional or alternative interventions it believes to be necessary to achieve the mode share commitments (the "Proposed Measures"). GAL must incorporate the Proposed Measures into the SAC Mitigation Action Plan; or provide valid reasons why it does not consider they are necessary to achieve the mode share commitments; or offer suggestions for alternative actions where there is evidence they will achieve or exceed the same goal. GAL will implement the measures in the SAC Mitigation Action Plan once approved with the TFSG.
- 6.2.8 Where the TFSG does not agree with any reasons put forward by GAL for the non-inclusion of the proposed measures, it must give GAL its reasons in writing. Within 2190 days of receiving the TFSG's written reasons, GAL must submit the SAC Mitigation Action Plan and the Proposed Measures to the Secretary of State. All representations submitted by the TFSG must be included in the submission to the Secretary of State together with such relevant evidence, data or information GAL considers reasonably necessary to provide a comprehensive submission to the Secretary of State.
- 6.2.9 The Secretary of State may approve the SAC Mitigation Action Plan or direct GAL to include in a revised SAC Mitigation Action Plan the Proposed Measures or such additional or alternative interventions it considers reasonably necessary to achieve the mode share commitments having had regard to the materials submitted in accordance with paragraph 6.2.8 above including the representations submitted by the TFSG and any relevant evidence, data or information submitted by GAL. GAL must implement the measures in the SAC Mitigation Action Plan approved by the Secretary of State unless otherwise agreed with the TFSG.
- 6.2.10 GAL must make available on its website a copy of the materials submitted to the Secretary of State
Environmental Statement: April 2024
Appendix 5.4.1: Surface Access Commitments

Commented [SS16]: JLA's concerns remain in relation to the timescales that can occur when non-compliance with the mode share commitments are taking place. The Applicant has provided no justification for the period of time a breach of the mode share commitments could occur, before monitoring of the modal share target, results in the need to prepare an action plan.

No specific timescales are provided for the creation of the SAC Mitigation Action Plan. In relation to passenger mode shares the CAA surveys are done quarterly so it will be evident in advance of the second AMR, and two full years of data, if the mode share commitments are being met or not. Therefore, it is not evident why it would be acceptable to wait for two years to then start producing the SAC Mitigation Action Plan and no timescale for when the Applicant must provide this plan. The plan should be produced in advance and ready to be implemented at the second AMR which shows the mode share commitments are not complied with.

Commitment 16 should also include further detail of what the action plans must contain including costings, implementation plan, monitoring and report arrangements. Similar to paragraph 6.2.12, of details to be provided to the SoS.

Commented [SS17]: The JLAs have significant concerns of the time periods being allowed where compliance with the SACs is not being met. Given that the majority of the work in producing a SAC Mitigation Action Plan will have been done at this point, because it has already been shared with the TFSG, it is not clear why a further 90 days are required to compile this information and send it onto the SoS. 21 days is considered more than adequate to send an already written Mitigation Action Plan and the requirements under para 6.2.12 of the SACs to the SoS.

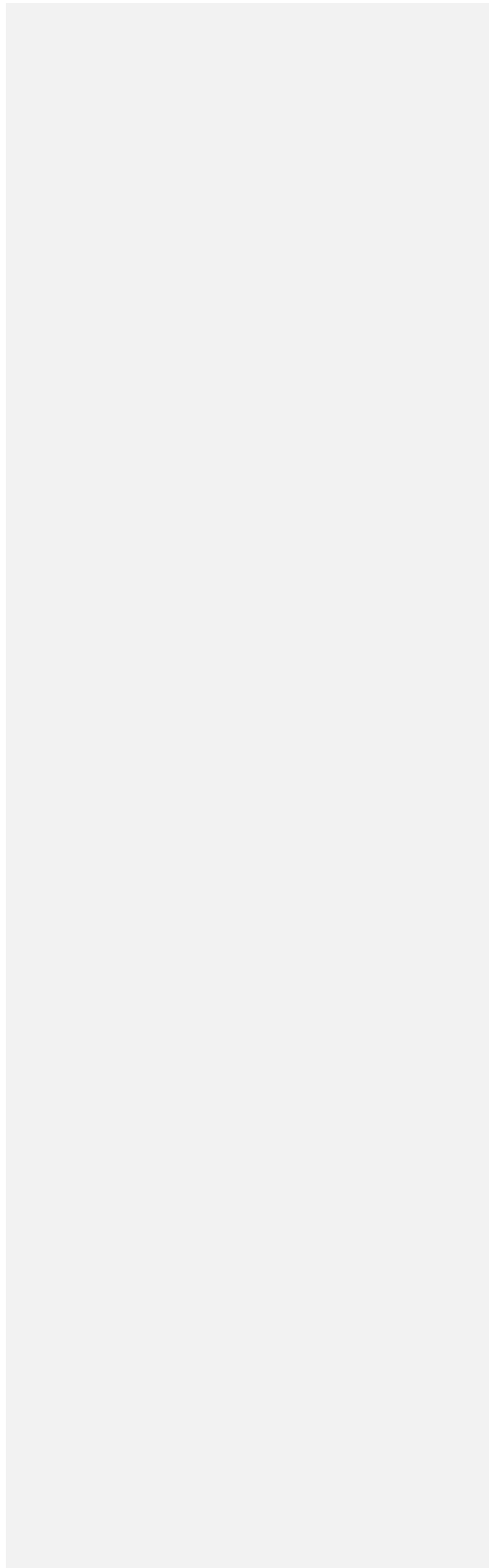
Commented [SS18]: The Joint Local Authorities welcome the inclusion of the SoS however it is not presently explicit in the SACs as to what interventions the SoS could implement. The JLAs welcomes the Applicant's statement in relation to what measures the SoS could implement in The Applicant's Response to Deadline 5 Submissions - Response to JLA's EMG Framework Paper [APP6-093]. In paragraph 5.1.17 the Applicant stated, "There is no ceiling on what the SoS can impose on GAL in any mitigation plan were the circumstances to merit such intervention, and GAL is accepting of this principle." The JLAs take from this statement that the SoS could introduce restrictions or limits on the growth of the airport and changes to parking provision or charging mechanisms, if this is considered necessary and that the Applicant is accepting of this principle. If that is the case, and for the purpose of clarity, the SACs should make it abundantly clear that the SoS can enforce whatever measures they see as necessary and that this could include limits of the growth of the airport.



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State in accordance with paragraph 6.2.8 above and any materials received from the Secretary of State, subject to any confidential or commercially sensitive materials being appropriately treated.



- 6.2.11 Prior to the approval of the SAC Mitigation Action Plan or direction from the Secretary of State in accordance with paragraphs 6.2.7 or 6.2.9 above (as applicable), GAL shall not be prevented from carrying out the interventions or any of the Proposed Measures in the SAC Mitigation Action Plan where in GAL's reasonable opinion those interventions or Proposed Measures are necessary to prevent a breach or anticipated breach of any of the mode share commitments.
- 6.2.12 A SAC Mitigation Action Plan submitted to the TFSG or Secretary of State (as applicable) must include, as a minimum:
- a. details of specific proposed measures:
 - b. a programme for the implementation of such measures:
 - c. how the proposed measures will ensure meeting the mode share commitments, and minimising so far as reasonably practicable adverse impacts of the Project:
 - d. how GAL have had due regard to representations from the TFSG; and
 - e. how the measures will be monitored, assessed to gauge performance, reported and the frequency of updates to the TFSG
- 6.2.13 This approach builds on the existing process for monitoring ASAS targets and the development of Actions Plans in consultation with the TFSG, which has seen GAL continue to invest in achieving sustainable transport mode shares.

7. Further Aspirations

- 7.1.1 GAL is making the commitments in this document to ensure that GAL's commitments to sustainable travel, made as part of the Project, and the core surface access outcomes which have been identified in the **Environmental Statement (ES)** (Doc Refs. 5.1-5.4) and **Transport Assessment (TA)** (Doc Ref. 7.4) are delivered.
- 7.1.2 However, GAL aspires to go beyond the committed mode shares set out in this document where this is possible, in line with its wider aspirations for sustainable aviation, including its Decade of Change (Ref 1-4) and in line with the Government's Jet Zero Strategy (Ref 1-5).
- 7.1.3 GAL has identified the following aspirational mode share targets, which indicate GAL's longer-term goals. These are not commitments under this document (which is intended to mirror and secure the outcomes shown in the Transport Assessment) but will provide context for future actions in relation to surface access interventions and for the development of future ASAS action plans and targets:
- A minimum of 60% of air passenger journeys to and from the Airport to be made by public transport;
 - A minimum of 60% of airport staff journeys to and from the Airport to be made by public transport, shared ~~transport~~ travel and active modes;
 - A reduction of air passenger drop-off and pick-up car journeys at the Airport to a mode share of no more than 10% of surface access journeys;
 - At least 20% of airport staff journeys to and from the Airport where those journeys originate or conclude within 8km of the Airport (such "staff journey" being a single one-way trip to or from the Airport) to be made by active modes; and
 - At least 50% of airport staff journeys to and from the Airport (such "staff journey" being a single one-way trip to or from the Airport) where those journeys originate or conclude within 16km of the Airport to be made by public transport.
- 7.1.4 To achieve these aspirations, GAL expects to work in partnership with other organisations, particularly local authorities, public transport operators and other service providers.
- 7.1.5 The range of potential opportunities includes:
- **Further enhancements to regional express bus or coach and local bus services:** This will continue to focus on areas where increased accessibility, either directly to the airport or via interchange can achieve mode shift and provide sustainable services;
 - **Further enhancements to rail services:** Working with train operators, Network Rail and Great British Railways to enable greater rail mode share and provide improved services covering more of the airport's 24-hour operations;
 - **Enhancing the staff travel offer:** Providing incentives and support for sustainable travel, making it easier to choose and afford public transport and active travel whilst also discouraging journeys by car where reasonable alternatives exist;
 - **Further enhancements to active travel:** Promotion of active travel within the local staff population, including improved on-airport facilities such as a new Cycle Hub, better information, wayfinding and maintenance of routes and additional incentives to choose active travel regularly or as a seasonal mode choice; and

Commented [S519]: The JLAs note that these are longer term targets but there is no commitment within the SACs as to when these targets would be introduced.

The Airports NPS is clear in that the Government wishes to see the number of journeys made to airports by sustainable modes of transport maximised as much as possible.

Should the SACs commitments be regularly met or bettered the JLAs consider that these more aspirational targets should be adopted.

The SACs should provide a clearer commitment as to what scenarios these longer term commitments would be introduced.

- **Making best use of electric vehicles:** Working with service providers to speed the transition of the GAL vehicle fleet, taxis and car rental vehicles to electric vehicles and ensure available charging for staff and passengers where and when they need it.

8. Glossary

Table 4: Glossary of Abbreviations

Term	Description
AMR	Annual Monitoring Report
ASAS	Airport Surface Access Strategy
ASAS-AP	Airport Surface Access Strategy Action Plan
bph	Buses per hour
CAA	Civil Aviation Authority
CAP	Carbon Action Plan
DCO	Development Consent Order
ES	Environmental Statement
GAL	Gatwick Airport Limited
GHG	Greenhouse Gases
SAC	Surface Access Commitment
STF	Sustainable Transport Fund
TA	Transport Assessment
TFSG	Transport Forum Steering Group
TMF	Transport Mitigation Fund

Table 5: Definitions and Interpretation

Term	Description
2022 Agreement	means the agreement entered into under section 106 of the 1990 Act dated 24 May 2022 between: GAL, West Sussex County Council and Crawley Borough Council
Application	means the application for the Project made under section 37 of the 2008 Act given reference number TR020005
Councils	means all of Crawley Borough Council, West Sussex County Council, Reigate and Banstead Borough Council and Surrey County Council
Commencement Date	means the date on which works are Commenced pursuant to the Development Consent Order;

Commented [SS20]: There are various commitments to engage with TFSG within the SACs but this engagement is not defined. The JLAs would look for this engagement to be defined, which sets out a minimum timescale prior to the implementation of measures that the TFSG will be consulted upon. The JLAs would suggest that the minimum timescale should be 6 months prior to the implementation of measures, unless stated otherwise in the SACs.

<u>Term</u>	<u>Description</u>
<u>Development Consent Order</u>	<u>means the development consent order to be made pursuant to the Application</u>
<u>Indexed</u>	<u>shall have the same meaning as clause 8 (Indexation) of the draft Section 106 Agreement [REP2-004]</u>
<u>Secretary of State</u>	<u>means the Secretary of State for Transport</u>
<u>Surface Access Commitments</u>	<u>Commitments 1 to 16 inclusive set out in this Surface Access Commitments document</u>
<u>Sustainable Transport Fund</u>	<p><u>means a fund to be used by GAL towards the delivery of the Surface Access Commitments to increase the use of sustainable transport modes and the value of the fund shall be the sum of:</u></p> <p><u>(a) the value of the fund of that name under the 2022 Agreement or such other consultant section 106 agreement as has been entered into by the parties pursuant to the 2022 Agreement at the Commencement Date; and</u></p> <p><u>(b) the contributions made by GAL pursuant to Commitment [13] from time to time;</u></p>

9. References

- 1-1 Department for Transport (2013) Aviation Policy Framework. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/153776/aviation-policy-framework.pdf
- 1-2 Department for Transport (2022a) Flightpath to the Future. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1079042/flightpath-to-the-future.pdf
- 1-3 Gatwick Airport Ltd (2022) Airport Surface Access Strategy 2022-2030. Available at: [surface-access-strategy.pdf \(gatwickairport.com\)](https://www.gatwickairport.com/~/media/Assets/Strategies/2022-2030_Surface_Access_Strategy.pdf)



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- 1-4 Gatwick Airport Ltd (2023) Our Second Decade of Change to 2030. Available at:
<https://www.gatwickairport.com/globalassets/company/sustainability/reports/2021/decade-of-change-policy-to-2030.pdf>
- 1-5 Department for Transport (2022b) Jet Zero Strategy: Delivering net zero aviation by 2050. Available at:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1095952/jet-zero-strategy.pdf

Appendix B



Gatwick North Runway Project
Response to REP6-091 The Applicant's Response to York Aviation D5 Submissions

1. In **REP6-091**, the Applicant has sought to summarise its position in relation to Need, Forecasts, Capacity and Operations in response to submissions made by York Aviation (YAL) for the JLAs at D5. We agree with the Applicant that some progress has been made through the process of testing the evidence as originally presented and there are fewer points of disagreement than there were at the outset of the process, assisted by the Applicant providing either further information or adjusting its position. It was for that reason that we attempted to summarise key points of the outstanding position at paragraph 17 of Appendix IV to **REP6-099**. Ultimately, the reasons why these points matter are as set out at paragraph 24 of Appendix III to **REP6-099**.
2. To summarise, the JLAs are most concerned that the difference in the passenger and aircraft movement throughput that will be attained with the NRP compared to the current single runway operation is properly understood and the impacts assessed so that appropriate mitigations can be put in place, having regard to the balance between the benefits of growth and the environmental harms.
3. Recognising that the ExA has requested [**ExQ2 CS.2.1**] for the relevant sections of the SOCGs between the Applicant and the JLAs to be submitted at D7, this submission should be read alongside those documents.
4. However, there remain aspects of the Applicant's response in **REP6-091** with which we do not agree and where it has presented the position erroneously. This submission has been prepared to address those points specifically where they relate to the key issues as outlined in previous submissions.

Strategic Case/Need

5. The JLAs recognise the strong policy support provided for making best use of existing runways. However, the JLAs are clear that there remains a requirement to present robust forecasts of demand to underpin the assessment of the benefits and environmental harms to ensure that the decision maker can take a properly balanced judgement (paragraph 6 of Appendix IV to **REP6-099**).
6. The Applicant mischaracterises our position in relation to the demand forecasts at paragraph 2.3.1 of **REP6-099**. The JLAs' position remains that, whilst the forecasts in the Baseline Case are ultimately constrained by available capacity, those for the NRP must necessarily be based on the overall demand within the London area and the extent of competition across the London airports to meet that demand. That can only be determined through proper econometric modelling of the interaction between airports and their catchment areas as airlines will only operate services on an ongoing basis where there is clear demand and they are able to maintain a viable share of the market. Our position is summarised at paragraphs 23-40 of **REP3-123**. Proper consideration of demand and likely available capacity across the London system is such that the NRP is less likely to fill as quickly as claimed by the Applicant. This is what is shown by the Applicant's top down forecasts and sensitivity tests as set out in sections 6 and 7 of **REP1-052**.

7. The Applicant continues to misrepresent our position in relation to the use of top down modelling as the appropriate basis for assessing long term passenger demand for an airport. As pointed out at paragraph 38 of **REP4-052**, the reference to the use of a semi-bottom up approach to long haul demand forecasts for Luton Airport related to the difficulties that a top down model has when an airport has no previous presence in a segment of the market, as was the case for long haul demand at Luton. This is not the case in respect of Gatwick where there is a track record of long haul service operation against which the model can be calibrated. The use of a top down model is ideally suited to the circumstances of the release of a capacity constraint so removing the 'shadow costs' of using a constrained airport. Indeed, this is the premise upon which the national economic case put forward by the Applicant is based (section 5 of **APP-251**). Shadow costs are used in an econometric forecasting model to price off demand at a constrained airport and the shadow costs would fall, largely through lower fares giving rise to benefits to users, when new capacity is released. This approach is inherent in the Department for Transport's approach to modelling how growth would be expected at different airports¹ and the calculation of the benefits of securing that growth. The Applicant's approach between its two assessments is inconsistent.
8. Ultimately why this matters is that, if the Applicant's growth projections for the NRP are too aggressive, this will lead to the benefits in the early years being overstated, over and above our concerns expressed at paragraph 27 of Appendix III to **REP6-099** regarding flaws in the sensitivity analysis for the National Economic Impact Assessment. If the benefits are delivered later, they will be of a lower economic value² than if they are delivered earlier. Whilst this was not considered a major issue at Stansted (**REP6-091**, paragraph 2.4.11), the position there has to be seen in the context that the local planning authority (against whose decision the Appeal was granted) did not itself raise issues with the demand forecasts or the assessment of benefits³. In respect of the Luton DCO (paragraph 2.4.12 of **REP6-091**), a wide range of demand forecasts was subject to sensitivity testing, as required in the Environmental Statement including in relation to the level of benefits, and the paragraph cited by the Applicant has to be read in conjunction with the earlier paragraph 4.3.16 which made clear that there would be effective control on the impact through the Green Controlled Growth Framework:
- "Nonetheless, the Applicant considers that the detailed projections set out a reasonable view of how the airport will be used in future and, taken in the round, are a robust basis for assessing the environmental impacts. To the extent that there is some inevitable uncertainty as to precisely which aircraft the airlines will operate at the airport in future and, hence, the precise number of aircraft movements in any particular time period, the impacts will nonetheless be controlled through the Green Controlled Growth Framework"*⁴
9. In the case of the NRP, whilst the effect of growth being delivered later may be deemed to be neutral in the overall planning balance, to the extent that environmental impacts are related to the passenger and aircraft movement throughput, overstatement of the effects could lead to controls being set too lax relative to the timing when counterbalancing benefits are likely to be delivered. This is particularly the case in terms of the Noise Envelope and is relevant in the context of the need for firm controls on the impacts of the proposed development as proposed by the JLAs under Environmentally Managed Growth [**REP6-100**]. It is for this reason that differences about the demand forecasts matter, contrary to the assertion by the Applicant at paragraph 2.4.10 of **REP6-091**.
10. We continue to have little confidence in the reliability of the Applicant's bottom up forecasts (Appendix A to the Forecast Databook [**APP-075**]) for reasons that are addressed later in this submission.

¹ Department for Transport, UK Aviation Forecasts 2017.

² Under a net present value approach.

³ Stansted Airport Appeal Decision APP/C1570/W/20/3256619, May 2021, paragraph 27.

⁴ London Luton Airport Expansion Closing Submissions, February 2024, Examination Library reference REP11-049.

11. The Applicant seeks to summarise the position in relation Demand Forecasts and Capacity in section 2 of **REP6-091** and summarises the outstanding issues as relating to the seasonal profile and to the need to take capacity at other airports into account. However, a number of its assertions regarding materiality do not accurately reflect the position and we would refer the ExA to Appendices III and IV to **REP6-099** for a more accurate representation of the position. In particular:
- It is incorrect to say (paragraph of **REP6-091**) that the assumptions regarding aircraft size and load factors are agreed - see paragraph 13 of Appendix III to **REP5-094**;
 - Whilst at D5, we indicated that “*subject to being able to verify that the simulation modelling is robust, it appears plausible that the NRP may be able to accommodate c.80 mppa over the longer term*” at paragraph 16 of Appendix III to **REP5-094**, on further analysis of the Applicant’s response to alternative cases for sensitivity analysis [**REP4-049**], we made clear at paragraph 23 of Appendix III to **REP6-099** that a more realistic ceiling on throughput with the NRP is of the order of 75-76 mppa;
 - The lower growth rate assumption, ascribed to YAL by the Applicant at paragraph 2.4.5 of **REP6-091**, derives from the Applicant’s own top down forecasts, which are to be preferred for the reasons cited above (see e-mail exchange at Appendix A to **REP5-081** - these forecasts suggest a ceiling in 2032 of 65.7 mppa) but moderated according to the our more cautious assumptions about load factor growth compared to the Applicant’s, to reflect the programme for the build out of new Pier 7 passenger handling facilities at the Airport as well as the lower annual movement capacity assumed as plausible with the NRP in our low sensitivity test case;
 - Whilst it is correct for the Applicant to note (paragraph 2.4.14 of **REP6-091**) that, if peak throughput remains of the same order of magnitude but demand in off-peak winter periods is lower, this does not directly impact on the assessment of noise effects over the 92 day summer period, there would be an impact on the assessments of other year round effects, including the assessment of benefits to the extent to which overall demand over the year is lower.
12. In relation to Capacity and Operations, the Applicant is correct that the ability of Gatwick to attain the hourly and daily movement capacity claimed by the Applicant is largely agreed (paragraph 2.5.2 of **REP6-091**). Many of our original concerns stemmed from inconsistent assumptions being used in the simulation modelling, which have now been corrected, and the acceptance by the Applicant (page 4 of **REP4-023**) that the potential future enhancements through tools such as reduced departure separations (RDS) or sequencing tools would be used to improve resilience and mitigate delays rather than being assumed to enable increased throughput. As the Applicant notes (paragraph 2.5.3 of **REP6-091**), the outstanding issues relate to the extent to which airlines will take up the available capacity, in particular the difference between peak periods and off-peak periods, as a function of demand in summer and winter.

Forecasting

13. As noted at paragraph 11 above, one area of significant difference remains the extent to which the winter season capacity will fill in both the single runway (Baseline) case and the NRP case. To that end, whilst we agree that the analysis of the Baseline and NRP sensitivity cases in **REP5-081** demonstrated that the Applicant’s busy day aircraft movement forecast was effectively the ceiling on the usage of the NRP capacity at acceptable levels of delay, we draw different conclusions as to the consequences from those set out by the Applicant at paragraph 3.2.2 of **REP6-091**, namely:
- The annual throughput deliverable with the NRP is likely to be materially less than 80.2 mppa with a realistic seasonal profile of demand (paragraph 22 of Appendix III to **REP6-099**), with a best estimate being in the range 75-76 mppa in 2047; and

- Growth in the peak with the NRP will enable a flatter annual profile of traffic such that the increment between the Baseline and NRP cases will be greater than 13 mppa, more likely in the range 18-19 mppa.

14. This is important to the planning balance as it impacts on the difference in environmental effects between the Baseline and NRP case and the judgement to be made by the decision taker.

Peak Spreading

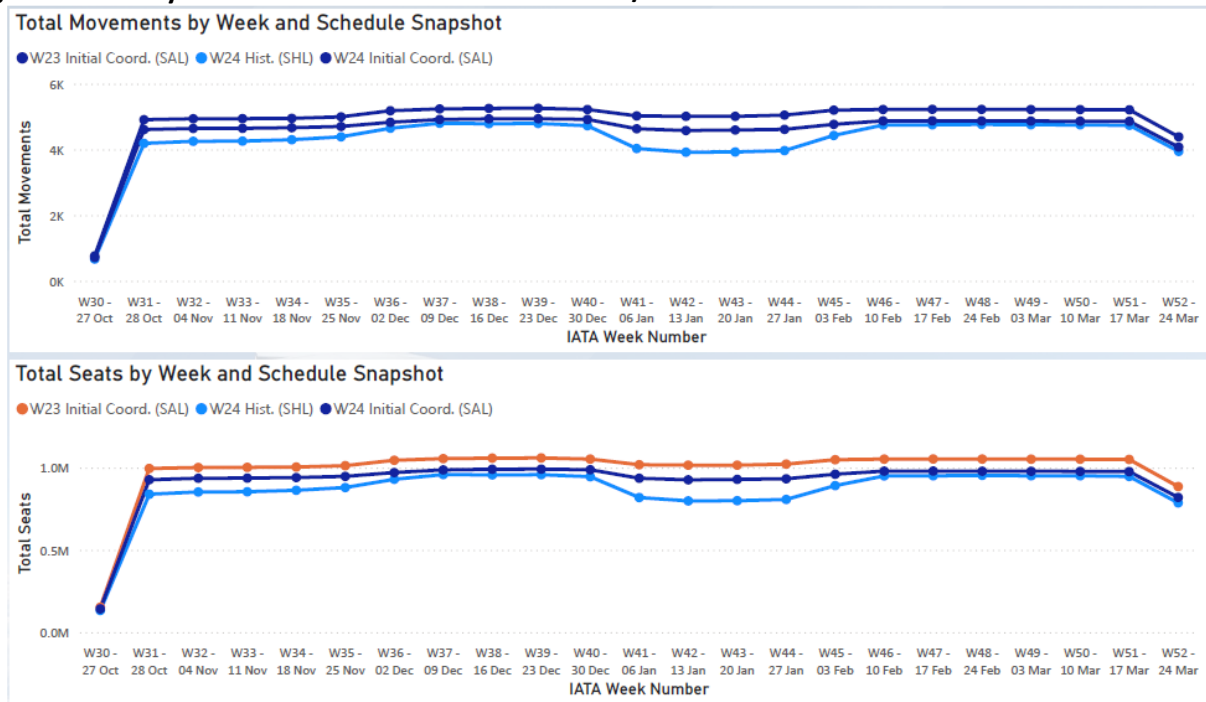
15. At paragraph 3.3.2 of **REP6-091**, the Applicant incorrectly characterises our position. We remain of the view that current levels of delay are a deterrent to airlines basing more aircraft at Gatwick and this influences our view of the extent of growth that it is reasonable to assume in the Baseline case. However, in our Baseline case [**REP4-049**], we do allow for between 12 and 24 additional daily movements on average over the peak month, consistent with the Applicant's assumption as to the additional slots available on a busy day and consistent with the pattern of post-Covid-19 take up of slots set out by the Applicant at paragraph 3.3.4 of **REP6-091**. Given that the peak hours on the busiest day are already full, this amounts to spreading of the peak in terms of times of day and days of the week over the busy month. Furthermore, we assumed that these services are added year round so contributing to a seasonal spreading of the peak for the reasons explained at paragraph 16 of **REP4-049**. The Applicant is completely wrong to say that our Baseline case made no allowance for peak spreading.
16. What we demonstrated in **REP4-049** (paragraphs 6-14) was that to achieve the growth in the number of daily aircraft movements required to achieve an increase in Baseline throughput to 67 mppa, set out as being 47 additional daily movements in the peak by the Applicant in Annex 6 to the Forecast Databook [**APP-075**], is simply not possible within the declared and future planned capacity with the single runway. Hence, the only way in which the Applicant could achieve its claimed growth in the Baseline is if airlines are willing to operate a large number of new services only in the off-peak months. This is simply not plausible to the extent required to deliver the claimed level of growth.
17. At paragraph 3.3.6 of **REP6-091**, the Applicant then repeats the reasons why it claims that the majority of aircraft movement growth at Gatwick in the Baseline case (see Figure 1 of **REP4-049**⁵) will come from seasonal spreading of demand (Peak spread) rather than diurnal spreading of the peak, as described above (Peak Growth). At paragraph 3.3.7 of **REP6-091**, the Applicant claims that the trend for growth to take place year round is still evident post-pandemic and names specific carriers that are growing year round services at paragraph 3.2.22. However, the assertion that these new services are reducing seasonality is simply not true (see paragraphs 13-15 of Appendix III to **REP6-099**). Initial indications are that the situation will worsen further this year as the demand for winter slots at Gatwick has fallen for winter 2024/5 compared to winter 2023/4 as shown in **Figure 1** overleaf. Airport Coordination Ltd data shows the number of planned movements to be down 6.6%⁶ on that planned for last winter, with the number of seats per aircraft also falling. It is notable that this position of decline is not evident at either Heathrow or Stansted, where the number of aircraft movements planned for this winter is largely level with the number of slots originally allocated for winter 2023/4. Even then, there is some evidence that the market across London overall is becoming more rather than less peaky due to higher growth in summer, consistent with the more rapid growth in leisure markets as noted at paragraph 13 of Appendix III to **REP6-099**.

⁵ Note that growth through additional aircraft movements is described by the Applicant as Peak Growth and Peak spread. The increase in Aircraft Size and Load Factor is then added to both existing movements and the projected additional movements. If the number of movements added is less then the total number of passengers added through assumed Aircraft Size and Load Factor growth will be less. This is explained in Table 2 of **REP4-022**.

⁶ Correcting for the extra day in February 2024.

18. Examination of current trends does not corroborate the Applicant’s position that it can grow the Baseline largely through off-peak growth particularly in the winter season. Without such growth, its Baseline case is simply unattainable. The fact that some routes have shown seasonal growth in the past (Figure 2 of **REP6-091**) does not, of itself, demonstrate that such trends will continue. Properly analysed, as in **REP3-123** and **REP4-049**, it is clear that a cautious approach to the degree of peak spreading attainable without the addition of new year round services operating in the peak as well as the winter is entirely justifiable. **This confirms our view that an appropriate assumption for the Baseline case passenger throughput remains at a ceiling of 57 mppa.**

Figure 1: Runway slot demand at Gatwick Winter 2024/5



Source: Airport Coordination Ltd

Growth at Other Airports

19. It remains our view that the Applicant should demonstrate that its need case is robust to varying assumptions of growth at other airports. It remains relevant that its own demand forecast sensitivity testing shows slower growth if capacity increases at other London airports, particularly if a third runway is constructed at Heathrow. There is, therefore, a risk that the benefits claimed may not be attained if there is growth elsewhere and this could alter the planning balance, particularly as the wider economic case is built on the basis of Gatwick [**APP-251**] being the only airport to secure an increase in capacity.
20. The Applicant is wrong when it says such sensitivity testing was not carried out in respect of the Luton Airport DCO Application. This is clearly set out in the Closing Submission⁷, which states at paragraph 4.3.9 that the low case sensitivity test, used in the environmental assessment, was based on either the ‘most likely’ growth case with additional runways at both Heathrow and Gatwick or the adoption of lower growth in the market overall. In the economic and environmental assessments submitted for the NRP, no consideration has been given in any of the assessments to such downside sensitivities or risks in terms of either slower market growth overall or the effect with capacity development at Heathrow over the period to 2047. This leaves residual doubt as to the robustness of the case.
21. It is important to note that, contrary to what the Applicant says at paragraph 3.4.15 of **REP6-091**, we are not arguing that there is not a need to be met by expansion at Gatwick or that there would be no

⁷ London Luton Airport Expansion Closing Submissions, February 2024, Examination Library reference REP11-049.

benefits from such expansion, rather that it is important to the JLAs that the decision is taken on the basis of robust analysis in terms of both the benefits and environmental harms and that proportionate mitigations are put in place.

22. **Ultimately, in accepting that the NRP could potentially handle 75-76 mppa by 2047**, we have not taken account of potential capacity development elsewhere but rather based our assessment on a realistic ceiling as to the throughput attainable with two runways (paragraphs 17-23 of Appendix III to **REP6-099**). However, it remains our view that the downside risk to the attainment of that throughput and/or the rate of growth if other airport developments are consented in the meantime should be taken into account by the decision maker. Once again, at paragraph 3.4.17 of **REP6-091**, the Applicant misrepresents the position.

Capacity and Operations

NRP

23. In relation to the capacity deliverable with the NRP, our initial focus was, as the Applicant notes at paragraph 3.3.2 of **REP6-091**, on the extent to which the proposed development would enable the claimed growth in peak hour departures. This stemmed from concerns about the assumption used in the simulation modelling that a 60 second separation could be attained between all departing aircraft regardless of their departure route. At D1, the Applicant produced new simulation modelling results [**REP1-054**] with more realistic assumptions as to the separations between aircraft and we have been able to interrogate these results.
24. We have now also received the requested information regarding the validation of the fast time simulation modelling against actual performance in 2018 as appended to **REP6-091** at Annex B. Our conclusion on that calibration is that there is some evidence that the simulation model may marginally understate delays. To the extent that there is some risk that levels of delay may have been understated, this could be compensated for by the operational enhancements that the Applicant sets out at Table 7 of **REP1-054**. However, to the extent that there is some risk of delays being greater than modelled, this would still suggest some caution in assuming that a higher capacity would be attainable with the NRP rather than that capacity would necessarily be lower than modelled. As a consequence, it is now accepted that the claimed hourly movement rate and the modelled total number of aircraft movements on a busy day can be achieved with the NRP.

Baseline

25. Where we continue to differ from the Applicant is in terms of the throughput deliverable within the capacity available for both the Baseline and NRP cases for the reasons set out above. As a consequence, we are no longer able to accept 80.2 mppa as a plausible throughput for the NRP by 2047.
26. In relation to the Baseline, our reference to the airfield being close to gridlock in **REP4-049** was not, as the Applicant appears to believe (paragraph 4.3.2 of **REP6-091**), a reference to the situation in either 2022 or 2023 but to the future situation with growth in 2038 as that is the year for which the video of the simulation modelling was provided. We were simply flagging that the daily throughput modelled by the Applicant was at the ceiling of what would be acceptable and that it would not be prudent that to assume that more movements could be scheduled. As the Applicant has demonstrated in section 3.6 of **REP5-081**, the effect of increased movements above those simulated can be significant in terms of the escalation of delays.
27. This is important as the Applicant is simply incorrect when it states (paragraph 4.3.5 of **REP6-091**) that its demand forecast for the Baseline case does not rely on the ability to achieve an increase of 47 additional daily movements. For the reasons that we explain at paragraphs 5 to 11 of **REP4-049**, the Applicant's demand projection that it can achieve 67 mppa in the Baseline assumes the addition of 47

additional daily ATMs in the peak (see page 6 of Annex 6 to the Forecast Databook [APP-075]) so, whilst the Applicant may only have simulated the effect of a modest increase in aircraft movements on a busy day in its capacity assessment, this is inconsistent with the assumption as to the number of additional daily slots that would need to be made available to achieve 67 mppa. It is this inconsistency which ultimately drives us to conclude that 67 mppa is not attainable and that, based on the daily profile of demand that can be accommodated on a single runway, 57 mppa is a more realistic ceiling.

WIZAD

28. It has been agreed that the ability to operate the NRP does not require an airspace change specifically but it is also the case that the operation of the NRP will result in increased air traffic that has to be managed to the south of London. Given that the use of WIZAD as a tactical route is to relieve the effects of airspace congestion to the north of Gatwick, it must follow that the increase in air traffic facilitated by the NRP will increase the probability of WIZAD needing to be used, particularly when coupled with potential increases in air traffic to and from other airports.
29. Whilst we recognised that the Applicant does not intend to seek a change to its Noise Abatement Procedures to enable it to use WIZAD as a normal departure route (paragraph 4.4.4 of REP6-081), this could change in future if it is found that congestion requires more systematic use.
30. We also recognise that a future airspace change would involve its own separate process and appropriate environmental assessment. Indeed, the Applicant and NATS are already engaged in such a process to improve airspace to the south of the airfield which would potentially involve significantly greater use of an early left turn from the runway(s) following a similar initial route as WIZAD, as is clear from consultation materials produced by the Applicant, as part of a proposal for an early introduction airspace change under FASI-S⁸. These show that increased and routine use of a departure route initially virtually identical to WIZAD is being proposed as shown in **Figure 2**. We understand that red options could not be deployed early due to the need to manage interfaces with air traffic to and from other airports but that those shown in green, i.e. including use of this early left turn, could.

Figure 2: Scope of London Airspace South: Gatwick Departure Options



Source: Gatwick Airport Ltd

⁸ London Gatwick Airport, Gatwick Airport FASI South Airspace Change Proposal Stage 3 Stakeholder Inform Session, Virtual Briefing Session, January 2024.

31. Hence, while greater use of WIZAD is not essential strictly to deliver the planned runway movement rate in terms of the capacity of the two runways themselves, it seems highly likely that greater use of a route to the south following a similar initial trajectory to WIZAD is an essential requirement to ensure that the increased volume of air traffic can be accommodated within the air traffic system overall. This is still an issue in terms of the ability of the Airport to grow and the timescale for that to be attained. The Applicant's position in terms of the need for more aircraft to turn south from the runway(s) to accommodate growth in future seems somewhat disingenuous.
32. Greater use of WIZAD is also a noise issue as, although the Applicant has modelled some increase in the use of WIZAD for environmental assessment purposes (paragraph 4.4.6 of **REP6-081**, this is limited and may not fully reflect the environmental implications for the communities around the Airport, in particular Horsham and Mid-Sussex in future.

Detailed Table

33. We now comment briefly on key points of the Applicant's tabular response at Annex A to **REP6-081**, many of which relate to points already covered above:

27	Although the Applicant has not been clear how a 28% increase in passengers, of which a substantial proportion will be increases in the number of passengers on each aircraft movement in the peak, can be accommodated within the existing terminals in the Baseline, the JLAs are willing to accept the Applicant's position that passenger demand can be managed in the Baseline.
43	The JLAs appreciate the Applicant confirming that some of the attainable runway movement rates cited are theoretical maxima not those that can be used for planning scheduled operations.
44	Whilst the ability to operate to the daily schedule used to model the capacity of the NRP as set out in Table 8 of REP1-054 is accepted, it is no longer considered plausible that this number of movements on a busy day will support 80.2 mppa given a more realistic seasonal profile of demand.
45	The Applicant's comments about the phasing of passenger related infrastructure are noted. The principal concern still relates to the rate of build up of passenger demand in the context of the market.
46	The need for controls is addressed in REP6-100 .
64/65 /66	As outlined above, concern remains that the Applicant is not being entirely transparent regarding the potential for greater use of an early turn south from the runway(s).
50/53 /59	The position on the modelling of the daily movement capability of the NRP is largely agreed.
51/66	The acknowledgement that tools such as RDS will be used to improve resilience rather than being assumed as a key element of the capacity deliverable is welcomed.
57	See above.

YAL/12.7.24