



Hearing Transcript

Project:	Gatwick Airport Northern Runway
Hearing:	Recording of Issue Specific Hearing 9 (ISH9) - Day 2 - Part 3
Date:	31 July 2024

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FULL TRANSCRIPT (with timecode)

00:00:04:26 - 00:00:07:24

Good morning. Before we start. Can everybody hear me clearly?

00:00:09:10 - 00:00:13:01

Thank you. And can I confirm that the live streaming this event has commenced?

00:00:14:22 - 00:00:46:09

Thank you. Uh, it's now 10 a.m.. Time to resume this issue. Specific hearing number nine. In relation to the application made by Gatwick Airport Limited, who we will refer to as the applicant for an order granting development consent for the Gatwick Airport northern runway project. Yesterday we considered items one, two, three on the agenda. Today we shall be continuing item three and addressing item four just before we move on to those items. Just a few housekeeping matters and need to deal with. Firstly, could everyone please set all devices and phones to silent?

00:00:47:25 - 00:01:22:03

Um, there are no fire alarm tests or drills scheduled for today, so in the event of a fire alarm, um, please exit the room and the evacuation assembly point is just outside the hotel's main entrance on the left hand side. Toilets are located on this floor in the ground floor. Car parking charges will not apply to those attending the meeting. If you have any issues, please speak to hotel reception in the first instance or the case team. And when using the desk based microphones, please ensure they are positioned close enough to your face. In addition to this in-person event, this hearing is taking place on the Microsoft Teams platform and is being both live streamed and recorded.

00:01:22:15 - 00:01:57:15

For those persons wishing to join online, you may switch cameras and microphones off. If you're not participating specifically in the discussion. Should you wish to raise a question, please raise the Microsoft Teams Hands function and when invited, turn your microphone and camera on. We'll look to take a break at around 1130 and break for lunch at around 1 p.m. for 45 minutes to an hour, and afternoon break around 315, and we intend to close the hearing no later than 5 p.m. yesterday. I promise to read out, um, yesterday's action points, so I'll do that now.

00:01:58:09 - 00:02:36:24

Um, we have eight action points from yesterday. Um, six which are transport related and two which are noise related. Um, as I've said yesterday as well, we'll endeavour to publish these today as well. Um, hopefully you'd have seen it in the action points from yesterday's compulsory acquisition hearing was published yesterday. Okay. So the first one is for I should say actually that all of them are

for deadline eight, all of these eight ones. Um, so the first one is for the applicant to provide revised surface access commitments to better reflect the expected mode shares at the time of the first and subsequent annual monitoring reports.

00:02:44:07 - 00:02:52:24

Um, second one is also for the applicant to submit a proposed new requirement capping the overall number of car parking spaces.

00:03:02:16 - 00:03:09:10

Um third one. Also for the applicant to submit new suggested controls, including details on phasing plan. You can.

00:03:09:12 - 00:03:10:28

Do it. Sorry.

00:03:12:01 - 00:03:21:18

I'll start that one again. I'm not sure what happened there. Uh, to submit new suggested controls, including details of a phasing plan regarding Thames water utilities and sewerage capacity. The.

00:03:28:24 - 00:03:36:27

Fourth one is for the applicant and Thames Water to clarify Thames Water position regarding growth under the future baseline and sewerage capacity.

00:03:44:15 - 00:03:58:03

The fifth one also for the applicant to provide post-Covid analysis showing whether June and not August is still the highest month for combined traffic flow given main difference between pre and post Covid traffic relates to business and commuter traffic.

00:04:07:13 - 00:04:18:10

And the sixth one for the applicant as well. The last of the transport ones is the A27. Arundel bypass will not now be funded. What effect has this for the analysis contained in the transport assessment?

00:04:25:00 - 00:04:28:29

The seventh one is for the joint local authorities.

00:04:30:29 - 00:04:38:24

And that is to submit interpretation of how how noise contour limits would work with a half a decibel reduction every five years.

00:04:51:26 - 00:05:03:05

And the last one also for the joint local authorities, is to provide more detail on how a mechanism could work in requirements to deal with potential exceedances two years in advance.

00:05:15:17 - 00:05:20:14

Thank you. So, as I say, just to reiterate though, we will try and get those published today as well.

00:05:23:14 - 00:05:54:21

Okay, just before we begin, um, just like to say that we we understand that people have strong feelings about the proposed development. Um, but it's important to recognize that we have a process to follow. And in order to get the most out of the examination, we expect good manners and respect to be shown to each other throughout. And as such, we want everyone to have an opportunity to speak and answer questions and talking over anyone or. Repeated interruptions will not be tolerated. So please be polite to each other as everyone deserves the same level of respect, even if you don't share the same views.

00:05:55:28 - 00:06:20:19

Thank you. Um, and just finally as well, it was very. It got quite hot in here yesterday. Um, it will probably get very hot in here later as well today, so please feel free to, um, take your jackets off and so on if you need to. And if anyone obviously is a too hot and feeling the strain, then please let us know and we could take a short break. Okay. Thank you. Are there any questions at this stage about the procedural side of today's resumed hearing?

00:06:22:29 - 00:06:30:25

Okay. No thank you. So we're now like to continue with agenda item three on the agenda. And I will pass to Doctor Brewer. Thank you.

00:06:31:28 - 00:07:03:08

Thank you. Thank you, Mister Hockley. Um, hello again everyone. Um, so just, um, just before we move on to, um, requirement 18, which is where I think we've got to yesterday, I'd just like to recap on two items that I mentioned yesterday. Um, firstly, um, the, um, just to remind ourselves, the Aviation Policy Framework 2013 APF under Aviation Key Facts said with regard to aircraft noise.

00:07:04:15 - 00:07:47:20

I'm just quoting this here. The UK was instrumental in the agreeing a decision of the Committee on Aviation Environmental Protection CIP with Excel, which requires new types of large civil aircraft from 2017 to be at least seven DB, quieter on average in total across the three test points than the current standards size current standard, and then goes on to say standards for smaller aircraft would be similarly similarly reduced in 2020. The second point, the second thing I mentioned yesterday, without going into much detail at all, was the applications D6 supporting noise and vibration technical notes to the statements of Common Ground Tracked version June 2024, which is rep 6066.

00:07:48:11 - 00:08:20:00

Appendix E says within 2.2.2. Here, the applicant says the smaller category C aircraft, being more common, will make up the majority of eagles. So the single predicted level for the larger current generation aircraft will advise for only a minority of eaters, with the majority being around 7 to 9dB quieter. This makes the assessment very cautious and increasingly so for future years, as the next generation aircraft become increasingly common and older types are retired.

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So to conclude on requirements 15 and 16, um.

00:08:30:25 - 00:08:49:29

I'd like you to take an action on this point. So I've just read it out and we'll add it to the action list. The ECA would like to receive a note from the applicant that explains how this information would affect their air noise prediction values from the time dual runway operations commence. And please, can we have this by deadline eight.

00:08:51:18 - 00:08:59:15

And other interested parties online in the room. They're also invited to offer their response to the same question by deadline eight.

00:09:01:06 - 00:09:02:23

And I'd now like to move on

00:09:04:19 - 00:09:05:10

to

00:09:07:01 - 00:09:28:07

18. I don't want to take any submissions on that. Mr. Linus, thank you. I just like to move on. Um, so I'd like to. But now talking about the next requirement comment and team. I will invite the applicant to make comments on on that at this point. Thank you.

00:09:32:15 - 00:09:41:08

Scott, for, um, the applicant. Um, if you move on to the noise insulation scheme, then, uh, sir.

00:09:43:13 - 00:10:25:13

Um. Mr. Mitchell explained our broad response. But by way of introduction, um, our position is that the noise insulation scheme as currently proposed is as well defined. And apart from points of detail, that Mr. Mitchell will come on to one aspect of it in relation to, um, further local authority involvement. Uh, our position is this we say that the system doesn't require further local authority approvals for any planning or listed building consents, which are required by law, would need to be obtained in certain cases anyway, and this would delay the roll out of the noise insulation scheme.

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Um, we've undertaken already and the noise insulation scheme to consult the local planning authority on details of how the scheme is to be promoted and administered to ensure equitable access to the scheme, including for vulnerable people. And as far as local authority involvement is concerned. We've held a further noise to topic working group with the local authorities, um, in July, in which comments raised 30 odd comments raised by the JLR and their deadline five submission were discussed.

00:10:56:20 - 00:11:35:01

Um, that meeting was productive. Several areas with clarified proposals improve the scheme. And we believe, as we've mentioned before, and other responses, including our answer to NVE 2.4 of the Q two responses wrap seven zero at nine that we believe through the consultation undertaken already, the noise insulation scheme has taken into account local authority and stakeholder views. It's been developed into, as I've said, a well defined scheme that can be implemented and we don't accept the approach taken and requirement.

00:11:35:03 - 00:11:55:09

Uh 18 as far as uh, additional local authority involvement is concerned beyond that overview comment, I'll ask Mr. Mitchell to set out the, uh, the bullet points, as it were, in relation to this, and then go into a bit further detail on, uh, the noise insulation scheme proposals and that requirement.

00:12:00:24 - 00:12:03:23

Good morning, Steve Mitchell for the applicant. Um,

00:12:05:09 - 00:12:19:05

I think I'll start with one of the main concerns of the local authorities. And I think of yourself, sir, in terms of the program of the noise insulation scheme and whether or not excuse me, it can be delivered in time.

00:12:24:20 - 00:12:57:12

So, yes, we've certainly listened to the concerns, um, from the local, from the local authorities on this. And we understand that it's obviously essential that the noise insulation scheme is delivered before the noise impacts arise. And you will remember that the peak noise here in our forecast is around three years after opening. Uh, although that I think some of the local authority advisers may think it could be later. So that that's an important year for us because that's when the significant noise effects are worst.

00:12:57:15 - 00:13:29:22

So it's essential that we deliver the noise insulation scheme in a zone that is the significant observable adverse effect level zone by then. Um, but talking about it um, and working on this within the Gatwick team, we have committed to do better than that. So in summary, um, the commitment now that we will bring forward in the revision to the noise insulation scheme at deadline eight, is that the inner zone, the Soul Zone, will be delivered before opening for any applicant.

00:13:29:24 - 00:14:01:00

That applies in a timely fashion for that scheme. Clearly, if somebody applies the month before opening, we can't necessarily do it for them. So we have a form of words to make it clear that we launch the scheme at construction commencement. Um, and we then advertise it. And in fact that advertising um protocol is to be agreed with the local authorities in particular, so that we catch vulnerable groups or people who may not be able to respond to the initial advertising.

00:14:02:08 - 00:14:38:07

We then notify them again and providing they apply a two years before opening, they will be offered and given delivered the Inner zone scheme before opening. And that is approximately 400 properties. And we're confident with that timescale we can do that, not least of which because in 2015 we delivered 418 properties, our own current noise insulation scheme, albeit a different scheme. So we have confidence in that. Moving on to the outer zone as we call it, which of course is three sub zones.

00:14:38:23 - 00:15:13:06

Um, the noisiest of those being the leak, 60dB down to the leak, 60 an hour, 57dB. That actually is a rather small zone for us. Only approximately 100 properties, and we will effectively put that on the

same time scale as the inner zone, because we can, and because those are the worst affected properties moving to the outer zone. Two, if you like. This is the, uh, like 16 hour, um, 57 to 60 DB contour.

00:15:13:09 - 00:15:30:23

We will launch that one year later than the initial scheme. So that we've got a start on the, uh, in his own scheme. And again, um, providing applicants are make that in a timely fashion, we will deliver that scheme one year after opening.

00:15:36:00 - 00:15:41:06

Excuse me, two years after opening, which you'll notice is a year before the peak year.

00:15:43:09 - 00:16:14:03

Moving to the outer outer zone or outer zone three, if you like. Which is the leak? 16 hour 54dB to 57 decibel contour. The um, the lowest noise level with the lowest grant associated with it. Um, again, we will launch that later. Um, to get us started on the inner zone scheme that will be launched within two years of commencement of construction, and provided applicants apply within two years of that.

00:16:14:05 - 00:16:38:09

We will deliver that. And that's the largest zone for us with 2700 properties approximately before the three years after opening. So before that peak noise year arises. I think that's a summary of the timing, and I'm very pleased we've committed to that. Um, because I think it's one of the key concerns that that was around the table previously.

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Thanks, Scott, for the applicant and sorry, sorry.

00:16:42:21 - 00:16:43:23

There's more to that. Uh, Mr..

00:16:44:05 - 00:17:19:16

Yes. As far as the suggested requirement is concerned, obviously we, uh, advance this improvement. Um, uh, as an alternative means of dealing with what is set out in paragraphs two, uh, three, and five relating to notifications and implementation. So we've taken on board what we understand by the implicit desire that's reflected in that requirement to ensure there's a clear process in place. But we say the better way of doing that is to reflect that in changes to what we regard as an otherwise well defined, um, scheme.

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Um, there are other, um, points we'd like to raise in respect of um, uh, requirement, um, 18 and, um. I can ask Mr. Mitchell to, uh, cover those. I think two points are in relation to the apparent way in which the proposals, uh, address internal noise and levels and, um, uh, that's the sort of that's one point, uh, and then there'll be other points addressed to Mr.

00:17:50:28 - 00:17:51:13

Mitchell.

00:17:52:14 - 00:18:04:27

Yeah. That that will be helpful because I think, um, I can see all responding, um, with revisions to your scheme. Um, but it was also covered off the other points here. That would be that would be very helpful. Thank you.

00:18:06:00 - 00:18:14:04

Scott. As we go, we'll try and link our comments to specific paragraphs in the requirements so you can see how we would oppose the authors. Thank you.

00:18:14:08 - 00:18:17:14

I think you've read my mind there. Mr.. Yes. Thank you.

00:18:18:16 - 00:18:51:08

Steve Mitchell for the applicant. Thank you. I guess I wanted to start with the good news in terms of the program to be a little bit upbeat, if we can, because I do feel the noise insulation scheme, um, is an important element of mitigation, particularly for air noise and this policy requirements on us to do it. And we have worked hard to deliver, um, what to develop, I should say, and to write down an efficient scheme. So in terms of the internal noise levels, we did have a discussion at the previous issue specific hearing on this.

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Um, we're unable to offer to guarantee internal noise levels in absolute terms. And the reason for that, which we did talk about before, is, um, because the building could be built of a very flimsy external fabric, um, particularly its walls, perhaps, uh, which we wouldn't, um, feel it was appropriate for us to actually reconstruct a the building, which fundamentally was very weak acoustically. But I want to go a little bit further to explain this.

00:19:24:25 - 00:20:12:11

Um, what we have got is a clear specification for the acoustic performance of the winding windows, which we did discuss last time I mentioned. It's defined in an international standard as RW 35. What I forgot to say is that is a decibel value. So that does tell us very broadly speaking, that those windows would deliver 35dB reduction, broadly speaking, from the outside to the inside. And what that means with regards to the windows is that even if you're at a very high noise level, for example, in like 16 out of 69 where we have a small group of properties at this airport that are in that category, if you took off the 35dB, you would get to an internal noise level of 59 39dB.

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I think I've got that right, which is a very reasonable internal standard. So and any airport, any air receivers at lower noise levels, by definition the noise level through the windows would be lower than that and therefore a better standard. So what I think I'm trying to say is in terms of the glazing performance, which for the majority of buildings is the weak link, which is specifically why we target that, um, the acoustic specification of the glazing will deliver an acceptable and have had a good internal standard.

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Similarly, with regards to the roof space, we recognise that occasionally buildings have poor roof space. So in the inner zone we're committed to mitigating that. If that proves to be a weak, a weak space, a weak path for the noise to come in from aircraft above. Um, and the same goes for maximum noise levels, which perhaps I won't take you through. But fundamentally, the window specification, um, is designed to, if you like, overachieve, an internal acceptable level for the vast majority of buildings.

00:21:18:23 - 00:22:03:04

And that's why we think it's the right scheme. I would just add that there's a lot of history to noise insulation in, in this country through the noise insulation regulations for roads and, and for railways. And they adopt the same approach. They tackle the window system. They don't offer to rebuild a wall structure. Um, if that's a weak point. And the reason for that. Um, or the rationale for that is supported in policy. Uh, if we go to the top level noise policy in this country, the noise policy statement for England, we see that in that significant as observable adverse effect level zone, we have to avoid the noise effect.

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But we also see that that policy is given in the context of the government's sustainable economic development policy. And if you look into what that policy says, it does say you should do these things as far as you can in that context, which does mean that there may be an exceptional circumstance where it's not deliverable. So just to summarise, we think it's it will be the exception if, um, there is a property with a weak wall structure that we can't mitigate. Other than that, the noise insulation scheme will achieve the internal noise levels, which would be perfectly reasonable.

00:22:40:10 - 00:23:06:12

Scott. The applicant and so as I've said before, that covers subparagraph two and four insofar as they relate to internal, uh, noise levels. Uh, Mr. Mitchell, um, other points. Again, if we can relate these points to the proposal, we should do so to, uh, to assess the possible other, other specific points that you want to, um, uh, to raise.

00:23:08:02 - 00:23:13:25

My follow up question, though, please. Mr.. Mr.. Lyness on on what Mr. Mitchell said on behalf of the applicant.

00:23:16:18 - 00:23:24:07

I'm sorry, did you not hear? Sorry. Is that better? Sorry. Um. Um, before. Before I open it up to wider, um, comments. Um.

00:23:26:17 - 00:23:43:09

Put the applicant accept that the performance of their offer. If you like their glazing offer, if I can call it that. The improved glazing offer would be affected by the characteristics of the noise external to the dwelling. In terms of particular, in terms of the frequency content.

00:23:45:22 - 00:23:47:03

Steve Mitchell Yes, of course.

00:23:48:06 - 00:24:10:07

So whilst you I think you've used a figure of about and I appreciate your using sort of broad terms of like 35 db reduction. Yeah. I mean what would the production of a window be that you offer if the external noise was. I can't remember what's your in your 60 DB at, um, a frequencies below 50Hz.

00:24:12:14 - 00:24:40:17

Um, what we have done is look at the frequency spectrum and the RW is specified using the TR suffix, the road traffic suffix, which does account for the low frequency noise content. So I'm happy that um, as I say, it's only a rule of thumb that around 35dB reduction. But that's just for the purposes of people understanding. Today, I accept that more low frequency noise will come in and high frequency noise. So it won't be exactly that.

00:24:41:05 - 00:25:11:20

But surely the guidance that I refer to help, doesn't it, because it says, um, I mean by guidance, I mean BSA 233, for example, um, it says typically landing jet aircraft produce relatively vertically higher levels of high frequency noise, and departing jet aircraft produce relatively high levels of low frequency noise. So wouldn't that difference be accounted for if you referred the design? High due regard, I think, is the words that I use and had due regard to the guidance in terms of designing

00:25:13:18 - 00:25:21:14

the package. I've got a I'll let Mr. Mitchell answer that. Um, Oh, so is it because you can't hear me? I'm very sorry.

00:25:21:16 - 00:25:23:14

I just didn't like the reference.

00:25:24:03 - 00:25:29:14

When you lean over to look at the computer, you're further away from microphone, and it goes into difficult to hear mode.

00:25:29:16 - 00:25:31:01

Thank you. No. Thank you. Um.

00:25:33:12 - 00:25:36:21

Do you just want to pick up that point?

00:25:37:09 - 00:26:08:25

Um, yes. I mean, we're as I said, we're aware that the frequency performance of glazing is less than the high frequency performance. And indeed aircraft, um, particularly at distance, have a high level of low frequency content. Um, but that's included in the expectation of, as I say, the RW 35, which is quite a high value, uh, with the, uh, road traffic noise spectrum. So it may not deliver quite 35dB a reduction. And I'm not claiming that it would, but I'm saying that that's a good standard to achieve.

00:26:09:00 - 00:26:11:13

Um, from the glazing system that we proposed.

00:26:12:23 - 00:26:13:18

Okay. Thank you.

00:26:13:20 - 00:26:14:05

Um.

00:26:14:16 - 00:26:20:23

Yeah. I'll invite. Um. Sorry. Sorry. Is there anything else you want to say on particular, um, paragraphs or.

00:26:20:25 - 00:26:36:19

Yes, sir. Thank you. Yes. Scotland's for the applicants. Um, a couple of other points on proposed program and subparagraph five and reference to maintenance costs and paragraph two. Mr. Mitchell. Anything else please?

00:26:38:13 - 00:27:08:20

Yes. Uh, Steve Mitchell again for the applicant. So the examining authority's proposal two requires applicant to pay maintenance costs for noise insulation measures. Windows typically last around 25 years. Ventilators are low maintenance and actually quite low cost items and will be subject to the manufacturers guarantee, so the maintenance costs will be small. I would say with regards to these acoustic ventilators, we've discussed them quite a lot in the noise topic working group.

00:27:09:02 - 00:27:47:18

I have one on my office desk, which I've demonstrated 2 or 3 times to that group. Um, there are approximately 70,000 of them installed at three airports in the south of England as we speak. So, um, this is not a new technology that's kind of new fangled and goes wrong and needs to be repaired. It's a fairly established, low maintenance item with one moving part, which is a very slick running fan. So I could talk to you about the running costs of those, but I don't think you mentioned that, but we've estimated that at about £16 a year, if someone uses the ventilator quite heavily, particularly through the summer months.

00:27:48:04 - 00:28:06:17

Um, and overall, the thermal benefits of particularly of the, the glazing and the roof insulation that's being offered, we think would offer a saving to the homeowner, particularly in heating costs in the winter. And we would hope that would offset the any maintenance costs of the acoustic package offered.

00:28:08:22 - 00:28:14:01

That's. Thank you. That's helpful. Yeah. There's anything else you want to say? So I've interrupted you.

00:28:14:14 - 00:28:21:19

So what I didn't say is therefore. Or did I? The applicant won't be paying maintenance costs per se. I think I got that point, yeah.

00:28:21:21 - 00:28:26:05

Okay. But no doubt you'll cover this all in my talk anyway. So it'll be. It'll be all.

00:28:26:07 - 00:28:27:17

Clear. Yes. Thank you sir.

00:28:29:27 - 00:28:33:23

Thank you for that detailed response on the different points. Um.

00:28:36:00 - 00:28:37:27

Are you having an internal discussion or.

00:28:41:03 - 00:28:42:13

An apology, sir.

00:28:49:07 - 00:28:52:23

Let's go down south. Thank you. Sir. That's, uh, sufficient for now. Thank you.

00:28:53:16 - 00:29:11:00

Thank you again then. Um, so firstly, I'd like to turn to the, um, joint local authorities for their response to, to sense both things. Both what the ECA has set out as a possible, um, requirement and the applicants response that they've heard today.

00:29:11:26 - 00:29:46:13

Thank you, Sir. Lois Lane, for the joint local authorities, um, on the new proposals around the the timing of the scheme. Um, we welcome those proposals. We will obviously need to sort of respond in writing in detail once we've seen the detail. It would be really helpful, if possible, if the applicant could provide the Glas this week with the the revised, uh, written proposals for on the timing so that we can respond at deadline eight next week. Um, I don't know if that's feasible, but that would that would greatly assist us to provide a full response tonight.

00:29:46:15 - 00:29:51:06

Can I just ask the applicant if they're willing to do that so we can move this on?

00:29:53:12 - 00:30:00:01

Uh, Scott. Yes, we can give some information to to the jazz on that to help them prepare for a deadline. It.

00:30:00:03 - 00:30:03:09

Thank you. Um, returning to the jazz and in terms of other points.

00:30:03:16 - 00:30:37:20

Thank you. So, on the, um, proposal by the ESA. Uh, we really strongly support this proposal. We think that it goes an awfully long way to addressing concerns that we've been raising, uh, since the local impact reports. So the two local impact reports in particular are Rep 1068, uh, which is the West Sussex Local Impact Report, and Rep 1097, which is the joint sorry Local Impact report.

00:30:37:24 - 00:31:08:25

Um, and at paragraphs uh 14.244 onwards in the West Sussex one and paragraph 12.166 onwards in the Surrey one set out the concerns that the local authorities had at that stage around the sort of extent of the scheme and the risk of unmitigated impacts beyond the outer limits of the scheme, particularly as you'll be aware. So in respect of night noise, which is something that we've been been raising throughout.

00:31:09:02 - 00:31:45:13

Um, we think that the extension of the eligibility extension to 48dB, like eight hour. Uh, would, as I say, go an awfully long way towards addressing those concerns in terms of the health impacts of night noise, and particularly because of the risk of that increased noise disturbance in the shoulder periods, which is an issue that we've raised at previous noise, uh, hearings. Um, we have, uh, previously also suggested that that the, um, the outer zone, as it's been described.

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Uh, should include eligibility for insulation based on ground noise impacts and combined air and ground noise impacts. That now seems to be included here based on the amended definition in requirement one. And again, we'd be really supportive of that change. Um, we are really pleased to see the proposal for a design document, uh, dealing with overheating risk. That's another thing that we've raised several times. Um, and we think that that, uh, approved document. Oh, and the building regs and the CBC overheating statement provide sort of suitable standards in respect of that risk.

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Um, we are also think that this scheme, as it's set out, would the requirement for local authority involvement is something we'd be really supportive of. There's. We've been raising throughout sort of concerns about a democratic deficit in terms of local authority oversight. Um, we think that this would be make a lot of progress in that respect. So there's a lot here that we we really, really think is very good. Um, we still have a so in terms of the detail, a couple of points.

00:32:51:12 - 00:33:28:28

So on the ground noise issue, uh, the proposed definition of eligible premises set out in the amended requirement one talks about obviously combined ground noise and air noise impacts. Um, but just to highlight that, we've obviously not seen the ground noise contours. So were that requirement to be taken forward in its current form, um, either those would need to be provided by the applicant, or there would need to be some sort of measuring process for, for combined ground and air noise impacts. Um, we will need to do some further, um, modeling work insofar as we can to be certain of the detail on this.

00:33:29:00 - 00:34:15:23

But just to raise that, we still think that there are potentially, um, issues around, uh, additional awakenings. Now, it may be that those are are satisfactorily mitigated by the 48dB. Um, we are going to submit something on that at deadline eight. Once we've had a chance to sort of run the numbers through through our software. Um, and then also on on single mode contours, which is something we've obviously raised several times. Again, we'll need to to make further comments on that, but we would just highlight again that there's obviously the issue around the fact that real world, West, east,

uh, wind speed or wind direction splits don't necessarily reflect the average 7525, uh, split that is used to define the average mode contour.

00:34:15:26 - 00:34:42:00

Um, and in terms of actual data on the ground, we had a year in 2016 where the split was 8515. We had a year in 2014 where it was 66, 34. Um, so we still have a lot of potential concerns around properties that that might be experiencing, uh, impacts in any given year that fall beyond that average mode contour. Um, but very positive on the the broad sort of thrust of this suggested proposal.

00:34:42:28 - 00:34:55:28

Okay. Thank you. Um, for that. Um, is anybody else who would like to comment in the room or online before I ask the applicant to, um. I'll take the on. I'll take you, Mr.. First, Mr. Tanner. Go on.

00:34:56:13 - 00:35:30:23

Nigel Tanner, resident. I would like to suggest that this proposal must come with a social value fund. Any public sector activity now demands 10% of social value input. And I would like that. Any recommendation that goes forward demands that the applicant puts in a further 10% of anything they spend in order to start to address these issues.

00:35:30:25 - 00:36:09:04

We haven't heard anything, of course, about road noise this morning. So there's a whole if you have 30 million extra people arriving at the airport, there's obviously a huge road noise impact, but we touched on yesterday whether this was adequately funded as a project and I think in the planning stage, I think we established it wasn't. And just by the by, we we passed by this morning yesterday on their planning application about the pond and the relocation and the fact that the council, local council wasn't prepared to adopt that pond.

00:36:09:06 - 00:36:40:18

All of these encompass the fact that it's further funding and what the JLA referred to as a democratic deficit. I think a social fund value fund attached at 10% of anything that the applicant spends on top of anything they spend, would have to be mandatory. If you look at any other government project, they would demand the supply of that project includes social value.

00:36:40:20 - 00:36:44:21

So I ask that that being included as a recommendation. Thank you.

00:36:45:02 - 00:36:54:00

Okay. Thank you. I understand the general point. I think we've got the general point there. Thank you. Um, I think it's, uh, it's at least a Scott online. Please, if you'd like to go ahead.

00:36:54:26 - 00:37:25:02

It's Lisa Scott for troubled parish council, and I'm glad to see the advances. However, I still think that they don't go far enough with regard to particularly the, um, ventilation. The comments were that this is established technology, windows, etc. but we should be looking at state of the art and advanced technologies in this day and age we've had huge progress in competing in compensating and addressing overheating in buildings.

00:37:25:11 - 00:37:58:10

Um, there, uh, the applicant's, um, consultation on the ventilators has stated that people would still need to open their windows in the hottest weather. And, uh, I raised before the request that er, heat pumps be provided because these can act as a conditioning unit. I've got some additional, um, backup information about these, which start at around £1,500 for a unit that would call the entire, um, sleeping area of a house.

00:37:58:12 - 00:38:13:15

So I think the additional cost of providing air to air heat pumps, um, to act as cooling, um, could be perfectly acceptable within the mitigations provided to residents. Um.

00:38:15:29 - 00:38:29:02

Yeah, I think that's that's really covered it. It's they would make a, you know, we should be using the technology that we've got available these days rather than sticking with what might be, uh, historic and outdated. Thank you.

00:38:30:10 - 00:38:51:19

Thank you. And if you want to put any of those details in writing, you've obviously I'm sure the applicant would and the councilors would like to be happy to see them. Yeah. Um, but I will ask if there's nobody else online or in the room. I'll obviously ask the applicant to, um, respond to what they've heard just now. Thank you.

00:38:52:00 - 00:39:24:11

Uh, Scott, for the applicant. I'll ask Mr. Mitchell to respond to some of the detail. But before he does that, I just want to pick up on one point that relates to a point raised about local authority involvement and the informative to the requirement, um, and informative to um, uh, the requirement uh suggests that design proposed may affect the appearance local built environment may involve features that would normally require consent, including listed building consent.

00:39:24:21 - 00:40:04:22

We just want to be, um, clear that, um, there's nothing in the proposals that the applicant is putting forward that seeks to somehow dis apply town and country planning and listed building laws in the ways that appear to be suggested by the informative. Um, I mean, the material that be provided we don't think will be will require, uh, planning consent. And as we heard yesterday, the noise insulation scheme that we propose makes clear that where listed building consent is required, very few, very low percentage of properties, about 5%, and the applicant would make the necessary application on behalf of the of the homeowner.

00:40:05:10 - 00:40:24:06

So we don't want the notion of local authority involvement to be based on a sense that we're somehow seeking to avoid the application of town and country planning legislation through the noise insulation scheme. That's not the case. Subject to that point, I'll ask Mr. Mitchell to pick up on the points of detail raised by the JLS.

00:40:26:08 - 00:40:56:23

Steve Mitchell for the applicant. I think I've got 4 or 5 points. Most of the points made by the jazz actually relate back to the requirement. One interpretation in annex B, which of course we haven't covered in the agenda so far. So I think we do need to cover the that that agenda item now. Um, the first two bullet points in requirement one refer to the average summer day should be used to, etc., and we support that as a clarification of the noise metric that's preferred.

00:40:57:07 - 00:41:29:12

I'm very supportive that the examining authority have recognized that as the correct metric to use for interpreting the noise standards that we use. The third bullet point refers to eligible premises, and this is where we need to respond to 3 or 4 of the suggestions. Um, we have eligible premises shall mean buildings at least partly used or permanently used for residents or education. Now we think they would need to be permanently used as a residence, but that's a minor point.

00:41:29:14 - 00:42:11:26

And obviously the noise insulation scheme for residential properties directly addresses that, so that's fine. The next word is education. And we have a noise insulation scheme for schools that we can talk about further if we wish. So we're happy we've covered all the schools. The next word is healthcare. Um, which I think we need to get into the specifics. Um, if you would like to know if we have any noise impacts on healthcare, um, buildings. Um, if you look at the is appendix 14 .9.2 towards the rear of that on page 28, there's a table 4.3.2 that covers the noise sensitive buildings that we've assessed.

00:42:12:15 - 00:42:48:00

And there's one hospital there which is the Edenbridge and District War Memorial Hospital, which in 2019 had an leak noise level of 52.8. And the project is predicted to increase that by about 0.7 of a decibel. So we won't have a significant effect on that hospital. Um, and nor do we feel we need to provide noise insulation to it, because it's rather a long way from the airport and the noise levels are low. If you look at other schemes that have offered noise insulation for this kind of property, and we'll get on to community buildings in a minute.

00:42:48:13 - 00:43:21:06

And the most recent one, which the Glas will know very well is the Luton airport expansion. They do offer a scheme for hospitals and community buildings at like 63dB. Sorry, like 16 hour 63dB. You can see that the one hospital in our case is a clear nine decibels less than that. So clearly wouldn't be insulated at Luton. We don't believe it needs insulating at this airport. Moving on to the next word study and reading.

00:43:21:08 - 00:43:54:11

We take that to be, um, rooms within properties that are used for that function. There may not be a bedroom, bedrooms often used for working at home, etc. and that's covered by our residential scheme. The next one is worship, and if you refer to that table, you don't need to do it now, but you might look back at it. Um, we have assessed all the, um, places of worship, as we call them. I tend to call them churches. But of course, there are various places of worship. Um, and if you look at that list, I think there's about 15.

00:43:54:14 - 00:44:26:19

Um, you'll see. Um, in no case is the noise level above 63 decibel, which again, I referred would be insulated at the Luton proposal, actually, with one exception, Saint Michael's and All Angels church, which is our reference 48. That's in low field Heath. That actually has a reduction of noise of one decibel, because it's to the south of the airport, and the noise on the northern runway moves to noise to the north. Um, in no case there's any church expected to receive a noise increase of more than 1.4dB.

00:44:26:21 - 00:45:02:12

The result of the project, which is negligible or minor, I should say, in AIA terms. And with the one exception, there is one other actually in the Touchwood chapel in, in um to the in small fields, which has a small increase. Um, but all the others are relatively low noise levels. And as I say, the increase is result of the project is small and in a few cases a reduction. So given the complexities of the noise insulation scheme for a particular historic church, we don't propose that those those will be mitigated because we don't have a significant effect on them.

00:45:03:11 - 00:45:37:01

Um, just moving through the definitions in in requirement one, the next reference is to community activities. I think that means community buildings. And again some schemes refer to community buildings, church halls, village halls, sorry village halls, etc.. And in the table I just referred to, we have about 8 or 10 of those. Um, again, the noise increases are in no cases bigger than 1.2dB. And in fact, in all cases, the absolute levels are less than an LCC 16 out of 63.

00:45:37:03 - 00:45:59:27

So under the scheme offered by, for example, Luton Airport, they would not qualify. Uh, given there. Shall we say intermittent use and lower sensitivity than, for example, schools. Um, we noting that we don't have significant impacts upon them. And in some cases the noise levels reduce. We don't propose to offer a noise insulation scheme for those community buildings.

00:46:01:24 - 00:46:32:01

Um, moving on through the definitions defined in requirement one, it refers to following commencement of dual runway operations. I think we've dealt with that just now. And then it talks about air noise and ground noise. Now with regards to ground noise, we have updated the scheme and you will see in the version that will be submitted next week. There is a map which clarifies where the ground noise areas will be.

00:46:32:03 - 00:46:49:13

Um are predicted to be above the inner zone soil noise values, and they will be included in the inner zone noise insulation scheme. And we've clarified that, um, in that map. So it's crystal clear. Um, with regards to the outer zone.

00:46:52:17 - 00:47:22:21

We have been clear, I think, from the start that the proposal does not cover ground noise in the outer zone, where the effects are adverse rather than significantly adverse. And the reason for that is that ground noise, without sounding to be flippant, um, emanates from the ground. And that means there are measures we can take under noise policy requirements to mitigate and minimise those adverse effects. And the case of Gatwick we have what's sometimes called the wiggly wall or the serpentine wall.

00:47:22:23 - 00:48:05:23

Around the northern side, we have a very large bund across the north and the western side of the airfield. Um, and we also have a reconfiguration of that bund required as a result of the project in the extreme west end of the airfield. And we also have a number of operating measures around the airfield to minimise ground noise impacts on the community, including the fact that engine testing is not allowed at night unless in exceptional circumstances. So with those mitigation measures are all designed to minimize the adverse effect of noise from ground activities, entirely consistent with the government policy to mitigate at source if you possibly can.

00:48:05:27 - 00:48:37:02

Noise insulation is not the preferred solution for an activity that you can mitigate at the ground, which is the applicant's approach. So we do not propose to further mitigate, um, ground noise in the what we call the outer zone or the adverse effect zone for those reasons. It is worth noting, of course, that many of the people that experienced ground noise will be in the air noise zones in any effect. And we heard yesterday, I think, from the councillor for Charnwood, that they do experience ground noise there.

00:48:37:04 - 00:49:05:27

We're of course aware of that from our survey work. And the noise barrier and bund configuration in the western end of the airfield will go around the fire training pitch to the height of 8 to 10m, which will actually reduce noise better than the current configuration. So we're happy that we've taken where we have available to us land and works areas to further mitigate ground noise that we've included that in the project.

00:49:11:06 - 00:49:46:13

I just want to check my list in case I've forgotten anything else, so I won't touch on awakenings. I think we've covered that several times, um, in written evidence and in in this evidence and in oral evidence with regards to single mode contours. Similarly, we've talked about this rather a lot. And notice the jelas referred to the sync. The westerly um, percentage of operations went as high as 85% one year and as low as 60% in another year, uh, varying around the long term average modal split of around 70 to 75%.

00:49:46:15 - 00:50:01:12

The sensitivity test for that is included in is appendix 14 .9.2. And I won't go further other than to say the scheme accounts for that in exactly the same way as other schemes at other airports.

00:50:03:17 - 00:50:36:06

Um, finally, Mr. Tanner referred to road traffic noise and made the comment that, um, given the, uh, increased traffic flows that he quoted, I have no idea if they are correct. Um, there would be. I think he used the word huge impact due to road traffic noise that is assessed fully in the US. Um, I no doubt the examining authority have studied that there are a series of mitigation measures which I won't go into. No I won't, I'll stop myself, which ensure that the, um, increases in noise impacts from road traffic.

00:50:36:08 - 00:50:39:24

Noise will be minor or negligible and not significant.

00:50:43:28 - 00:51:17:05

Oh yes, there was one. One final point. Thank you. Um, the Jay's referred to the interpretation, which is in the fourth bullet point, which I didn't get to of your interpretation, which talks about, um, that the noise level is predicted to exceed like eight hour 48 DB. So, um, the proposition from the examining authorities, we should have a specific noise insulation zone down to like 48dB at night.

00:51:17:28 - 00:51:56:12

Um, there's no guidance in policy or requirement to do that. Um, and what I have pointed out, and perhaps we can submit a map to clarify this, is that if you look at the outer outer zone boundary, the lake 16, our 54 decibel noise contour boundary, it is quite close to the lake at our 48dB boundary. Um, a little bit smaller in 1 or 2 areas, but to all intents and purposes, it picks up the vast majority of the population above that nighttime noise level that you have suggested.

00:51:56:15 - 00:52:27:17

So, um, in that sense, our noise insulation scheme does address the outer, um, areas of adverse effects from nighttime noise. Um, and again, um, I don't want to make too many comparisons with other projects, but we think, uh, for zone scheme is sufficiently complicated and not sufficiently complicated, complicated enough. And we wouldn't want to complicate it with 3 or 4 other zones.

00:52:28:00 - 00:52:39:11

And we do note that again um, the recently um examined project at Luton did not propose a noise zone going out to look at our 48dB.

00:52:42:18 - 00:52:50:03

Thank you for those very detailed points. I understand that you wish to speak. I probably, I probably can't see you. I'm sorry about that.

00:52:50:05 - 00:53:04:25

No worries, no worries. Just Odette Shelby for Cagney. Just one quick question. Which is that could Cagney's noise experts also be provided with the new proposals around timing and advance of deadline eight, so that they can respond in the same way as the joint local authorities?

00:53:07:26 - 00:53:11:04

That's right. Yeah. That's straightforward for you to deal with. Yeah. Okay.

00:53:13:23 - 00:53:45:27

So I'd like to thank you for your contributions on this. Um, that was helpful, detailed and relevant to the to the to the point. So I'm grateful for that. I'll move on then. And, um, it actually continues, actually. So I'm moving on from requirements to, um, what's in the section 106 agreement. And actually the applicant did mention something, um, uh, around um, engine ground running. And this is addressed that section four. So my question actually is to the to the jazz on this point.

00:53:45:29 - 00:53:59:28

If you'd be so kind, um, to do the the the gala is consider this approach is sufficient i.e. do they consider the requirement is necessary specific to this activity?

00:54:16:06 - 00:54:18:24

By Eddie Robinson for the joint local authorities.

00:54:19:00 - 00:54:49:00

Um, this is not something we've explicitly considered. I would say that, um, engine ground running is not included in the applicant's ground noise predictions. So in that sense, um, it wouldn't be covered under the ground noise insulation scheme. Um, so, uh, there isn't a precedent for any, any other airports to include engine ground running. So, um, on that basis, we, you know, we wouldn't really want to add any more.

00:54:49:25 - 00:54:53:06

So I take that, that your content with the arrangements as they are.

00:54:54:11 - 00:55:32:15

Anyone from the joint local authority? Um, well, not in the sense that their, uh, grand scheme doesn't extend to the outer zone. So, um, I know the applicant is, uh, mentioned Luton Airport on several occasions. Mhm. Um, so Luton Airport does indeed provide a lot of mitigation for ground noise and engine testing. So there's acoustic barriers proposed there and uh bespoke engine ground on eBay to uh, to attenuate ground noise. But they also extend their ground insulation scheme down to 55dB LK day and 45 DB leak night.

00:55:32:17 - 00:55:38:14

So there is a precedent there to, uh, to extend to that outer zone.

00:55:42:09 - 00:55:47:28

So do you want something like that to be explicit and secure within a requirement?

00:55:48:09 - 00:56:15:06

Lowest level of the joint local authorities. Uh, sir. Essentially, yes. Insofar as the, um, the it's not included in the current grand scheme, it needs to be secured somewhere. Um, so in that sense, yes, we would, uh, suggest that that a requirement is still, um, is necessary. Um. I'm getting, uh, notes from my right, from Mr. Monk, but I think, uh, we are intending to submit a proposed requirement at deadline eight.

00:56:15:15 - 00:56:32:26

I was going to say, rather than rather than have a long discussion on this, um, I will allow you to respond. Um, applicant. But obviously, if you could make that clear and concise, that would be helpful. But obviously, um, I'll give the applicant a chance just to respond to that. If. Now.

00:56:33:18 - 00:57:06:14

Sarah. Scotland's for the applicant. Thank you. Um, from our point of view, we'd understood that although he didn't think it was necessary. Um, section four, then schedule two to the 106, which makes provision for aircraft engine testing. As you, as you mentioned, had been agreed. And, um, we're not entirely clear from the answers there. Uh, from noise consultant as to whether or not it was now being suggested that it wasn't actually necessary for inclusion in that 106.

00:57:06:29 - 00:57:09:20

So we're not entirely clear what the position is.

00:57:11:12 - 00:57:14:25

But I can I can ask Mr. Mitchell to deal with the substantive point.

00:57:16:03 - 00:58:03:04

Uh, Steve Mitchell, I may be able to help. So the section 106 document, um, previously um, had a requirement limiting the number of aircraft engine tests. I think we have referred to it in our engine, um, ground running noise assessment, which is included included in this, which I think Mr. Robinson suggested it wasn't. We have included very detailed assessment of engine ground running noise in the ears. Um, so the section 106, as I say, historically has a limit on the number of engine tests which can take place in six month periods or annual periods, and that has been taken forward in all intents and purposes in the proposed section 106.

00:58:03:06 - 00:58:20:23

So it's one of the measures that I referred to earlier that the airport has to manage ground noise in its totality, already in place at the wording may have been changed slightly. Um, but in essence, that limitation on engine ground running rolls forward with the current proposal.

00:58:25:02 - 00:58:27:03

Do you want to come back on on that brief?

00:58:27:05 - 00:58:53:29

Thank you. Eddie Robinson from the joint local authority. Thank you sir. Um, just to clarify, uh, the applicant's assessment of ground noise was undertaken using the Le Max metric. And so the ground running was not included in their LEC noise predictions. So, um, in that sense, engine ground running is not included in the, uh, noise insulation scheme. So just clarifying that point. Thank you.

00:58:56:23 - 00:58:59:00

I think final word from the applicant should they wish to.

00:58:59:09 - 00:59:33:08

Or Steve Mitchell, we have gone some length to demonstrate that because engine ground running is limited in its number. It's not very frequent. I think on average it's once every three days only during the day. Um, so even on a day when 1 or 2 engine runs happens for a matter of minutes, the high thrust settings are for a matter of less than minutes. And if you do the maths which we have provided to the Glas, the contribution to the X16, our noise level is insignificant, so it doesn't change that assessment.

00:59:33:10 - 01:00:11:06

We believe that you shouldn't assess events that occur once or twice a day at most. In terms of LEC, there's a lot of guidance in the world of acoustics that that's not the right way to assess an occasional noise event. So instead of lumping it in with the LEC, we've dealt with it as an instantaneous L max and compared with it, assisted in that way, which is a more stringent way of assessing it. So whilst Mr.

Robinson is correct that the noise insulation scheme, um, definition with ground noise does not include engine ground running contributions.

01:00:11:08 - 01:00:26:10

That is perfectly correct statement. My response is that the contribution of engine ground running test, particularly in terms of the noise insulation scheme definition, which is the average summer day, is insignificant and therefore does not need to be included.

01:00:29:01 - 01:00:32:24

If it's relevant to this point. Mr. Tanner, I will let you. Um.

01:00:33:10 - 01:00:50:27

Nigel Tanner, resident. I hope the applicant will realize their comments are totally unacceptable to describe ground running noise is insignificant because it doesn't happen very often. Is simply ridiculous.

01:00:52:21 - 01:00:57:17

Thank you for the brief comment. Yeah. Um, do you want to respond?

01:00:58:24 - 01:01:30:09

Uh, Steve Mitchell, uh, what I think I said was the contribution of engine ground running noise to a 16 hour leak noise level. Just to be clear, that's the logarithmic average of the noise level measured between zero 702,300 hours at night. When you do that logarithmic average, that contribution is insignificant. I did not say that the effect of ground noise is insignificant on residents. That is assessed in the year in terms of the peak noise levels that occur at the time, in the context of ambient noise.

01:01:31:00 - 01:01:53:14

Uh Scott Lang Applicant And as you'll note, sir, from the um, section 106, paragraph four and schedule two, uh, there is an obligation relating to aircraft engine testing, which includes provision for aircraft engine tests and mitigation plan for approval by the council. So it's another demonstration that has been assessed and has been properly taken into account in our proposals.

01:01:55:20 - 01:02:19:21

All right. Thank you. I and this is anything else anybody I'm going to draw a line under noise. I'm sure you'll be relieved to hear that. Um, I look forward to your various submissions. Um, action points, submissions, responses inviting to our, uh, drafting. Um, and move on to air quality. I don't know if you need different people or, um, we just carry on.

01:02:21:05 - 01:02:32:11

Uh, Scott Linus for, uh, the applicant, we have Mister Bellinger, who's joined the meeting online to help with air quality, should that be necessary. So just for now, I just.

01:02:32:13 - 01:02:36:06

Thought I just sort of asked the question as we sort of reached a a slight

01:02:37:21 - 01:02:43:04

change of topic. If people a minute just to swap chairs. Yeah.

01:02:43:06 - 01:02:47:21

Scotland if we may, sir, we'll, we'll let some members of our team go. We just have a couple of minutes to do that.

01:02:48:12 - 01:02:49:17

Yeah. Go on. Yeah.

01:03:05:16 - 01:03:24:14

They should. I think they should be quite. I did consider the journey at this point, but I think it should be quite brief. So I'd like to press on and finish my, um, or these two, these two topics before the break, which I think we should do by 1130. Just just to give you some sort of, you know, heads up on that.

01:03:43:06 - 01:04:07:25

Right. So if we're all, um, all here or we've had a change of, uh, change of personnel, um, as I'm sure you would have noticed, um, a new requirement relating to air quality, quite a general, broad requirement, um, set out in the XWB. And, um, I'd like the applicant, please, just to, just to provide their thoughts, comments on that and then others to respond. Thank you.

01:04:08:06 - 01:04:39:00

Uh, Scott Leonard for the applicant. Um, I will give some introductory comments. And if Mr. Bellinger needs to add anything, I'm sure he can. Um, so the air quality monitoring, um, requirement. Um, uh, we just want to be clear what that is intended to achieve because, as you know, um, there is a commitment currently in the draft section 106, um, agreement. Um, and uh,

01:04:40:29 - 01:05:24:19

that involves the applicant providing a monitoring plan within the draft air quality action plan, that appendix five, the draft 106. And in summary, that monitoring will include funding for three Reigate and Banstead monitoring sites and two automatic reference Standard monitors, and the airport site and other indicative monitors now allow continuous collection of air quality concentrations near the airport to support the understanding of local air pollution effects, and the purpose of doing that is to allow comparison against national standards, provide data to understand sources of emissions, and allow investigation of any changes and concentration in the in the future.

01:05:25:07 - 01:06:29:03

Now we do that, but the context for that is that fundamentally, we have assessed air quality impacts and found there to be no likely significant effects. Therefore, the obligation that we are proposing to enter into as a as a monitoring one. There is no specific mitigation that we are proposing for air quality purposes, and we have not seen any evidence to contradict our conclusion that would be any likely significant effect. So if this obligation or this requirement rather, is intended to reflect what is currently in the section 106, I think we could see how that could work if it's intended to go further and somehow suggest at some plan which would require mitigation steps to be taken, we don't accept that because, as I mentioned, we haven't indicated that that would be likely significant effects arising from

our call that would require any mitigation, and we don't think it would be appropriate for any requirement to go further than what we've made provision for already in the 106.

01:06:31:24 - 01:06:34:12

Thank you. Do you want your specialist at any. Anything to that.

01:06:34:14 - 01:06:38:06

Or I can ask Mr. Ballenger has anything to add to that?

01:06:40:09 - 01:06:58:24

Hi. James Bellinger, on behalf of the applicant. Um, thank you. Scott. Um, I think you've summarized it perfectly there nothing else to add from our side other than perhaps to just to remind everybody that there is also the additional monitoring that Gatwick has committed to, um, across the airport at four additional sites with continuous automatic monitoring.

01:07:01:06 - 01:07:03:08

Okay. Thank you, Mr. Bellinger. Um,

01:07:04:24 - 01:07:07:17

Giles, um, can I have your thoughts on this?

01:07:08:18 - 01:07:56:11

Thank you. Sir. Uh, Michael Bedford, joint local authorities. So if I just preface what I say with a reminder. Sorry, uh, that our preferred position is to see air quality included within the environmental managed growth framework. As we've set out in some detail in section four of 7102. Um, it's also the case that we have been in discussion with the applicant in terms of the section 106 provisions, which do make provision for air quality monitoring, and that those discussions are continuing but have not yet reached a shared position.

01:07:56:18 - 01:08:27:24

And a particular issue is the duration of monitoring and the current proposal from the applicant in section in the section 106, in schedule one, and that's in rep 6063 does have circumstances where the monitoring will cease after 2038. Um, and um,

01:08:29:13 - 01:09:12:08

we have suggested that there is a need to continue monitoring to 2047, uh, which we don't consider that the, um, uh, environmental information provided by the applicant shows does not have the potential to cause adverse effects. Um, and what we've done is, uh, if, uh, matters are not dealt with satisfactory through the section 106, we have put forward a requirement dealing with, uh, air quality monitoring in part three of part C of our representation.

01:09:12:10 - 01:10:02:20

7-108. Um, so those provide the context, uh, use uh, obviously having, uh, considered all of that material have put forward, uh, this uh, um, requirement as a, as it were, an alternative. Um, and uh, we can see the principle of, of your, uh, requirement as being an appropriate way forward. Uh, but we would want it to be explicit that the monitoring and management plan that is envisaged to be

implemented should be implemented at least until 2047, so that it extends to the period when the full scale of operations are expected by the applicant to be in place.

01:10:03:07 - 01:10:27:18

Um, and we also consider that there would, uh, there should be, which is something else that's in discussion in the section 106. Explicit provision remained in relation to monitoring for ultrafine particulates. So I'll just check whether there's anything else that anybody needs to add. I'm getting a favorable nod that we don't need to add anything further. Thank you sir.

01:10:28:20 - 01:10:32:04

Thank you for that. I think I follow that, um, quite well. Um.

01:10:34:21 - 01:10:39:16

Anybody. Does anybody else want to make any comments? Yes, sir. Yeah. Please go ahead. Yes.

01:10:39:28 - 01:11:26:16

Um, Odette Chalabi for Cagney and Air Pollution Services, who are Cagney's air quality consultants, will respond fully at deadline eight and give a summary of their position. But I'll just give a quick summary of their position. Um, firstly, Cagney is fully supportive of air quality being included as a requirement within the DCO. Paying to monitor within the section 106 simply doesn't suffice. However, it's Cagney's case that the TSA's proposal still doesn't go far enough. Cagney has submitted on a number of occasions that the DCO should include a binding commitment to ensure air quality impacts are kept below the significant, the less than significant levels that the applicant says they're going to reach, with consequences including fines if those are breached, as with the noise envelope.

01:11:26:20 - 01:11:58:05

And that's set out at rep 4094 and again at Cagney's representations at the last deadline, the applicant continues to say that their modeling shows there would not be significant effects. The applicant should be required to adhere to those conclusions. And if the magnitude of effects that were presented in the EIA are exceeded, the applicant should be held accountable. And Cagney's particularly, um, considers it's particularly important that such requirements are included in the DCO.

01:11:58:10 - 01:12:32:07

Mr. Linus said there's no no evidence provided, but Cagney's air quality experts have provided detailed evidence that there are serious deficiencies in the applicant's modelling, which means it cannot be relied on. For example, Rep for 095. The applicant has still not addressed these concerns by Air Pollution Services about its modelling, and they suggest a risk, um, that the applicant has not defined the magnitude of impact or effect appropriately, leading to the potential for under specifying of mitigation measures.

01:12:33:13 - 01:13:07:25

And in addition, Cagney's experts highlighted at issue seven that national air quality thresholds are only going to get stricter in future. So Cagney also submits that the DCO should be forward looking and, as with noise, include a binding, stepped approach to improvement of air quality, whereby emissions have to improve over time, or alternatively, a review mechanism. and this is essential to

protect local communities from a development that will operate with the associated harmful effects for decades to come, when the rest of the country moves towards more stringent standards.

01:13:09:16 - 01:13:12:04

Okay. Thank you for that. Alyssa Scott online.

01:13:12:06 - 01:14:06:03

Um thank you. Yes. Lisa Scott Parish Council. Um, I'd like to support the comments from Cagney. And, and I think that has confirmed what my question was, is, does the applicant seriously say that there will be no significant impact on air quality, despite a proposed 40% increase in aircraft and the associated um, ground travel to reach those flights and the dust? And in particular, um, we're very concerned about the ultra finds, which are known to have, uh, um, with recent research known to have significant health impacts for a wide number of indications for human health, and in particular, with my residents living very close to the airport, um, we can taste pollution in the air on occasions.

01:14:06:05 - 01:14:15:23

And we want to make sure that if, um, something is going ahead, we need to be proper, have the air properly monitored so that our safety is ensured. Thank you.

01:14:17:06 - 01:14:24:12

Thank you very much. If there's nobody else, I'll invite the applicant to respond to those points.

01:14:24:25 - 01:14:56:03

Scott, for the applicant. Thank you sir. I'll ask Mr. Ballenger to pick up some points. I'll identify for them shortly, but pick up on a few matters myself. Uh, insofar as, um, the Jlab have made points about air quality and EMG, we're not going. I'm not going to get into that today. We're aware that, um, uh, the, uh, submissions have been made by both parties, including the joint local authority submission at deadline seven, which they prepared in response to our submission at deadline deadlines.

01:14:56:05 - 01:15:27:21

66093. We'll be preparing an answer to their later submission, which we'll submit a deadline there, and it will cover their comments on our quality in an EMG context. So I don't need to deal with that today. Um, as for the Cagney representations, um, what they're suggesting is entirely unnecessary and not supported by policy. In short, we have assessed our quality and effects. We find that there are no likely significant effects. Therefore no mitigation is required.

01:15:27:23 - 01:16:17:12

It's entirely unnecessary for us to go further and prepare some form of anticipatory mitigation plan in circumstances where we simply haven't identified a need for one that applies both now and in reference to the suggestion that there should be some sort of future anticipatory system setup. We don't think that's a reasonable argument. We're entitled to assess and mitigate, based on the information available and against requirements that are known today. We do not think that there is a requirement to do more than this, or speculate on future changes to air quality standards and the potential impact against those and any attempt to subject the project on known future standards would introduce obvious uncertainty, which is unacceptable and not required in policy or law.

01:16:18:04 - 01:16:40:11

Um, as for um, other more detailed um, uh, points, I can ask Mr. Ballenger to pick up on the 2038 on 2047 point raised by Mr. Bedford. Secondly, uh, ultrafine particles. And then thirdly any concerns about modeling the cognitive risks. Mr. Ballenger please.

01:16:41:20 - 01:17:26:12

Thank you. James Bellinger on behalf of the applicant. Um, so firstly, on the monitoring point, um, the applicant has proposed monitoring as we've discussed, which will be a very beneficial point for monitoring across the airport site, plus the continuation of monitoring and being paid for on behalf of the local authorities. That will continue until 2038, and we should consider the outcome of the air quality assessment, which was looked at for a range of years, including 2038, all of which demonstrated that the airport would have no significant effects relating to air quality in any of those years and to allow consideration of the local authorities points on the continuation.

01:17:26:14 - 01:18:04:25

What we've done is put in place a requirement for demonstration of meeting the relevant objectives in those years for a minimum of two years. Um, and so that gives a rolling review throughout that time to provide the reassurance that there are no significant or no exceedances rather of the objectives during that period which would demonstrate which is that you can close the monitoring, which is very much in line with the Lakme approach to monitoring um, or the LCM approach to um, declaring or revoking an air quality management area

01:18:06:10 - 01:18:39:20

regarding UPS. We've talked about that in detail before. Um, there are no legal requirements to, um, assess. Um, and there's no detailed modeling methodology that would back up and an assessment approach for UFP. We've talked about it at length, I think, in the past. So I won't go into any further detail now, but suffice to say the applicant is still willing to commit to monitoring of UPS in future should a relevant standard be put in place.

01:18:41:10 - 01:19:21:29

Lastly, on the points from Cagney, the applicant has responded to all of the technical points made by Cagney within the rep 6090 response. Um, we've been able to demonstrate that the conservative approach taken throughout the assessments provides a robust and detailed approach to assessments of air quality. Our discussions with the local authorities as well, have also reached a positive conclusion in respect to detailed technical matters around modeling methodologies and assessment of scenarios, and therefore, we're confident that the assessment has been carried out appropriately.

01:19:22:01 - 01:19:33:21

That has been agreed with the joint local authorities, and we'd be very confident in the results, which conclude that there's no significant effects in relation to air quality. Thank you.

01:19:34:26 - 01:20:07:09

Uh, Scott, last applicant. Thank you, Mr. Bellinger. I think that brings us back in a way, sir, to where I started, which is trying to understand from our part what that requirement is aimed at. As I've said, if the intention is that it replicates the monitoring and reporting provisions within the 106, we're content

with that. But for the reasons we've given, if the intention was to go further, we would we would resist it. But we're not clear which approach is intended to be taken.

01:20:10:21 - 01:20:16:09

Can I just are Cagney so I can't see your hand? Very well. Um. Go ahead. Yes.

01:20:16:12 - 01:20:44:24

Can we just, uh, Odette Chalabi for Cagney? Just come back on the points Mr. Lyness made briefly. Um, the point from Cagney is the applicant is not offering mitigation. If it's so confident that there will be no less than, um, no significant effects, then. Then there should be no concern about a requirement that has consequences for the applicant if they are wrong and there are significant effects eventually. So it's not understood why that's a concern for the applicant if they're so confident in their results.

01:20:45:28 - 01:21:03:09

Before before you just come back on. I have one question that I wasn't totally sure that come from the jazz. Whether you'd answered it, which was this issue about committing to monitoring it out to 2047 or not committing to monitoring at 2047? I may have missed that, but, um, can you.

01:21:03:21 - 01:21:12:14

Um, allow Scotland applicant um, just avoid any, uh, confusion last. Mr. Bellinger to address that again please. Mr.. Bellinger.

01:21:13:25 - 01:21:50:07

James Bellinger on behalf of the applicants. Absolutely, sir. Um, so the applicant has proposed to monitor out to 2038. At which point there would be a review, um, of the concentrations being monitored at that point against the relevant objectives. And there's a requirement to review that for a period of two years. And if the objectives are not exceeded, it can be demonstrated that there's no risk of exceedances. It's agreed that it would be proposed to be agreed that the monitoring site could be closed at that point

01:21:51:27 - 01:21:52:18

in time.

01:21:53:14 - 01:22:02:14

Thank you for that response. Um, are there any further comments from the Jas before I ask the applicant to respond to the Cagney point?

01:22:03:04 - 01:22:24:21

Thank you sir. Michael Bedford, joint local authorities. I think I just asked Mr. Deakin, who is the accom, um, air quality, um, expert who's been advising the JLA. Just to comment on that longer term monitoring and why we consider that, uh, more is required than is currently proposed in the draft of the section 106.

01:22:26:13 - 01:22:26:29

Thank you.

01:22:27:01 - 01:23:15:03

David Deakin icon for the joint local authorities. Um, we are in discussions on the section 106 in relation to air quality as described. And our view is that we would like to go a little bit further in relation to monitoring post 2038. In a couple of respects, one, to, um, consider three years of monitoring data before any, uh, cessation of monitoring was undertaken and also to include some margins of tolerance as well, such that, um, we were, uh, 10% or 20% below the air quality standards at the time to then have confidence that if we were, you know, close to a threshold, that we could have confidence thereafter, that we would remain below that threshold.

01:23:15:05 - 01:23:47:06

And also, I think there is the very real prospect that needs to be incorporated into these proposals that those thresholds could well tighten over time, and we'd like to see that included within the text as well. And also over time, what we will we anticipate to see is that road traffic contribution should reduce over time. But actually the importance of those airport contributions will increase over time as well. And so having confidence will have information over the longer term to understand that transition we feel is important as well.

01:23:50:14 - 01:24:03:27

Thank you for those. So there was some further comments there from Liz and the comments from Cagney. I'll, I'll invite the yeah, I'll invite the applicant sister if you like. Come back one more time on those, um, if you wish. At this.

01:24:03:29 - 01:24:04:14

Point.

01:24:04:27 - 01:24:39:15

Scotland. Thank you sir. Um, I'm not sure whether those comments that have just been raised by the JLR or with us, um, at the moment, if they if they are, I can ask Mr. Bellinger if he has any comment on them. Now, if they're not, and obviously we'll have to take those into account if we see them and if we see them in writing. Um, as for the the Cagney comment before I hand over to Mr. Bellinger, I think doesn't really understand the way EIA works. If you if you conduct an assessment which shows no likely significant effects and no need for mitigation.

01:24:39:25 - 01:25:13:15

There's no need to impose a condition which requires you to go any further than that. If An is concluded, there's no likely significant effect. That does not mean that on every single conclusion, a condition is necessary to effectively guard against circumstances where the EIA is wrong. It's just not the way the system works. Where we have shown that no mitigation is required. We're entitled to rely upon that conclusion to say that no further mitigation is necessary. We have, however, as I mentioned, offered a monitoring obligation to provide information to the local authorities.

01:25:13:17 - 01:25:16:29

But it's absolutely not necessary for us to go any further than that.

01:25:20:26 - 01:25:21:11

Yes.

01:25:22:00 - 01:25:35:20

Um, on the on the 106. I think I'm content rather than us. Mr. Bellinger, we're content to take that, uh, comment um, away. And with some. We'll see that in writing from the from the jailers.

01:25:37:25 - 01:25:50:08

Thank you. Um, if there's nothing else anybody wants to add on this, I'm going to sort of signpost that we will adjourn now our Lisa Scott apologies, Lisa. Scott. I didn't see that hand.

01:25:50:10 - 01:25:53:02

Yes. Sorry, sorry, sorry I didn't hang on.

01:25:53:04 - 01:25:54:05

So, um,

01:25:55:21 - 01:25:59:13

can Lisa Scott go first and then you come back and then your final comments.

01:26:02:15 - 01:26:33:00

Thank you. Yeah. I didn't realize there'd be more, uh, no other questions from others. I put my hand up a bit late. Um, I would like to raise significant concern about particularly ultra fines. There is emerging evidence in the literature that ultra fines can have significant health impacts. They can cross the blood brain barrier, and the potential risks of these are still unknown and emerging. So I think it is vitally important that there is a monitoring system put in place.

01:26:34:05 - 01:26:34:23

Thank you.

01:26:36:22 - 01:26:37:09

Thank you.

01:26:37:13 - 01:26:41:18

Uh, so I'll just let the applicant make. I'll call it. Final comments.

01:26:41:20 - 01:26:42:05

I'll be.

01:26:42:07 - 01:27:14:12

Scotland. I'll be very brief. I don't need to address all the fine particles you've heard from Mr. Bellinger on that second short point. So it would it would assist us greatly in responding to this requirement to understand if the intention is to go further than the monitoring obligation that we're already signed up to in the in the 106, because it will affect ultimately how we respond to the proposed requirements. So if we're able to get confirmation of what the intention behind the requirement is, that would be extremely helpful to us.

01:27:15:15 - 01:27:49:10

Okay. Thank you. Um, obviously we'll get your written comments from those parties. Um, and and no doubt we'll consider those comments and we'll. Yeah. In due course. Um, I'm going to adjourn there because, um, it's now 1127 when we resume in 15 minutes. So that'll be all. Let's say that Salem 45 will resume 1145 and when we come back, we'll be covering employment, skills and business and the housing fund so you can hopefully get the appropriate people in the room.

01:27:50:04 - 01:28:20:21

So, yes. Um, sorry. I'm sorry to delay the adjournment till now. When we looked at those proposed requirements, we realize that there's a socio economic session at tomorrow where a lot of the, um, uh, debate that may take place on those requirements essentially reflects as reflected in the agenda items which are set out for tomorrow. So we were we were wondering or going to suggest whether the we can give a high level instant response today on that.

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

But we think the substance of the debate on that may well overlap substantially with what's going to be discussed tomorrow anyway, under the socio economic agenda.

01:28:28:06 - 01:28:56:20

I'll reply to you now. So I when I'm going to when I was going to open, I was going to comment on this, that I am aware that there was a socio economic section tomorrow. What I'm proposing to be discussing is draft requirements and a couple of the schedules from the 1 or 6. Anything else will be in tomorrow's discussion. So I think it is just wording and section 106 so the content for socioeconomics will be.

01:28:58:04 - 01:28:59:24

The principal tomorrow. Yeah.

01:28:59:26 - 01:29:00:11

Yes.

01:29:00:24 - 01:29:04:12

If that's acceptable to both parties.

01:29:09:05 - 01:29:26:26

Yes. I think Scotland's for the applicant. Um, I think in that context, if we are discussing drafting, which is obviously dependent strongly on the principle, we may need to sort of caveat anything that we say quite strongly, uh, by reference to the debate that happens tomorrow. But let's see how far we can.

01:29:26:28 - 01:29:28:13

I was going to say, shall we, shall we.

01:29:28:15 - 01:29:29:00

Progress.

01:29:29:02 - 01:29:33:25

After when we resume and take it okay. That way. All right. Thank you.

01:29:35:03 - 01:29:38:14

Oh, yeah. Now adjourned. And we will reconvene at 1145. Thank you.