



## Hearing Transcript

<b>Project:</b>	Gatwick Airport Northern Runway
<b>Hearing:</b>	Recording of Issue Specific Hearing 9 (ISH9) - Day 2 - Part 6
<b>Date:</b>	31 July 2024

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## **Gatwick\_31st July\_ISH9\_PT6**

Created on: 2024-07-31 14:28:12

Project Length: 01:25:14

File Name: Gatwick\_31st July\_ISH9\_PT6

File Length: 01:25:14

FULL TRANSCRIPT (with timecode)

00:00:04:29 - 00:00:46:12

Thank you very much, everybody. Welcome back. Good afternoon. Um, it's now 320 and the hearing is resumed. Um, so we'll start off now with item four, the case for the development. Um, obviously, as you'll know on this subject, we've had a full hearing. Ish one. Uh, as well as other sessions on matters such as the baseline. Uh, there's also been a lot of information on the topic submitted by the applicant and the jazz and other parties, which we are grateful for. Um, so I don't intend to reopen discussions on topics that we've already discussed, but I do have some questions, um, on the topic, as indicated by the agenda, and they're mostly questions of clarification or for the to understand properly the differences between the parties at this stage.

00:00:47:01 - 00:01:24:13

So if we could look first at agenda item 4.1 please. Um, and we kind of, um, strayed into this question a little bit earlier on, but as I mentioned before, it's really a question of clarification, and it's basically set out in the agenda there. And if I could ask the applicant first. Um, so the application at present sets out a scenario of a future baseline for 2047 set at 67 million passengers per annum, with the proposal delivering a further 13 million passengers per annum to take the overall scheme up to around 80 million passengers and on the environment.

00:01:25:03 - 00:02:08:00

Excuse me. The environmental mitigation described in application is to cater for that extra 13 million passengers per annum, and we're aware of the controls and measures that are applicable currently to the airport, um, that you outlined in. Um, this is one, one five and ret 157, in response to some of our questions. So it's just clarify, really, were the DCO to be refused? Would those controls and measures that are applicable currently, but they remain the extant controls and measures to mitigate potential environmental effects between the 2019 actuals of 46.6 million passengers per annum, and the future baseline of 67, essentially.

00:02:08:06 - 00:02:10:01

Is that correct, that statement?

00:02:23:13 - 00:02:56:01

Uh, Scott Linus for the applicant. Um, in the new project world, the existing controls that are mentioned in the documents, we've, uh, referred to you, particular existing noise controls, they would continue to have effect, as they do now in the new scheme world. But it's not a question the way it's been put about mitigating, uh, mitigating effects, as if to suggest that's something that sort of falls within the scope of this, uh, examination. As I said before, um, the proper approach to.

00:02:56:03 - 00:03:32:04

Mitigation in this place is to look at the mitigation of the effects of this scheme. And clearly, the effect of the scheme from an airport operation perspective is only realised upon commencement. The dual runway operations. As a matter of fact, there will be other controls which will pretend chute um uh, the consent not be forthcoming. Um, but that is not a matter within the scope of this, um, uh, examination. But as a matter of fact, um, existing controls, for example, on on noise and so on, uh, would, uh, would remain in place.

00:03:35:02 - 00:03:35:17

Thank you.

00:03:35:25 - 00:03:36:29

Yes. Mr. Rhodes.

00:03:38:11 - 00:04:20:18

Uh, John Rhodes, for the applicant to suggest additionally to say, um, obviously things can change. Um, so that, you know, there's a continuing regime of noise action plans, for instance, that can generate change. Uh, the government is consulting on night flights regime. Um, so things may change, particularly if the government considers it appropriate that they should change. The government has those controls. But additionally, I was going to make the point that Gatwick has a history of responding itself to issues or leading on issues through the Decade of Change process, for instance, um, without an obligation to do so, but nevertheless a track record of doing so.

00:04:24:20 - 00:04:48:17

Thank you for that. Um, and then the following question really would be, um, the controls and measures that are, um, form part of this proposal, um, including obviously what we've been discussing today, the potential requirements, section 106 and so on, they would apply to, um, the whole growth in effect, were the DCO to be approved. Is that correct? Obviously there's different phasing and so on in various different controls.

00:04:48:21 - 00:04:50:16

Scotland. Yes, sir. Correct.

00:04:52:07 - 00:04:57:24

Thank you for that. Uh, Mr. Bedford, or do you wish to comment at all?

00:05:00:19 - 00:05:43:15

Thank you sir. Michael Bedford, joint local authorities. Only one also needs to be aware, as is set out already in the documentation before you, that some of the controls are, um, in a sense, time limited in the sense that there is a current section 106 agreement which imposes some restrictions, but that's time limited. There are ongoing, uh, negotiations, uh, effectively to roll that forward in a node eco world, but they haven't yet come to fruition.

00:05:43:17 - 00:06:25:20

I mean, it's hoped that they would do so. Uh, but you need to factor that degree of uncertainty into some of those elements because, um, I say if they've got a time limit on them at the moment until such time as there is a replacement, uh, provision, uh, that, uh, is a factor to take into account. And then we would certainly again echo the point that Mr. Rhodes made, that there may be, uh, other changes to regulatory, um, regimes, obviously outside of the, um, uh, input of the various parties, which might again change some of the existing controls to different ones.

00:06:25:22 - 00:06:34:27

So you can't inevitably assume that everything that's there at 2019 would be there at 2047.

00:06:37:08 - 00:06:43:24

Thank you. Just before I return to Miss Linus, does anyone else wish to make any comments on this specific agenda item? Yep. Councillor Essex.

00:06:44:25 - 00:07:28:27

So I might be misreading or misconstruing what's been said. So my understanding is, is therefore if if the DCO is not consented, then the existing arrangements would continue to constrain that under the um, future baseline, up to 67 million by 2047. And if it is permitted, then the DCI measures would can cover the whole growth, including the extra 30 million up to 80 million parts per million. But we had a recent DCO for Luton where I think for about 1 million extra passengers per annum, it was required to go through a DCO to actually make sure we've got the right constraints and controls to to manage that, that growth.

00:07:29:02 - 00:07:54:16

So are you saying if I, if I paraphrase correctly, that we can have 20 times that growth in Gatwick and because of the anomaly of Gatwick not having any constraints on on flight numbers or size or whatever, then there's no mechanism under this examination to strengthen the way in which, um, the operations of Gatwick are controlled going forward. In the case of, um, the new northern runway not being granted.

00:07:57:15 - 00:08:08:17

Thank you, Mr. Essex. Um, sorry. Councillor. Essex. Um, that was the questions were aimed at. Don't find the clarification for finding those answers if you want it to come back at all. Mr. Linus.

00:08:09:18 - 00:08:39:24

Scott, Linus for the applicant. Um, I don't see why the nature of the existing 106 is sort of relevant to the controls that are imposed in relation to the the project. As matters stand, we have, um, assessed the mitigation that would be required with the project in place. There are existing controls that have been set out in relation to noise, etc., which we continue through the uh, in the new project world.

00:08:39:26 - 00:09:03:18

But in the project world, one simply has to assess the mitigation is necessary to address the impacts of the project. What happens in the new project world? In other words, the existing 106. It isn't a matter for this examination because you're dealing with the new project world. What this examination is looking at is what happens in the project world. There's no reason why the approach we've adopted is is incorrect.

00:09:05:15 - 00:09:08:13

Thank you. Um. CAK name is Pavey.

00:09:10:07 - 00:09:46:25

Thank you sir. Uh, Sally Pavey for for Cagney. Um, I think it's it's a very valid point that you raise, and I thank you for that, because Gatwick is reliant upon, um, future space strategy implementation South, which I know is not part of this hearing, but a lot of the growth will come from that. And as it stands, there is no compensation. And being somebody who's been involved on noise, um, meetings at Gatwick Airport since 2013, um, I can assure you it's an uphill struggle when it comes to having the airport, um, realize the noise issues that they currently have.

00:09:46:27 - 00:09:58:05

And we are looking to have a noise envelope, uh, with a single runway. Um, so if there was any way that this process could influence that, we would appreciate it. Thank you.

00:09:59:16 - 00:10:09:15

Thank you. Um, I should obviously clarify that we are considering the proposed development under this, um, examination. If there's anything else you wish to come back with, Mr. Linus?

00:10:10:03 - 00:10:36:12

Uh, Scott, for the applicant, I think one sort of point to make is at the moment we have the existing 106, which is voluntary agreement, as we know. Uh, important point that is being missed, perhaps is under the DCO one has controls are effectively secured through for the first time through a combination of requirements and, we would hope, the section 106 agreement. And, um, that shouldn't be it shouldn't be forgotten.

00:10:38:05 - 00:11:16:06

Thank you. Um, we'll now move on to agenda item 4.2. Um, and I'd like to ask some questions on those documents stated in the agenda. Um, so the statements of common ground into forecasting and need and the wanting to capacity and operations. And appendix B of the joint local authorities response to the the applicants deadlines six submissions. Um, as I mentioned before, they're mostly questions of clarification so that we, as examining authority, can understand the main outstanding issues between the parties. Um, I'd also like to add that these documents, um, were very useful, and we're grateful to the respective parties for their work on them.

00:11:17:00 - 00:11:55:07

Um, and I'd also urge the respective parties to keep working on those statements during the time left in the examination. I should also state for the record as well, if I don't ask any questions on a particular subtopic within there, it doesn't indicate agreement with your party. So thank you. So if we could start off with the statement of common ground on capacity of capacity and operations. So that is Rep 7069. I've just got one question on this document. Um, and it's one of clarification, really, on the, um, fatty South process and any potential interactions and implications of that.

00:11:55:19 - 00:12:27:12

Um, so from my reading of the Statement of Common Ground, it appears that the applicant and the joint local authorities are in agreement that firstly, the project doesn't require airspace change, doesn't require airspace change under the 40 South programme, and that the use of Wizard route is not required to enable the hourly throughput of the proposed development to be achieved. However, there does seem to be a bit of disagreement between the parties beyond that.

00:12:28:12 - 00:12:32:05

Um, and I just wanted to ask. Um, we'll go to the applicant first

00:12:33:22 - 00:12:46:06

if there are any linkages between increased traffic with the proposed development and the need for airspace change. And would there be any increased traffic on Wizzard as a result of the proposed development?

00:12:48:02 - 00:12:51:07

Scotland's for the applicant and Mr. Sinclair to deal with that Keith.

00:12:54:01 - 00:13:30:09

Thank you sir. Andy Sinclair, on behalf of the applicant. Um, so yeah, just focusing on, uh, airspace modernization and the the wizard. I think, just to be clear, um, I think we would say no airspace change is required to facilitate the project. But I'm sure, um, the joint local authorities will make the point about the, uh, broader benefits of the government's airspace modernization program that Gatwick is taking forward through what is called Fuzzy South. And we actually agree with that the the project will benefit from a more efficient London airspace.

00:13:30:11 - 00:14:07:18

Of that, there is no doubt, but we just don't need to do it to facilitate the project. When it comes to, um, the wizard departure route, which is the westerly departure from runway 26. There has been, um, if you like, a joining together or conflation of other departures to the South. I think through our discussions, which, as you've said, have been really useful over the past, um, a few months. I think we're now at the point where we understand that there are two issues. One is to do with Wizard, but one is more generally to do with southerly departures and the benefit of departures that take off from Gatwick to the west and then route to the south.

00:14:07:21 - 00:14:39:06

And I think we're at the point now where we have disaggregated Wizard not required for the project. And I guess, um, a misunderstanding on the part of the joint local authorities that another departure route. So a departure route called Bognor or a Bognor type departure route, which departs off Gatwick runway two six and goes to the south. Uh, that we will increase throughput, uh, on that uh, standard instrument departure route in order to better facilitate the project. But that's not correct.

00:14:39:08 - 00:15:22:25

So so when we have looked at, for example, um, our airspace modernization program and I don't want to conflate the two projects, the Northern Runway project and airspace modernization, we have looked at the throughput of a northern runway project in future airspace, but we haven't changed the proportion of traffic that we use the southerly departure routes. So just to be clear with that, is today

often used when there are thunderstorms to the north of the airport and you don't want to depart aircraft to the north from runway two six and then depart initially to the west, and then they circle around all the way to the north and then the east, and they go out kind of to the east southeast of the airport.

00:15:23:01 - 00:15:54:15

And Wizard mimics that in a way to the south. And so aircraft that depart on that northerly set of departure routes and the Wizard route, they would ultimately join up in the same place. But the southerly departure routes, the Bognor routes don't go to the same place. So. So just to be clear that the proportion of traffic that would go out using the the what we call route for departure routes and the route nine, the Wizard routes, they would end up in the same place and the Bognor goes to somewhere different.

00:15:54:17 - 00:16:26:04

But the proportion overall proportion of that traffic remains the same. So we have absolutely no intention of a change in the conditions of use around the wizard or amending the proportions of traffic that use those things. And the proportion of traffic that use those things to be clear is not controlled by the airport is a function of demand. So airlines fly their aircraft to places where people want to fly to, and the airlines submit a flight plan to fly those aircraft to those destinations.

00:16:26:06 - 00:16:47:27

And as a result of submitting a flight plan that takes you from Gatwick to destination airport, your flight plan is allocated a standard instrument departure from Gatwick. But the airport plays no part in that. That's part of the flight planning function. So to be clear, all of the planning assumptions that we've made for the project and for Fuzzy South are based on the current proportions of traffic on the different departure routes.

00:16:49:06 - 00:16:55:28

Thank you. And the Balkan route you mentioned, Does that share any, um, of the wizardry in effect?

00:16:57:07 - 00:17:40:08

Yeah. So just to be clear. So, Wizard, um, will take you out to the east, southeast of of the airport. Bognor goes pretty much south, so I could I could rattle off a list. Now, I'd be very happy to do that over the party routes to to different lovely places in and around the Mediterranean. Um, and the flight plan will show me that they are going through different departure routes to those destinations. Um, and like I say, the proportion of where they go is based on demand, where the airlines want to fly. But Bognor will take you to a different exit point from the UK flight information region than the Wizard and the route for, uh, departure routes which take you take you to another exit point from the London Flight information region.

00:17:41:03 - 00:17:57:14

Thank you. And the, um. Just one more question. You mentioned that the proportion won't change. That will go that way. I think if I, if I understood you correctly. But when you're talking about a higher number of planes overall, when that proportion be larger, but same percentage but a larger number of planes.

00:17:58:15 - 00:18:15:19

Yeah. That's correct. So proportionally, for example, if Bognor was roughly 20% of your westerly departures, it would be 20% in the future, but 20% of 140,000 departures is different from 20% of 180,000 departures.

00:18:16:21 - 00:18:22:01

Thank you for that. Um, I understand there's lots of people, and I think I'll go to the jazz first and then come to you afterwards. Thank you.

00:18:23:03 - 00:18:35:13

Thank you. So I'm going to ask Mr. Condon to deal with the specifics of that. You obviously already seen that we've set out. It's in the pink text within the sock. And then the commentary, the overview of the position. Thank you.

00:18:36:17 - 00:19:17:07

Louise Condon, for the joint local authorities. Um, like Mr. Sinclair, I would like to acknowledge that we've had good discussions on this, but I think unfortunately, we still have a slightly different perception of the implications of airspace change and its relationship to the project. And I think to some degree, our perceptions have been strengthened by the submission that you got at deadline seven from National Air Traffic Services Rep 7112, where they talked about the use of Wizzard not simply as a means of avoiding weather problems to the north of the airfield, but more generally as a means of alleviating congestion.

00:19:18:03 - 00:19:50:21

When we put that together with the proposals, which we included at figure two of rep seven, appendix, we to rep seven, one, and four with the prospect of a different routings of airspace, which wouldn't necessarily have the same limitations on them with the South turn from, um, the westerly runway as Wizzard has. It could be a full route. It could result in different proportions of movements being split between the north turn from the runway and a south turn.

00:19:51:15 - 00:20:02:09

And whilst we accept, and we agree that in order to operate the northern runway that the dual runway system, you don't need airspace change.

00:20:03:26 - 00:20:51:09

Airspace change is needed to enable the volume of movements generated by the northern runway to be accommodated in the broader airspace. So for some reason, I've got a frog in my throat today. Um, we know that that's how those aircraft are routed through airspace. The whole flight planning process is a function of the airlines and where they want to fly to. And the routes that Nat's en route will, will allocate to them. But when we look at all of the evidence across both what's in the examination and what we've referred to elsewhere in the airspace change process, there's distinct references, for example, in the airspace change documents, and indeed in that and the applicant's own documents to airspace change, facilitating growth and increased capacity in the airspace overall.

00:20:51:28 - 00:21:22:05



And I think this is where we feel that the applicant has not carried out sufficient sensitivity testing within the DCO process of the potential implications of airspace change for noise on the local communities. Now, it's unfortunate in DCO processes or any planning process that we've got a DCO process and we have an airspace change process and the two are separate. We had that exact same issue at Luton.

00:21:22:17 - 00:22:12:17

But what we did at Luton is expressly take the options that were under consideration for Luton, identify which option was likely to give rise to worst case noise nuisance. Discuss that with the CAA and agreed with the CAA that that was a reasonable worst case, and assess the effect of that perspective. Airspace change, worst case airspace change on the noise envelope. And that's what we're missing here. And that's why we have this outstanding issue about the use of wizard is because if I'm correct and everything I read tells me I'm correct, that growth in air traffic over the London area as a whole will necessitate changes to airspace, and the northern runway project is contributing to the achievement of that growth.

00:22:12:22 - 00:22:15:09

There is a linkage that cannot be ignored.

00:22:18:19 - 00:22:19:06

Thank you.

00:22:20:05 - 00:22:21:01

Uh, Miss Pavey.

00:22:24:18 - 00:23:12:18

Thank you very much. Um, Sally Pavey for for Cagney. Um, I think I would be echoing, um, the local authorities here when we talk about phases. Um, we have tried to include fuzzies in this process because Gatwick is progressing this concurrently with this DCO, and the majority of the growth will come from the main runway through fuzzies, as we all know. Um, one of the key things that we have identified and, and have said a number of times now is, is repeating what Easyjet said in their first relevant representations, um, which, if I may, um, says air traffic control services in 2022 and 2023 demonstrated a clear inability to cope with the current level of traffic, let alone an increasing capacity with a second runway.

00:23:12:20 - 00:23:50:28

They go on to say, uh, the applicant would be in a position to manage an increase in aircraft movements that the north and runway would bring. So I'm sorry, they question each question whether the applicant would be in a position to manage the increase in aircraft movements from a northern runway would bring. Um, we will be submitting a deadline. Eight A full report on airspace is not big enough for what is predicted to be Gatwick growth. And if I may just, um, talk about airspace when we're looking to the West, you have Bognor, which is actually route seven, but concurrently on the same route as route seven.

00:23:51:00 - 00:24:10:24

But now you also have route eight and route one. So those to the west of the airport already have three departure routes. Wizard turns before those routes and is very, very rarely used. They tend to fly over new communities when they have bad weather. Not wizard. Thank you sir.

00:24:11:23 - 00:24:16:12

Thank you very much. Um, I'll go to Mr. Tanner first. And to you, sir.

00:24:17:05 - 00:24:47:25

Nigel Auckland resident I was. It's been expressed more eloquently than I can. It was obvious that the statement from the applicant was disingenuous. The market does not drive the usage of airspace. The airspace usage is driven by the slots that are sold, and the applicant is seeking to sell more slots, which will inevitably cause issues around air safety, pollution, noise, etc..

00:24:49:14 - 00:24:51:27

Thank you, Mr. Tanner. Thank you.

00:24:52:09 - 00:24:55:13

It was the third GAC. Um, the focus of.

00:24:55:15 - 00:25:33:18

Discussion has been around Wizard and not about route four. Route four is currently not a precision navigation requirement route, and therefore has a lower capacity that it would need to facilitate departures at the peak departure periods when the main runway and the northern runway are both being used for departures, so therefore there will be airspace change, I'm sure to make route for a PNR route. The effect will be a lot more aircraft following a much more precise route over the residence to the north of Gatwick.

00:25:33:22 - 00:25:45:15

Those residents are. Those flights are constrained in altitude because of the airspace being used by Heathrow above them. So it will have an effect and it does require an airspace change.

00:25:47:02 - 00:25:51:23

Thank you, Mr. Witter. Uh, Mr. Linus or Mrs. Sinclair? I'd like to come back.

00:25:52:24 - 00:26:38:22

Because I'll make a few introductory points and then ask Mr. Sinclair if he has had, particularly on this route four point. Um, as far as the jazz, um, position is concerned, um, I don't think we accept the proposition that in order to accommodate the project, aerospace changes required have been quite clear that it's, uh, that it's not. And so far as reference is made to the wider, uh, fuzzy south, uh, process, it's quite clear that that is a separate, um, uh, process which will follow its own course and it will, um, effectively determine the effect of any consequent changes to, um, to aerospace through a process cap at 1616, which is discrete from the process to be followed in determining this application.

00:26:38:24 - 00:27:00:03

So insofar as airspace change across the London system, uh, is going to be considered falls outside the scope of this project, we can't be reasonably expected to assess it here, not least because, as we've said, airspace change is not required to deliver deliver this um, uh, project. Um,

00:27:01:22 - 00:27:32:11

as for, um, the Cagney position, um, I think we're entitled to ask through you, sir. Why? What appears to be a material new piece of work is only going to be submitted at deadline. Yet, as opposed to an earlier stage in the examination, giving us not very much time towards the end of an examination when everyone's got plenty of tasks to be undertaken to complete the examination.

00:27:32:26 - 00:27:46:04

Um, not clear why that hasn't been provided. Um, uh, before now. Um, uh, those are the comments that I want to read. Insofar as we repeat the glas points answer is the same. Um, Mr. Sinclair.

00:27:48:11 - 00:28:18:27

Thank you. Sir. Um, Andy Sinclair, on behalf of the applicant, I can quickly canter through some of the things. Uh, the points Mr. Windsor made are correct. I won't go back over. Um, the concept of operations, which is in rep 1053, but that sets out the separation requirements. They remain valid and that's fully explained how separation is achieved. Mr. Tanner talked about selling slots. I think, as you know, the airport does not sell slots as a process and we don't, uh, make money through selling slots. Certainly not.

00:28:19:15 - 00:29:00:05

Uh, fuzzy sales has been covered, but it's worth making the point that Fuzzy South is a government sponsored endeavor, and we are legally required to undertake the project through the, uh Air Traffic Management and Unmanned Aircraft Act 2021. So it's important that people understand that it's a government sponsored program we're taking part in. Um, and to some of the more substantial points that have been made by the joint local authorities. Um, we talked about sensitivity testing. It's worth making the point that we have always said that the inclusion of Wizard was on a worst case basis for the purposes of environmental assessment, and it's been accepted that we don't need to use, the wizard said.

00:29:00:07 - 00:29:41:28

For for capacity purposes. And the point that the joint local authorities have rightly pointed out is that Noel have stated that's en route limited, uh, that they don't believe it will be used. In fact, in that way, they don't think the the usage of that route will change at all. So, um, take uh, the the null as the licensed air traffic service provider on behalf of the state and, uh, treat that with the way you would, uh, treat that. Um, on the point about fuzzy South options again, I think the joint local authorities make a valid point about the benefits of airspace modernization and the different approach from, uh, in the case of the Luton, uh, DCO.

00:29:42:00 - 00:30:12:24

But I think the difference between the Luton DCO and the Gatwick DCO is that Luton has made very clear that it does need airspace modernisation in order to achieve what it set out to achieve as part of that proposal, whereas we have made clear and will have supported that en route, limited that we don't need fuzzy south. It will absolutely benefit the project, as I've already said, but we don't need it. More

to the point, Nikhil have also made the the point in their submission that that we are further south in the London terminal area. So we're slightly removed from the congested airspace.

00:30:12:26 - 00:30:21:27

So we do have a benefit of having a preferential geographical location when it comes to the flow of traffic across the London airspace.

00:30:24:14 - 00:30:34:24

Scotland. As for the applicant, the reference made to the world's response was to execute rap 7112.

00:30:38:16 - 00:30:47:03

Thank you. Um, I will just go back to, uh, Pavey to see if you want to come back. And then Councillor Essex will go back to the applicants and then we'll move on. Thank you.

00:30:47:27 - 00:31:14:04

Thank you sir. Sally Pavey for Cagney. Um, throughout our submissions, we have mentioned our concerns about phases. This just really leads on from that and subsequently on from the easyJet's um submissions to relevant representation. Um, we haven't felt the need to, to provide it as yet, but as we're progressing down this route, which we're delighted we are, we will now then submit the report.

00:31:16:21 - 00:31:19:05

Thank you. Uh. Councillor Essex.

00:31:21:21 - 00:31:54:20

Thank you. I'm Councillor Essex for for GAC. Firstly, I would like to support, um, Cagney and Sally. I think it's entirely reasonable that following the applicant's failure to share any details of the space implications, um, through their application, that's entirely appropriate for Cagney to submit a strong case for you to consider as part of this DCO at a later stage, because the information hasn't been forthcoming up until now. And I wonder, you didn't reply to this in the Finch case, because the Finch case looked like it was more related to climate change.

00:31:54:22 - 00:32:25:02

But if you look at the Finch case and establishing Supreme Court precedents on how downstream impacts of a development, a project should be considered, Um, and we've heard here about how, um, PR nav, is that right? I'm not always expert. PR might, um, be expected on route four and more. Southerly. Um, use of the airport might seem to be a consequence of this because of the way the Gatwick causes a more congested airspace.

00:32:25:04 - 00:33:04:22

As it gets bigger, then I think it would be entirely appropriate in in light of Finch, um, to to make sure that these downstream impacts of a more congested airspace as a result of more planes in the sky are clearly seen to be within the scope of this project and how it's considered. And unless we've got the evidence being set out by the applicant or in this case, by Cagney in the complete failure of the applicant to set this evidence out so it can be publicly examined. I think it's entirely appropriate that we should see the evidence so we can assess its significance, and then we can determine whether there are significant downstream effects that should be considered in this regard.

00:33:04:27 - 00:33:40:16

I speak in this area as a complete non-expert on noise, so I really defer to my colleague Ed and Jack, and also to Sally in Pavey and from the joint local authorities. Um, all I'm trying to do is see how that might relate to the French judgment. And my second point is, is, is this for me, who really struggles with the complexity of this noise, um, issue? It would be really good if there was some kind of non-technical summary, um, that sets out what the noise base implications are of this project.

00:33:40:18 - 00:34:23:27

Now, if the applicant is not able to provide that, then I wonder if that might be able to be provided by others so that residents can really understand what the implications of the expansion are, not just on the number of flights in general, but the number of flights that impact their quality of life. And it seems to be that there there are threads in this discussion that suggest that there are clear downstream impacts and clear airspace implications of an expansion, not just of the future baseline, but of the project, that it would be entirely reasonable for a communication that the public can read in this public examination so that they can get a grip more of what the implications of this expansion of the Gatwick entails.

00:34:23:29 - 00:34:24:15

Thank you.

00:34:25:05 - 00:34:30:15

Thank you, Councillor Essex. Um, I'll come back to you, Mr. Linus. And then? Then we'll move on to forecasting and need. Thank you sir.

00:34:30:28 - 00:35:03:16

Two short points. First one, Finch doesn't have any bearing on the submissions we made in relation to Fuzzy South. Secondly, if anyone wants to look at a summary of the implications of the project, they can look at ARP 217, which is a non-technical summary of the environmental statement or if they're particularly concerned about noise. As for Mr. Mitchell's blushes, there is a comprehensive conclusion section in the noise, and at chapter um, at chapter 14 of the is OP 039.

00:35:05:20 - 00:35:12:19

Okay. Thank you very much. Um, I'll now move on to rep seven zero 70, which is a statement of common ground into forecasting and need.

00:35:21:22 - 00:35:33:04

And if we could start with, um, I'm not going to go for each, each one of the references within there, but we'll start with 1.1.2, um, excess demand. Um.

00:35:36:17 - 00:36:23:22

Earlier on in the examination, um, the the applicant submitted, um, annex A to the need to case technical appendix, which was a letter to the airport from ACL. Um, and that stated, if I was reading it correctly, that in um, 2023, there was 634 unallocated slots. It's also sought at Gatwick at the initial coordination date for the summer season. and the letter stated that Gatwick has more unallocated slots in most cases in the average of other London airports, with a winter season as well of 299 unallocated

slots for the same year, 2023, and for summer winter, that equates to around 9% and 5.5% of requests not allocated slot.

00:36:24:14 - 00:36:48:10

Um. The joint local authorities note that this excess demand in their document rep seven zero 70 has not convert itself to at Gatwick, experiencing more growth than other other London airports, I should say. Um, so I was just wondering how you explain this, um, this apparent dichotomy of the demand shown by the ACL letter and growth perhaps not being as high as other London airport. airports.

00:36:56:16 - 00:37:31:03

Jonathan Pollard for the applicant. So I think, um, whilst addressing this point, I'll also probably cover off another related point that's made by the JLA with regard to the winter, uh, ACL capacity filing. Um, I think the realities are that this year and indeed last year, we were still in the stages of a recovery. Um, and as has been evidence that has been exceptionally strong. Um, I think in terms of the demand not having then been ultimately operated, I think that gets to the crux of the main points that we have been making, which is relative to the demand that's presented itself.

00:37:31:05 - 00:37:38:26

We don't at this stage have the necessary capacity, particularly during the peak times, to satisfactorily accommodate that demand. Um.

00:37:41:04 - 00:37:56:04

That is the principle point in terms of relative to what was requested by the carriers and what was then operated. Um, there remains a lack of correlation between when that available capacity is and when all of that demand is wishing to operate.

00:37:57:24 - 00:38:08:06

Okay. Thank you. So. Would it be fair to say that the, um, slots were requested and not available because the airport is full already at those times?

00:38:10:06 - 00:38:32:05

Carson Pollard for the applicant. Not in its entirety, no. Uh, because, as was clearly the case, since significant slots were requested and ultimately operated. But when you're dealing with a total sum of excess, clearly not all of that can be operated. And those, uh, examples of where a request was not fulfilled, allocated or operated, those did obviously correlate with periods when we didn't have the capacity.

00:38:33:12 - 00:38:35:12

Thank you, Miss Condon.

00:38:37:05 - 00:39:07:16

Louise Condon for the joint local authorities. Um, I think your question was very well put, and it's exactly our position. And the reason it matters is because if the airlines are very specific as to when they want slots in terms of times of day and times of the year, and the airport is already full at those times of day and times of the year, it's far less likely to get the degree of peak spreading that has been asserted and underpins the applicant's base case.

00:39:08:02 - 00:39:38:09

So that's why it matters. And all the evidence we've seen, in fact, what I've heard Mr. Pollard say is that actually the airports fall at the times the airlines want to operate, which just confirms my view that a 67 MPA without development base case is just not a plausible position. And therefore, we've said in a number of representations now that we believe the baseline long term prospect for the existing single runway is more like 57 million. And I think everything I've heard and everything I've seen written subsequently confirms that position.

00:39:40:28 - 00:39:41:15

Thank you.

00:39:42:02 - 00:39:57:08

Mr. Scotland. Yes, I think, um, uh, Mr. Collins raised a broader point on, uh, big spreading. Uh, there in response to that question, we probably just need to address that. So, uh, the evidence that you've referred to can be placed in a, in a broader context.

00:39:58:02 - 00:39:58:17

Yeah.

00:39:58:19 - 00:40:32:16

So Jonathan Pollard for the applicant. So I think the first point I'd make is this is a classic example of taking a phrase and assuming it in its entirety. So to to be clear, what I didn't say is that all of the capacity that was all of the demand, sorry, that presented itself could not be allocated. That wasn't what I said. I said that there was examples of it that weren't able to be allocated because we didn't have capacity. But what we saw, what we did see in parallel, is that requests manifested themselves in periods outside of the peak, which is absolutely peak spreading. and is absolutely the phenomenon that we saw at the airport extensively up until 2019.

00:40:32:22 - 00:41:07:10

I think this this is probably the segue to the more broader point about where the sort of extent of common ground that we've reached so far with York. Um, what I would say in my observations, having been involved in those discussions and the extensive exchange of information that's happened with evidence, is that we appear to have hit some level of stumbling block in finding common ground, because our forecasts are rooted in observing trends that have happened real life, uh, behavioral trends at the airports that happened pre-COVID, that we have taken a view will continue forwards till 2050.

00:41:07:18 - 00:41:39:05

Uh, in most cases, we've actually taken a, uh, a view that is of a lower magnitude and proportion exactly to the point that has been raised. Uh, peak spreading, we are assuming, will happen. Not to the same extent, but that it will happen. And the material difference that is adopted within our forecast versus what was put forward recently by York as their alternative forecast. Is there a fundamental key variables that York have taken a position on that assumes that these behavioral trends simply do not happen at all for the period up until 2050.

00:41:39:27 - 00:42:07:12

Um, so the critical point that I'm trying to make here is for us to get to a place where there's a common ground. My question, I think, to the panel would be, I would imagine that you would be expecting to see a forecast that's rooted in historical visibility of trends and variables having happened, versus a forecast that perhaps ignores or overlooks all of those observed trends and is therefore arguably rooted in less credibility.

00:42:11:04 - 00:42:43:01

Thank you. Yes, Rob Walker, for the applicant, just to provide a bit of, um, quantitative numbers around some of the trends Mr. Pollard described there. I know we've already provided in rep 60913. 3.13. Um, just breaking down some of the historical trends, how the pig spreading was achieved. And just to kind of highlight some of the growth that Gatwick has achieved. Um, certainly leading up to pre-COVID market conditions. And we saw Gatwick had approximately, um, 26,000 ATMs in the five years leading up to 2019.

00:42:43:11 - 00:43:17:15

Um, of this, 85% of that growth was growth in off peak hours, off peak days, with the largest driver within that peak spreading category. The growth within off peak months growing. I think just to kind of really sort of articulate the kind of differential growth rates that Gatwick has historically experienced. In that same period, we saw peak day growth of just 4% in terms of runway activity over five years. So very limited capacity was released. Gatwick grew into the capacity was released also filled in some of the quieter hours of the peak day.

00:43:17:22 - 00:43:51:08

Where we contrast that to the off peak growth. We saw a 30% growth in passengers in the winter season. So there's a disconnect between the, um, the growth of the peak and the growth in the off peak is very well established in terms of the future peak spreading trends. When we look at whether it's growth within the peak month, growth within the off peak seasons, all those rates assumed within the forecasts are materially lower. And maybe just to kind of illustrate a couple of the points. Um, certainly within the sensitivity work, you're seeing some of the recent submissions.

00:43:51:15 - 00:44:25:14

Uh, so in the 2014 to 2018 period, we saw the peak day grow about 35 movements, but the average day in August was able to grow nearly 50 movement, so the peak spreading within the month, accounting for an extra 15 movements filling in by 2038. We've got 26 ATM growth in terms of commercial movements versus 2019, and we're only assuming the spreading is an additional 11 movements in the busy month. It's a much less peak spreading within the peak periods in the next decade versus a five year period leading up to 2019.

00:44:25:18 - 00:44:46:21

So it's really those those trends re-establishing themselves at Gatwick that we've seen historically supporting some of that growth in the future. Baseline forecasts, I think to entirely ignore it or only assume very limited, does not recognise the constraints at Gatwick, the constraints and the wider London market that we're experiencing and will be forecast to return in the future.

00:44:48:28 - 00:45:18:23



Thank you. I'll come back to you in a second. I've just got a couple of other questions for the applicant before I return to you. Um, you, uh, since we kind of like we said, it's a broader point. We've gone into peak spreading as well. Um, in terms of peak spreading. Deadline five. Um, yourselves, the applicant, you stated that the peak spreading assumptions within the York aviation alternative forecasts, um, weren't feasible. Now, You've kind of touched on that, but if you could expand on that now, that would be useful. Thank you.

00:45:21:25 - 00:46:00:11

Okay. Jonathan Pollard for the applicant. I think first and foremost, let's just start reminding ourselves of when we talk about peak spreading, what is that exact concept. So in very simple terms, at a time when the peak is fully constrained, there's no ability to accommodate demand in periods of time where that demand reaches excessive levels. Ordinarily, it will find an opportunity to be feasibly served elsewhere, i.e. outside the off peak. If we look very specifically at what York's forecast includes, I think this is a really material point to be made. Firstly, there they reference peak spreading has been applied, but actually that's manifesting itself as growth in the peak that then operates for the full year round effect.

00:46:00:13 - 00:46:31:00

So that is very clearly proportionate growth of equal proportions allocated across the full year and not distinctly disproportionate growth in the off peak because the peak is constrained. So I'd say that's that's point number one, I think to my point that I make about, um, let's say ignoring or overlooking trends that have been observed at Gatwick. Um, if we look at the seasonality that was observed within Gatwick in 2014 and how it improved to 2019. It reduced by six basis points.

00:46:31:02 - 00:47:13:16

So this is taking August as a peak month. And seeing what that represents as a proportion of the average for the year. Um, so it reduced by six basis points in only five years. What the York forecast assumes is that from the 2019 starting points, there is no deterioration in seasonality up until 2047. So so to my point around no change in proportionality of when traffic presents itself across the the year. For me, that is quite a big call to make that lacks justification on why you would see such a disproportionately different trend over the next 30 years versus what you saw in five years, up until Covid itself.

00:47:14:20 - 00:47:37:27

Um, I would say that that two of the key points to put a value against this, um, Louise referenced before the, uh, the view of the base baseline case being circa 10 million lower than than Gatwick. If you just take the peak spreading debate in its entirety, we think that's around about 5.6 million, uh, passenger volume that is being under called without substance in the, uh, in the York forecast.

00:47:40:17 - 00:47:41:02

Thank you.

00:47:42:22 - 00:47:43:21

It's cold in thank you.

00:47:44:07 - 00:48:18:04

Louise Congdon for the joint local authorities. I did vow this afternoon I wouldn't get dragged down into the weeds. I'm afraid Mr. Pollard's taking me there. His characterization of our forecasts and Pete spreading is completely inaccurate. For a start, we do assume peak spreading both within the day, within the month and within the year. We might have a different assumption, but we do take into account peak spreading. And as far as ignoring the evidence is concerned, I'm taking into account not just pre-pandemic evidence, which we explained in in very early representations.

00:48:18:06 - 00:48:50:10

I forget the number now, but we'll put it into the post hearing note. We explained some of the reasons why that happened in the 20 1419 period, but I'm also looking at what's happening in the market now and what's happening in the market at Gatwick now, and what's happening in the market across other airports in the UK and Europe. And first of all, we're in a situation where post-Covid, the nature of growth at airports is slightly different than it was pre-COVID. Business travel has been slower to come back.

00:48:50:12 - 00:49:32:08

Leisure travel, which tends to be more seasonal notwithstanding the long haul, leisure travel at Gatwick tends to be a more seasonal nature, so Gatwick seasonality or its pickiness is far more extreme now than it was in 2019. So going forward, we're not going forward from the 20 1419 period. We're going forward from where the airport is today and what I'm looking at is what the evidence is telling me from the airlines and how they're responding to the availability of capacity at Gatwick and the likelihood, the reasonable likelihood of the airport spreading its traffic over the year to the extent it claims.

00:49:32:10 - 00:50:10:09

And as I've pointed out in submissions, that the applicant's theory is it will achieve as flatter demand profile over the year as Heathrow, not only in its north runway case but in its base case and how? However, I analyze it and believe me, I have analyzed it in depth and in detail. I cannot get an answer that validates that as a reasonable assumption. I can't get that validated as a reasonable assumption when I compare with other airports across Europe, other airports that are hub airports that are closer to Heathrow in characteristic than Gatwick is.

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So I, I'm looking at the evidence. So Mr. Paulides claim that I'm taking some view without looking at the evidence I have to fundamentally object to in terms of the comments that that were made by um.

00:50:25:24 - 00:50:29:15

Gatwick about peak spreading and a number of movements.

00:50:31:01 - 00:51:01:21

There's this recurrent disconnect between the number of movements. They say that they're going to be able to accommodate on a peak day, and therefore the rest of the growth has to arise off peak. And what they've said themselves in the next six to the forecast data book, which is app zero 75 of needing to achieve 47 additional daily services in the base case, 47 additional daily services operating every day of the year.

00:51:02:11 - 00:51:34:05

Now, if they haven't got enough slots on the peak day to handle those 47 daily services, how do those 47 daily services arise on a year round basis? And how do they then equate to the total volume of passengers? The increase from 46.6 in 2019 to 67. However, I look at it, I can't make the mathematics of their case stack up, so all I can do is present to you reasoned evidence that I have seen from looking at what's happening at Gatwick today, what's happening across the market as a whole.

00:51:34:07 - 00:51:46:17

Looking back at the 1419 period and however I triangulate the evidence. I get an answer which is 57 MPA is probably a ceiling for the existing single runway.

00:51:50:00 - 00:52:24:27

Jonathan Pollard for the applicant. So maybe if I deal with the first point. Um, so what I would say is I think we are there is an alignment. That peak spreading will manifest itself in periods where you have excessive demand and you have binding constraints. I think if you look at the period 2014 to 2019, I think there's a suggestion that there were other sorts of forces at play. There weren't. It was just the extent of how that excessive demand was really starting to rub up against the binding constraints. Those constraints are now certainly re-emerging at scale, having gone through the recovery that we have in recent years.

00:52:24:29 - 00:52:57:02

And if there is an alignment that peak spreading presents itself at that point in time. Um, either it is the case as an acceptance from York that for the future period up until 2050, there will be excessive demand relative to capacity. And if that were the case, surely there would be peak spreading of some degree. And let's say that there's a dispute to the extent, but the simple basis of the forecast that's been put forward so far shows a seasonality ratio that bears no improvement to 2019 up until 2047.

00:52:59:17 - 00:53:10:12

I'll come back to you in a second, Miss Congdon. Um, I just wanted to, um, because it's one of my later questions, the the point numbers raised about the 47 additional daily movements. If you can deal with that, please.

00:53:11:00 - 00:53:49:11

Yeah. Rob Walker for the applicant, I can sort of clarify the position of the plus 47. Um, so the information referenced by the York Aviation of, uh, for the GEOs, and that's from the forecast. But annex six, I think page six. Um, it's also on page four. I know at the time when we had the, uh, the working sessions, um, and also in the table on page four, it references this is the, uh, the peak month, um, increase in ATM. So as I touched on earlier, the growth in the peak day is expected to be less than what we're seeing in the the peak month, really reflecting those kind of peak spreading, not just across the year, but also within the peak month.

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Um, we have provided certainly the joys several times the number of movements on busy days, and they've been fixed all the way through the examination was the the original forecast. Uh rep 1053 para 3.4 0.210 54. Para 3.1.4. It also reflects all the simulation modelling that's been prepared. We provided Excel outputs of hourly passenger flows to the Jos as well. But just to clarify, in terms of the busy day

throughput, um, we'll certainly make it, um, clear again, but we're going from the 928 commercial ATMs in 2019 to 950 and 20, 32 to 954 in 2038.

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Um, so that hopefully clarifies that that position, that the peak there is the peak month, because previously we were talking about the peak month ratio as well.

00:54:42:27 - 00:54:45:03

Thank you, Mr. Pallotta.

00:54:45:09 - 00:55:14:24

Yeah. I think just the final point for me, in terms of the current evidence of what we're already at this point seeing, uh, in terms of peak spreading. So if you look at our largest carriers, if you look at the extent of year on year growth by season, you will see disproportionate levels of growth that are occurring in the off peak periods versus to the peak. Uh, and that is simply, uh, exactly the phenomenon that we've seen in previous years prior to Covid, where the opportunity for growth exists in the off peak, uh, in the event of the peak is, uh, showing constraint.

00:55:16:23 - 00:55:18:17

Thank you, Miss Congdon. Thank you.

00:55:18:25 - 00:55:58:08

Sorry, um, Louise Congdon for the joint local authorities. Just to say again, Mr. Pollard is completely incorrect when he says we have not assumed any peak spreading or any seasonal peak spreading. He is mathematically incorrect. I can explain it and I'll put it in the post hearing note, but we put it in previous submissions. Secondly, in relation to Mr. Walker's comment about the 47 movements, again, in previous submissions, we've calculated out the effect of those 47 movements. And in order to generate the uplifting passenger volume that the applicant claims in the base case, those services would have to operate at least daily, i.e.

00:55:58:10 - 00:56:36:27

on a peak day, as well as an off peak day, and there would need to be additional services as well on off peak days to get to 67 million. So however, I look at the mathematics, all the information that the applicants provided doesn't calculate it. It doesn't compute. Um, I can only go with the information they provide and it does not compute. So if I've made a mistake in those calculations that have been in submissions for some months now, perhaps they can tell me where those calculations are wrong, but they've not actually addressed those in terms of the the claims of seeing disproportionate growth in off peak slots compared to peak slots at the present time.

00:56:36:29 - 00:57:01:07

Again, I have not seen the evidence. So if there is evidence that says there's more growth in off peak periods than there is a peak periods, perhaps the applicant could provide it because at the moment everything I see from looking at airline schedules, airline timetables, airport coordination, limited coordination reports tells me the exact opposite. So again, if there's evidence, we've not seen it.

00:57:02:15 - 00:57:12:03

Thank you. Um, Mr. Pollard, I'll come back to you. I now wonder if there is something in there in that, uh, greater information sharing would help this matter.

00:57:16:05 - 00:57:46:22

Jonathan Pollard for the applicant. Yeah, I mean, I think we're we're we're more than happy to continue the dialogues that we've been having. But I think just just two final points then to make I think the first one would be on this point about demand year on year, uh, being greater than, uh, that is growing of a positive nature at this current point in time. And we'll share this information as follow up. If you look at the slots that are being held by airlines for this winter season ahead, if they were all to be operated now, we expect that ordinarily you'll see slots are held allocated.

00:57:46:24 - 00:58:16:01

They're not all operated, but it is exact point in time. If they were, you'd see a 20% increase in operations versus the winter of last year. I think on this peak spreading point, we'd certainly welcome the mathematical explanation. But I think just very simply, whilst we're in this room, peak spreading will often present itself without question in the seasonality ratio. So my question would be, how do you have a ratio of 1.16 from 2019 all the way to 2050 that also has peak spreading occurring?

00:58:21:22 - 00:58:30:08

Thank you. Uh, I'll come to you in a second, Mr. Tanner. Um, Miss Congdon, was there anything else you wanted to just say?

00:58:30:10 - 00:58:39:05

That that number that Mr. Pollard has quoted that doesn't change is wrong. I've kept saying it's wrong. We've put it in submissions. It does not stay static.

00:58:42:15 - 00:58:43:23

Okay. Uh, Mr. Tanner.

00:58:45:27 - 00:59:21:08

Nigel Tanner, resident. I just wanted to support what the JLA is saying. Common sense says you cannot extrapolate from the period 20 1419 that would create a very dangerous and unstable business model. Demographic of the population is changing. Older population is less likely to travel. Business communication is changing through the names, nature of teams, etc. so people are not going to site, etc. and there's a growing disenchantment with the cost of air travel in terms of its cost on the environment.

00:59:21:12 - 00:59:43:15

So to extrapolate out to 20 1550 is sheer nonsense. And further than that, if there is increasing use in the winter, it is from the overseas long distance flights that Gatwick is seeking to attract, and they cannot use the

00:59:45:10 - 01:00:02:21

the what is the currently the emergency runway for takeoff. So the argument that the applicant is putting is actually totally invalid and it's supported. The data is coming from the JLR that reflects what's happened in society.

01:00:05:00 - 01:00:15:05

Thank you both. Um, Mr. Pollard, I don't think we need to go into, um, all those points now because we have covered a lot of those in the examination already. Um, but yeah, if you'd like to come back on anything.

01:00:15:23 - 01:00:48:17

Jonathan Pollard for the applicant. I mean, I think my simple response would be we're going to be 95% recovered last year. This year. Uh, that follows on from what, 87% last year? Um, so that would certainly suggest to me there's a trajectory that suggests no material difference versus pre-COVID. Um, and certainly gives credibility that, uh, with the recovery completes, which should be by next year, you'll be for all the reasons for what we saw 2014 to 2019 back into a place where there's excessive demand relative to capacity, uh, which supports peak spreading, uh, and significant traffic growth.

01:00:51:06 - 01:01:35:00

Rob applicant. Just in response to Mr. Tanner in terms of some of the peak spreading trends he touched on. Um, yes. Some of the peak spreading trends is supported by the long haul carriers. They're typically operating year round schedules. Um, certainly the historical growth trends, the future growth trends, expected return that's actually been reflected by the spreading of leisure demand, um, from the peak to the shoulder season, winter months. Um, whether it's airlines flying, longer seasons, um, converting seasonal routes to year round routes. Um, when we looked at some of the home base carriers for, uh, for Gatwick, it was the leisure routes that had shown the the most amount of um, peak spreading, for example, um, the, the routes that Easyjet fly that a mix of business and leisure markets.

01:01:35:09 - 01:01:51:18

Um they've declined about 12 basis points in that period. The highly seasonal routes, uh, declines in seasonality by about 34 basis points. So that's what's been kind of underlying the the Gatwick performance, rather than say, just the growth of the new Long-haul year round carriers that that you mentioned.

01:01:52:25 - 01:01:53:25

Thank you, Mr. Scott.

01:01:54:03 - 01:02:48:22

For the applicant. I mean, as you've heard, sir, discussions between the parties have been fruitful as far as capacity and operations side of things is concerned. May well be useful that further exchange of information on forecasting in need assists. Um, one example is this issue of the 47 additional daily movements, which we think is an incorrect interpretation of our figures, which should be average August commercial movements. It would be beneficial to sit down and discuss that, particularly bearing in mind that, um, it appears that that, uh, issue over the additional daily movements is as characterized in, um, paragraph 27 of um rep 7104, um, as this inconsistency as it's put, uh, is what ultimately drives York Aviation to conclude that 67 MPA isn't attainable.

01:02:48:26 - 01:02:54:15

So as an example of why, if we can sit down and exchange some further information, there could be scope for further agreement.

01:02:56:16 - 01:02:57:02

Thank you.

01:03:01:05 - 01:03:01:27

Councillor Essex.

01:03:03:21 - 01:03:43:28

Thank you, Councillor Essex on behalf of GAC. We've gone through quite a lot of months of this where us on the sidelines are watching a conversation between the applicants and Jayla on whether the future baseline is correct or incorrect. And I wonder what the consequences would be if, if it was determined that actually the JLA is correct and that the applicant has overstated its future baseline? If that is the case, then to what extent does the DCO need to take into account what how that effectively has knock on impacts across other areas.

01:03:44:00 - 01:04:18:03

So for example, there's a level of car parking proposed which is based on a growth to 80 MPA if the project only increases by the same amount but the baseline is smaller, then shouldn't there be a cap in other things? Um, consequential to the right future baseline numbers being there. But I don't think there's been an exploration of the wider impacts as to the consequences of who is right and who is wrong, beyond the sensitivity analysis which which gal have carried out which says, oh, everything's fine.

01:04:18:21 - 01:04:20:25

I'm paraphrasing after a long report.

01:04:22:16 - 01:04:32:18

Thank you, Councillor Essex. Obviously that's part of the purpose of this examination is that's one of the things that we'll be looking at during this examination, and indeed we continue to do so. Mr. Linus.

01:04:32:20 - 01:05:04:20

Yes, Scott. Just to confirm that we have actually looked at that question, as you'll be aware, carried out a future baseline sensitivity analysis report 7073. And as updated, I think it's important to draw the conclusion from that as we put there. But insofar as the sensitivity exercise that we've been asked to carry out the work, aviation effectively involves a suppression of the baseline level and, uh, on their terms, um, and increased, um, delta.

01:05:04:22 - 01:05:32:17

We have looked at that. The fundamental question to ask is, well, what difference does that actually make? Apart from demonstrating that the benefits of the project would be even greater than those that we've assumed. So we don't need to get into the detail of that now. But we do take the position that insofar as that sensitivity exercise has been carried out on a without prejudice basis, it doesn't change the fundamental benefits case that has been advanced. So if anything, it improves it.

01:05:36:03 - 01:05:40:07

Thank you. It's golden. Was there anything you wanted to respond on?

01:05:40:21 - 01:05:49:06

I think just a flag. In response to Mr. Lynas last comment, that we don't accept that the benefits case is improved and that, again, is in submissions already.

01:05:50:21 - 01:06:09:28

Thank you. Um, if I could just move on. I've just got another couple of questions. Um, before we finish. Um, that was very useful, that conversation, because it covered a lot of my questions already. Um, there was a question I had on, uh, section 1.1.6 of the Statement of Common Ground, um.

01:06:13:13 - 01:06:18:10

Uh, which is about Gatwick ability to provide growth before other London airport. Um,

01:06:20:01 - 01:06:32:17

and this question is for the applicant, essentially why would airlines redeploy for example, from Stansted or Luton to Gatwick? And have you have evidence of that occurring in recent times?

01:06:36:29 - 01:07:09:07

Report of the applicant. It's on the topic of the relocation of airline capacity. It was the JLS. GLA suggested that, um, you know, when the capacity is provided by the northern runway, if services are established at the other airports. There is no economic reason why airlines would relocate. Um, in answer to that, I'd say that, you know, Gatwick has been clearly the favoured airport of choice for growth for many of the major airlines in the London market. And we provided some examples in app 250 needs, case 4.1.

01:07:09:09 - 01:07:43:07

15 to 17, uh, for example, Easyjet heavily prioritise growth at Gatwick over other London airports. Um, in the decade leading up to 2015, Easyjet added 12 million passengers at Gatwick um whilst at Luton and Stansted their demands had actually reduced by 160,002.3 million passengers respectively, in that time period. Um, after Heathrow, Gatwick is the only other London airport with an established um secondary trading market for slots, which is where airlines are prepared to pay for access to airports.

01:07:43:21 - 01:08:18:04

Um, and, you know, it's something that we don't see, uh, to the same degree at the other airports, i.e. airlines would prefer to invest millions getting access at Gatwick rather than fly from existing capacity at the likes of, uh, Luton or Southend. Uh, we have seen examples where, you know, carriers like Norwegian several years ago pulled all their capacity from Stansted when they got access to Gatwick slots. Um long hauls also had a very poor performance at the likes of Stansted. It's very challenging to operate long haul also from Luton given the airport capabilities.

01:08:18:13 - 01:08:49:21



Um I think stands to just has a service to Dubai operating long haul services today. Um, other US routes. Um, sorry US routes, uh, Asian markets have been tried at Stansted but failed. Um, so yeah, Gatwick has got a very well established network to many of these regions. I think finally, I mean, the carriers that Gatwick sees that are presenting themselves, um, whether it's the Air India, Air China, China Eastern China Southern, Singapore Airlines, they're only applying for capacity, um, at Gatwick. Clearly there's some benefits for Gatwick, but there's no capacity at Heathrow.

01:08:49:23 - 01:09:21:22

But it's not like you see the allocations or the applications by these airlines for the other airports. So I think there's a reasonable amount of, um, substance in airlines preferring, uh, you know, to deploy capacity at Gatwick. Um, also just from a kind of catchment perspective, if we think of Gatwick and Heathrow's respective catchments, um, they're generally the most constrained given the binding constraints of their local airports, and therefore without expansion at the likes of Gatwick, much of this demand be forced to use less preferable airports in the meantime.

01:09:21:24 - 01:09:31:22

So if capacity are to be released at Gatwick per se, and then we expect some of that demand to return, certainly to the more preferable local geographic location airports such as Gatwick.

01:09:34:22 - 01:09:42:06

Thank you. Um, see, we've looked at quite a few of those issues before, but that's useful. Thank you. Miss Congdon, was there anything you want to respond on?

01:09:43:24 - 01:09:44:09

No. I mean.

01:09:45:10 - 01:10:20:16

I'll make a few brief remarks on May Louise Condon for the joint local authorities. I mean, I think in the statement of common ground, we were, in essence, responding to a point the applicant had made. It isn't necessarily a substantive point in a perhaps more considered statement of common ground. However, when we look at what has happened over the years, yes, in some cases Gatwick has been a preferred airport, in others, it's clearly only a preferred airport. In circumstances where carriers can't get into the airport, they'd really rather serve this Heathrow.

01:10:20:18 - 01:11:05:01

And there are, you know, plenty of anecdotes and examples. But we also look at the stability of the network. And again, in previous submissions, we've put in information about the churn in routes and services. So every new service isn't an addition necessarily. Routes come airlines come airlines go. So all we said is that really in the round, you need to look at that and form a view about what a reasonable, settled level of demand for an airport may be. So whilst when slots are immediately released at peak periods when the new runway opens, and indeed was my experience at Manchester when I was there, when we opened the second runway at the time and I was accountable for the slot process at Manchester, we found airlines piled into the peak.

01:11:05:08 - 01:11:30:17

They grabbed peak slots, but that doesn't necessarily tell you what the market is going to look like five years later. You've got to understand that by reference to proper top down modelling of the long term potential for an airport. And that's all really we're saying is when you're looking at the NRP as a long term project, you need to look at that long term stability, not what might be a short term slot grab in year one.

01:11:34:01 - 01:12:02:19

Thank you, Mr. Golden, just before I come back to you. Actually, that feeds as well into my watch, which was going to be my final question. Um, which is about forecasting. Um, and it really was a question about how useful are bottom up forecasts for long term projections. Um, obviously the forecasts in the project are looking forward to 20, 47 over 20 years in the future. Um, obviously, if we look at the last 20 years in aviation, a lot's changed and the markets have changed significantly.

01:12:13:03 - 01:12:53:28

For the applicant, I mean, in terms of the the bottom up forecast CapEx, obviously informed by the pipeline of demand that they're experienced today, that gives them very good confidence in the sort of medium to near-term of those trends, certainly through the forecast. Gatwick is expected to remain constrained. And within that we have assumed some ongoing evolution of mix. Certainly when we're talking airline names, it's we sort of more transition to, um, you know, airline business models, whether it's, you know, short haul LCC, um, full service carrier China inbound, rather than being as prescriptive as where Gatwick may be able to be in terms of their their pipeline of demand for the short to medium term.

01:12:54:16 - 01:13:27:05

Um, certainly the bottom up forecasting, it's also been complemented by some top down market assessments. Uh, I think previously we've discussed how markets like India, China continue to show strong growth prospects. And that's also supported by what Gatwick is seeing from their discussions with um airlines today. Um, another way to look at it. But you might just be sort of flipping it around to, um, how Gatwick has performed in, say, previous, um, DFT sort of top down allocation models where it's got a very strong history of outperforming them.

01:13:27:13 - 01:13:58:14

Um, just in terms of, say, the, the, the several iterations we've seen have been released by the DFT. Um, if you were to go back to the, um, the DFT forecasts from 2011, um, the forecast there, um, said that it would only ever reach 40 million by 2030. This is when Gatwick was operating with about 30 million passengers in 2011. Um Gatwick in fact passed the 14 million passenger mark, um, just 4 or 5 years later, so strongly outperforming the top down model that we saw from the DFT there.

01:13:58:28 - 01:14:22:20

We saw this repeated with the Ft Airports Commission forecasts, and they forecast that we would only reach 45 million passengers per annum. In fact, Gatwick passed that mark just two years later and is on track for further growth beyond that as well. So certainly a strong performance of outperforming allocation models as well. And Gatwick strongly strong confidence in the short term demand pipeline that they see today.

01:14:24:16 - 01:14:58:03

Jonathan Pollard for the applicant. Maybe just to add on that, on this sort of broader question about what what sort of level of confidence can we have in longer term forecasts? Invariably, when you look at a longer term forecast, the key assumptions you're going to make are going to be the volume of movements, the size and density of the aircraft, where those movements represent themselves across the annual period. All of the things that we've talked about. So the risk of sounding like a broken record, I would say, for us to gain more confidence in what forecast is the most realistic. Surely that needs to be based on looking at how historic trends have behaved across those key metrics.

01:14:58:05 - 01:15:39:22

And granted, there might be some different views or slightly different trajectories that applied to those. But I think, you know, comparing the US's Gatwick forecast versus the York forecast, I think what you will see is quite disproportionate changes in trajectory. Um, and I think the assessment should be made along when you are looking longer term into the future. What supported the trends that you observed pre-COVID, let's say, and do you have the confidence that those same characteristics will present themselves again, that say you will see extensive peak spreading, you will see extensive growth in seats per movements? Um, you know that that for me is the assessment of parts of credibility and confidence in long term forecasts.

01:15:40:19 - 01:16:13:18

Um, Scott, for the applicant, um, there's two short, uh, points because clearly this is something that's going to be reflected in the writing, the written submissions that you receive, ultimately, sir, but in this case, one of the points that we've raised is that if growth is going to be happening in the short term, so the second one opens and demand is fulfilled in the in the shorter term at the need to look forward into 2047, and isn't as strong given that the characteristics, the way the airport will operate will be meeting growth in the shorter and the shorter term.

01:16:14:09 - 01:16:14:24

Um.

01:16:18:23 - 01:16:19:16

Or some other one?

01:16:23:01 - 01:16:24:22

Like I said on the writing.

01:16:25:18 - 01:16:28:24

When we leave other points, the writings are reflecting or not. Thank you very much.

01:16:28:26 - 01:16:30:18

Thank you, Mr. Ogden.

01:16:31:18 - 01:17:03:19

Louise Congdon, for the joint local authorities. First of all, I have to correct Mr. Pollard again. We did not produce our own forecast for Gatwick. We simply adopted that produced by Mr. Walker as a top down forecast for the basis of looking at the feasibility of that being accommodated within the NRP

capacity, with a reasonable seasonal profile of demand. We didn't do a root and branch forecast in relation to the asserted problems with top down modelling.

01:17:03:25 - 01:17:42:15

It is fair to characterize the issues that existed in the Department of Transport, previous generations of top down models. They were fairly well known because the calibration of those models was very dependent on Heathrow and the assumptions about constraint at Heathrow, and there were concerns in the industry more generally, including myself in meetings with the department about the robustness of that calibration. That doesn't mean that a top down model can't be properly calibrated, and we have evidence within our own practice of calibrating those models, validating those models, looking at how well they predict the shares between airports over time.

01:17:42:17 - 01:18:07:00

So a well calibrated top down model is the right tool to use for the longer term. And I'm assuming that the model that ICF calibrated for the applicant is a robust model. And that's why I'm saying to you as an examining authority, you should prefer those outputs to the bottom up, market driven short term forecasts as giving you a better indication of where the airport is likely to be over the longer term.

01:18:08:18 - 01:18:10:11

Thank you. The applicant. I'd like to.

01:18:10:13 - 01:18:47:21

Respond briefly, very briefly for Scotland. As for the applicant, of course we set out our preferred approach to the bottom up forecast, but we have done top down. We have done top down modelling. And if the conclusion to be drawn from looking at top down modelling as your aviation suggested, is that growth will come, but the timing will be different. Our cases that shouldn't make a difference to the case for the scheme. Um, and as was confirmed in the Stansted decision, will put us into the post hearing note. It shouldn't make any difference if the growth is going to come as a matter of principle earlier rather than later.

01:18:47:26 - 01:18:58:21

And um, Therefore, the application of top down model modelling, even in your aviation approach should be, uh, neutral as far as the benefits of the group are concerned.

01:19:00:23 - 01:19:03:08

Thank you. Yes. Just briefly, please. Thank you.

01:19:04:03 - 01:19:45:21

I understand where Mr. Linus is coming from, but unfortunately, it doesn't automatically follow that the balance of benefits and harms are the same, and they would need to be properly assessed, which again is the key point we've been trying to make, which is for the jazz, there's an anxiety to understand, not just the impacts at the end point of 2047, but how those impacts build up. And to understand the balance at different points in time. And the balances do change with nuances in those forecasts. And so whilst it may not alter the fundamental tick in the box as to whether there's a case for the NLP, it does alter the understanding of those impacts and how they might be mitigated and controlled.

01:19:45:23 - 01:19:48:06

And that's the fundamental point we've been trying to make.

01:19:49:23 - 01:19:51:29

Thank you. Mr. Linus, any final comments?

01:19:52:01 - 01:20:21:11

Just final final comment in the appendix B doc that we've been that we've been looking at, uh, paragraph nine of that, um, York Aviation except that in the case of the NRP, the effect of growth being delivered later may be deemed to be neutral. New rule planning balance paragraph goes on to deal with environmental effects, which we've already looked at through the future at baseline sensitivity. But paragraph nine says the effect of growth being delivered later may be deemed to be neutral in the overall planning balance.

01:20:23:09 - 01:20:32:02

Thank you. Um, that's all the questions I have in respect of agenda item four. Um, before we move on, is there any other point anyone wishes to make on this specific agenda item?

01:20:34:25 - 01:20:49:18

Nope. Okay. Thank you very much. Um, so as per the agenda and our comment earlier, we'll now adjourn the hearing until tomorrow, uh, where we'll hear items 5 to 8 on the agenda. Um, yes. Mr. Tanner? Sorry.

01:20:49:24 - 01:20:52:19

Sorry. Is there a slot for any other business?

01:20:52:26 - 01:20:55:04

Um, it's not for any other businesses. Uh, tomorrow.

01:20:55:18 - 01:20:56:21

At what time?

01:20:57:01 - 01:21:04:25

Um, it would be when the other items have been covered. I couldn't tell you any more than that. Is your point fairly brief?

01:21:05:11 - 01:21:38:07

I wanted to ask if the examining authority might consider requesting the following information. The first is that the covering letter on the proposal from the applicants says that the. It is most unlikely that an aircraft would leave the runway, and it is even more unlikely that it would leave the emergency runway if it was used. That is incredibly vague, and I suggest examining authority.

01:21:38:09 - 01:22:18:07

Might want to ask what that means. Say, for example, if it was 1 in 1000 takeoffs and there are 400,000 movements in a year, there's going to be four times when the aircraft leaves the runway

during a year. On following the same vein of thought, there is no data available to the public. How many aircraft become stranded on the runway? Obviously, if an aircraft stranded and I found like, I would guess it's once a year for an hour, but there's no data available that would force the immediate use of the emergency runway if someone else was needing to land.

01:22:18:09 - 01:22:30:25

And if it's not available, there's obviously an extreme hazard would develop, but none of that data is available. And I would like to ask the examining authority to consider requesting.

01:22:31:00 - 01:22:31:15

Okay.

01:22:31:17 - 01:22:40:10

Thank you. Um. Mr. Linus, you may well not have the right people with you here today, but is there anything you can deal with there, or would you prefer to do it in writing? In.

01:22:43:19 - 01:22:56:20

Scotland for the applicant. We're not in a position to deal with that. Now, perhaps I can suggest that if the Tsar thinks it's going to be helpful to receive that information, then you can ask us, after reflecting on on the request. Um.

01:23:00:02 - 01:23:01:18

This is Sinclair. Potentially.

01:23:02:08 - 01:23:07:14

Okay. I'm told I'm told we we are happy to try and answer that now, if that would assist. Thank you.

01:23:10:13 - 01:23:46:07

Uh, just briefly, in terms of the safety requirements, we've already been through this. There is a statement of common ground with the Civil Aviation Authority that is responsible for the safety of the operation of the airport. So it's really clear that the CIA has responsibility for that. But in terms of the general proposal itself, if we were using both runways operationally and one goes out of use, they increases the resilience of the airport. So from a resilience perspective, it's we're in a better position when we're able to operate both runways. Um, and from a safety perspective, the Civil Aviation Authority is responsible, not the examining authority.

01:23:48:07 - 01:23:52:09

Sorry. Thank you, Mrs. Clare. Um, miss Tanner, is it a brief point? Because we are going to adjourn.

01:23:52:13 - 01:24:18:16

Surely, patently, I won't make any further point. It patently can't be true if you've got an aircraft queuing up to take off on what is currently the emergency runway, and the main runway is out of run out of out of use. The patently cannot be more resilient because there is nowhere for that other aircraft, an incoming aircraft making emergency land to go. I mean, it's obvious.

01:24:20:00 - 01:24:27:02

Thank you. You're welcome, Mr. Sinclair, or Mr. Tanner, you're welcome to put those points in writing if you wish to have a response at a later deadline. Yeah.

01:24:27:06 - 01:24:34:14

Scott, the applicant obviously put this into the note. And if there's an additional post hearing note which builds on that, we can we can address that.

01:24:34:16 - 01:25:04:24

Thank you for that. Okay. Um, so yeah, thank you for everybody's assistance and comments and advice today. It's been very useful. Um, we'll now adjourn the hearing until tomorrow. Um, action points from today will be read out at the beginning of tomorrow. Um, and we'll end up to publish such points tomorrow, too. Um, yesterday's action points were published about lunchtime today. Hopefully you've seen them. Um, thank you very much. Hearing is now adjourned until 10 a.m.

01:25:04:26 - 01:25:06:12

tomorrow morning. Thank you.