

Gatwick's Northern Runway Application.

There are significant concerns with this application on legal and moral grounds, particularly in the light of recent court decisions:

1. The government's 6th carbon budget, which was proposed by the Climate Change Committee and runs from 2033-2037, anticipates a decline in aviation emissions from 2024, which can be achieved through limiting aviation demand, to allow only a small increase on 2018 levels. The budget requires that we move away from 'business as usual' growth model.

(<https://www.theccc.org.uk/wp-content/uploads/2020/12/The-Sixth-Carbon-Budget-The-UKs-path-to-Net-Zero.pdf>)

The carbon budget specifically states that there should be no "net increase in" emissions. Despite this proposed demand management, the 6th Carbon budget has twice been found to be illegal by the High Court, because it fails to outline legally binding policies that will achieve the required targets. (<https://www.clientearth.org/latest/press-office/landmark-high-court-judgment-finds-government-s-climate-plan-unlawful-again/>)

The landmark ruling found that the budget was based on assumptions of technology that did not currently exist at scale and gave "incomplete" information about the likelihood that proposed policies would achieve their intended emissions cuts. The budget was based on techno-optimism and aspirational thinking as opposed to realistic expectations. As a result, the Climate Change Committee now have 12 months to revise the plan and ensure that it can meet carbon budgets.

In this context, the proposed Gatwick expansion does not even adhere to the 6th Carbon budget, which in itself was found to be inadequate. The expansion of Gatwick will lead to an approximate doubling of passenger numbers; increasing proportions of long-haul flights in larger aeroplanes, resulting in very significant increase in demand; and the release of an approximate additional one million tonnes of Carbon Dioxide every year.

(<https://www.aef.org.uk/2019/08/15/why-gatwick-expansion-adds-to-the-aviation-carbon-headache/>).

Failure to address the concerns of the High Court ruling is therefore a breach of the Climate Change Act, which requires the Secretary of State to adopt plans and proposals that she considers will enable upcoming carbon budgets to be delivered.

2. The Northern runway is a second runway, it is not a repurposing of the emergency runway, as the extant runway will need to be moved and entirely rebuilt, plus an entirely new terminal building will need to be constructed. It should therefore be assessed via the National Infrastructure Planning Process and not a Development Consent Order. The DCO process does not allow for a transparent, inclusive and equitable consultation with local communities, who will be most impacted by the expansion. Rather than the democratisation of land-use decision making, this process amounts to expansion by stealth.

With such decisions there are always winners and losers. The winners will be the owners and shareholders of Gatwick Airport, which is majority owned by the French Group Vinci and a consortium of investors called GIP (Global Infrastructure Partners) from Abu Dhabi, Australia, USA and South Korea. The losers will be the biosphere, future generations and the communities that live in the area and directly below the flight paths and the wider environment that will be adversely impacted.

3. The landmark Supreme Court ruling of *Finch vs Surrey County Council*, on 20th June 2024, has set a legal precedent of the requirements for Environmental Impact Assessments. The ruling states that the impacts from the emissions caused as a result of an application must be considered and that it is unlawful to exclude end use or down-stream emissions, regardless of where those emissions are caused. It is therefore illegal for Gatwick airport to contend that they do not need to take into consideration the emissions caused by the additional flights that will be facilitated by the second runway.

It is premature to depend on the aspirations of "jet zero" because the technology does not yet exist at scale. There are many critiques who point to the impossibility of biofuels being delivered at scale without significant deforestation and other environmental harms.

Responsibility for the emissions from international aviation must be fully accounted for. Gatwick must be held fully accountable for the emissions that it will cause under the principle of the polluter pays.