



Gatwick Airport Northern Runway Project

JLAs' Commentary on Surface Access - Response Table

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1 JLAs Commentary on Surface Access - Response Table

1.1.1 The below table sets out the Applicant's response to the JLAs' comments on the Surface Access Commitments set out in Deadline 8 submissions [[REP8-126](#)].

The ExA's proposed amendments to Requirement 20 in Annex B of the ISH9 Agenda would overcome these concerns to a large extent, with some further refinement as set out in the Joint Legal Partnerships Comments, submitted at Deadline 8.	Text in REP7-043	JLAs' Comment /proposed change	GAL response at Deadline 9
Commitments 1 to 4	GAL must achieve the following annualised mode shares by the third anniversary of the commencement of dual runway operations and on an annual basis thereafter	This should be updated accordingly to include an upon- opening target and a third anniversary target to be consistent with the ExA's recommended revised Requirement 20.	Updated at Deadline 8 to incorporate interim commitments to be achieved by the first anniversary of the commencement of dual runway operations.
4.2.2		Proposed changes contained in REP7-104 .	

Table 1		Proposed changes contained in REP7-104 .	
Commitment 5	(2) GAL must use reasonable endeavours to enter into an agreement on financial support relating to the proposed routes in Table 1 above (or where applicable, for other routes) with the relevant transport operators and/or local authorities (as applicable) prior to the third first anniversary of the commencement of dual runway operations.	Proposed changes contained in REP7-104 and provided below given the Applicant's change at D7 (2) The change highlighted (in bold in column 2), should be further changed: <i>From: prior to the first anniversary of the</i> <i>To: upon commencement of dual runway operations</i>	Amendments incorporated in SACs submitted at Deadline 9.
Commitment 5	(3) GAL shall consult the TFSG on the details of the routes and operational timetable prior to the earlier of: a) the second anniversary of the commencement of dual runway operations;	(3a) The change highlighted (in bold in column 2), should be further changed: <i>From: the commencement of</i> <i>To: six months prior to commencement of</i>	Amendments incorporated in SACs submitted at Deadline 9. The Applicant has also amended Commitment 5 to provide express reference to the routes requested for consideration by East Sussex County Council.
Commitment 5		To include after 3b (as	Amendment incorporated at Deadline 8.

		<p>indicated in REP7-104) <i>Beyond the specific Commitment 5, to fund the services in Table 1 for a minimum of five years, GAL will if necessary to meet Commitments 1 to 4 of the SACs, fund additional regional bus and express coach services.</i></p>	
Commitment 6	<p>(2) GAL must use reasonable endeavours to enter into an agreement on financial support relating to the proposed routes in Table 2 above (or where applicable, for other routes) with the relevant transport operators and/or local authorities (as applicable) prior to the third first anniversary of the commencement of dual runway operations.</p>	<p>Proposed changes contained in REP7-104</p> <p>(2) The change highlighted (in bold in column 2), should be further changed:</p> <p><i>From: prior to the first anniversary of the</i></p> <p><i>To: upon commencement of dual runway operations</i></p>	<p>Amendments incorporated in SACs submitted at Deadline 9.</p>
Commitment 6	<p>(3) GAL shall consult the TFSG on the details of the routes and operational timetable prior to the earlier of: a) the second</p>	<p>(3a) The change highlighted (in bold in column 2), should be further changed:</p>	<p>Amendments incorporated in SACs submitted at Deadline 9.</p>

	anniversary of the commencement of dual runway operations;	From: <i>the commencement of</i> To: <i>six months prior to commencement of</i>	
Commitment 6		To include after 3b (as indicated in REP7-104) <i>Beyond the specific Commitment 6, to fund the services identified in Table 2 for a minimum of five years, GAL will if considered necessary to meet Commitments 1 to 4 of the SACs, fund additional local bus services or increased frequency or hours of operation of services.</i>	Amendment incorporated at Deadline 8.
Commitment 6	For the purposes of this Commitment 6, “public transport accessibility” shall mean the ease to which passengers and staff have access to public transport services in catchment areas that are not currently served by direct bus/coach or rail connections in order to	As indicated in REP7-104 , an additional tailpiece to include: <i>.....and the increased ease to which those with access to existing public transport services are able to use them due to increased frequencies and hours of operation.</i>	Amendment incorporated at Deadline 8.

	provide a viable alternative to car travel from those areas.		
Para 5.2.5	From the commencement of dual runway operations , GAL will invest a minimum of £10 million in a Bus and Coach Services Fund which will be made available to support the financial commitments referred to in Commitments 5-7 above.	Proposed change supported	
Para 5.2.6	The highway proposals which form part of the Project include physical improvements to active travel infrastructure at Longbridge Roundabout, alongside the A23 London Road and Longbridge Way, between South Terminal, Gatwick Airport railway station and Balcombe Road and alongside Perimeter Road North between North and South	As indicated in REP7-104 the JLAs still have concerns that there are additional active travel connections that should be provided to mitigate the impact of the project and ensure there are attractive routes between the airport and local communities.	The Applicant has made amendments to Commitment 13 for funding for the Riverside Garden Park Shared Path and the LCWIP Route A Works to satisfy the JLAs concerns in this respect.

	Terminals.		
Para 5.2.7	GAL will also enhance on-site facilities to ensure sufficient cycle storage, changing facilities, lockers and showers are available and these support the aim of encouraging more staff to walk and cycle.	As indicated in REP7-104 , to also include: <i>These measures to promote active travel will be developed in consultation with the TFSG.</i>	Amendment incorporated at Deadline 8.
Para 5.2.8	The Project contains proposals for up to a further 1,100 car parking spaces, bringing the total to approximately 53,550 spaces. GAL will provide these spaces over a period of time as demand requires.	The authorities require that the trigger for 'as demand requires' is identified.	Amendment incorporated at Deadline 8.
Commitment 8	GAL therefore commits to provide funding for:	As indicated in REP7-104 , to also include the value: <i>GAL therefore commits to provide sufficient funding being a minimum of £x for</i>	The Applicant considers this is adequately set out in the section 106 agreement.
Commitment 8A	GAL shall assess the need for additional parking over and above that required to replace capacity lost as a result of	Although clearly related to para 5.2.8, this to include a ceiling of 1,100 spaces:	The Applicant considers the parking cap set out in new Requirement 37 of the draft DCO appropriately controls the number of car parking spaces.

	<p>construction in connection with the Project and provide sufficient but no more additional on-Airport public car parking spaces than necessary to achieve a combined on and off airport supply that is consistent with the mode share commitments (commitments 1-4); and GAL shall consult with the TFSG in advance of providing such parking.</p>	<p><i>..... provide sufficient but no more additional on-Airport public car parking spaces than necessary (and no more than 1,100 additional spaces) to achieve.....</i></p>	
Commitment 11	<p>GAL commits to maintaining the number of parking spaces allocated for staff use at or below current levels (6,100 spaces).</p>	<p>As indicated in REP7-104, to also include text in bold:</p> <p><i>current levels (6,100 spaces) and that the staff car parking will only be in use for staff only.</i></p>	<p>The Applicant does not consider that a control of this nature is necessary for the reasons explained in line 10.8 of Table A1 of the Response to Rule 17 Letter – Parking [REP8-114] in response to the JLAs submissions at Deadline 7.</p>
Commitment 12 (1)	<p>GAL commits to introducing measures to discourage single-occupancy private vehicle use by staff. GAL also commits to implementing incentives for active travel and increasing discounts</p>	<p>As indicated in REP7-104, to also include text in bold:</p> <p>The precise nature of those measures will need to be defined in due course, in consultation with employers and staff.</p> <p>However, for clarity</p>	<p>Amendment incorporated at Deadline 8.</p>

	for staff using public transport. The precise nature of those measures will need to be defined in due course, in consultation with employers and staff.	such measures could include, but not be limited to, personalised travel planning for staff, financial incentives such as cycle to work scheme and discounted public transport vouchers, car share database and increased parking charges for single occupancy vehicles.	
Commitment 12 (2)	No part of the second runway operations may begin until GAL has consulted with the TFSG in respect of the measures under paragraph (1) above.	As indicated in REP7-104 , to change to: No part of the second runway operations may begin until the measures highlighted in paragraph (1) have been developed in consultation with and approved by the local highway authorities and National Highways.	The Applicant notes the mode share commitments to achieve and maintain an annual staff mode share for sustainable modes (Commitments 3, 4 and 2A). The measures and incentives GAL must deliver to comply with Commitment 12 and achieve the staff mode shares will be determined following consultation with employers and staff. It is anticipated that many of the measures and incentives will be arrangements made by businesses with their staff and the Applicant considers that it would be inappropriate for measures of this nature to be approved by highway authorities and NH.

			However, Commitment 12(2) requires GAL to consult with the TFSG on these measures and that is considered the appropriate level of engagement with respect to these measures.
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5.2.13	<p>Since 2020 there is also a financial contribution from forecourt charges in to the STF.</p>	<p>As indicated in REP7-104, to also include text in bold:</p> <p><i>Since 2020 there is also a financial contribution from forecourt charges in to the STF. For clarity this fund is entirely separate to the Transport Mitigation Fund, Bus and Coach Services Fund and other funding referred to specifically in the Section 106 agreement or other Commitments and is just one mechanism by which GAL ensures compliance with Commitments 1 – 4. For the avoidance of doubt GAL remains responsible for complying with and fully funding Commitments 1 – 4 regardless of the funding stream used.</i></p>	<p>Amendment incorporated at Deadline 8.</p>
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<p>Commitment 13 (1)</p>	<p>GAL will continue to use the STF to support measures that will help to achieve the mode share commitments and the measures shall be determined following consultation with the TFSG.</p>	<p>As indicated in REP7-104, change to:</p> <p><i>GAL will continue to use the STF to support measures that will help to achieve the mode share commitments and the measures, to be funded by the STF, shall be determined following consultation with the TFSG. GAL will maintain the annual increase in the tariff value on air passenger spaces.</i></p>	<p>Amendment incorporated in part at Deadline 8.</p> <p>In respect of the request for additional drafting to recognise the annual increase in tariff value, the Applicant has already incorporated the effect of this under Commitment 13(3)(b) being subject to indexation. The Applicant notes that the "annual increase" drafting reflected that these payments under the 2022 Agreement were not subject to indexation and therefore required a "manual" annual increase. However, the Applicant is now proposing that the levy on the total supply of spaces in public car parks operated and available for operation by or on behalf of GAL is subject to indexation such that a "manual" annual increase is redundant.</p>
<p>Commitment 13 (4)</p>	<p>GAL shall not be required to make payment into the STF pursuant to paragraph (3) above in any year to the extent that such payment would increase the unallocated funds in the STF to or</p>	<p>As indicated in REP7-104, change to: <i>GAL shall not be required to make payment into the STF pursuant to paragraph (3) above in any year to the extent that such payment would increase the unallocated</i></p>	<p>Amendment incorporated at Deadline 8.</p>

	above a value of £10 million	<i>funds in the STF to or above a value of £10 million PROVIDED THAT regardless of whether GAL has paid funds into the STF in a given year, GAL remains responsible for complying with and fully funding Commitments 1-4.</i>	
Commitment 13 (5)	Following the ninth anniversary of the commencement of dual runway operations, if the Councils agree with GAL that the Mode Share Commitments (Commitments 1-4 in this document) have been met, the Councils may confirm in writing that GAL is not required to make payment into the STF pursuant to paragraph (3) above in any particular year.	Our interpretation is that payment into the STF does not end after year nine but that payments would only stop if the Councils agree.	The Applicant confirms this is the correct interpretation. This provision allows the Councils to agree that payments can stop, but only after the ninth anniversary of the commencement of dual runway operations.
Commitment 14	GAL will also set aside a Transport Mitigation Fund (TMF) to support	As indicated in REP7-104 , change to: <i>GAL will also set aside a</i>	Amendment incorporated in part at Deadline 8. The section 106 agreement covers the value of the fund so it is not

	<p>further interventions, particularly should the need arise for additional measures in the area surrounding the Airport as a direct result of airport-related growth. The intention of this fund is to give assurance that resource will be available for additional interventions in support of the commitments set out in this document, or to provide mitigation of an unforeseen or unintended impact from the Project. This may relate to physical infrastructure, changes to public transport services or facilities off-airport. Requests for and decisions on allocation from the TMF would be addressed through the Transport Mitigation Fund Decision Group in accordance with the provisions in Schedule 3</p>	<p><i>Transport Mitigation Fund (TMF) of £10 million to support further interventions, particularly should the need arise for additional measures in the area surrounding the Airport as a direct result of airport-related growth. The intention of this fund is for resources to be available to provide mitigation of an unforeseen or unintended impact from the Project. This may relate to physical infrastructure, changes to public transport services or facilities off-airport. Requests for and decisions on allocation from the TMF would be addressed through the Transport Mitigation Fund Decision Group in accordance with the provisions in Schedule 3 of the Section 106 Agreement [REP6-063].</i></p>	<p>considered necessary to duplicate here.</p>
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	of the Section 106 Agreement [REP6-063.		
Commitment 14A		The authorities welcome the Rail Enhancement Fund	Noted.
Para 6.1.1	The Transport Assessment demonstrates that the mitigation put forward as part of the application for development consent for the Project (including those measures/commitments made in this document) are appropriate in mitigating the potential impacts of the Project.	As indicated in REP7-104 , to also include text in bold: <i>The Transport Assessment demonstrates that the mitigation put forward as part of the application for development consent for the Project (including those measures/commitments made in this document) are forecast to be appropriate in mitigating the potential impacts of the Project</i>	Amendment incorporated at Deadline 8.
Table 3	Staff travel survey every two years	Given staff travel is a significant commitment, is a daily occurrence and impacts the local road network, this survey (or sample) should be annual.	The Applicant has made amendments to Commitment 16 of the Surface Access Commitments in the version submitted at Deadline 9 to reflect the staff travel data that will be made available each year in the Annual Monitoring Report. This data will include use of staff car parks, travel by public transport including the take up of staff discounts,

			<p>registration and use of car share and other sustainable travel initiatives, use of drop off facilities (both at the forecourt and in airport car parks) and active travel facilities. This data will be supplemented every other year with results of the staff travel survey to inform the development of action plans in support of the Surface Access Commitments.</p> <p>The Applicant considers this provides a comprehensive body of data reflecting the staff population with which to track achievement of the staff mode share commitments. In light of this information, the Applicant considers it appropriate to continue the staff travel survey every other year in order to track changes in staff travel trends and behaviour.</p>
Para 6.2.1	The first AMR will be produced no later than six months before the commencement of dual runway operations.	As indicated in REP7-104 , to change to: <i>The first AMR will be produced upon Consent of DCO.</i>	Agreed in part. The Applicant does not consider it appropriate to require GAL to produce an AMR before the Project has even commenced in light of the monitoring and reporting already in existence (including the quarterly updates on the CAA mode share which the TFSG receives already). The Applicant has amended para 6.2.1 in

			the SACs submitted at Deadline 9 so that the first AMR will be produced no later than the commencement of the Airfield Works (being Works No 1-4 as set out in Schedule 1 of the Development Consent Order (whichever of those works commences first)) and annually thereafter.
Para 6.2.5	GAL will also identify whether there are circumstances beyond its control	We would like it stated that matters beyond GAL's control does not extend to differences between the model forecasts and the real-world service provision.	See below.
Para 6.2.5	GAL will also identify whether there are circumstances beyond its control (for example extreme weather events or industrial action disrupting transport services) which have impacted on its ability to achieve its commitments in the SACs and will advise the TFSG that those events may affect the outcomes reported in the AMR	As indicated in REP7-104 , to also include text in bold: <i>GAL will also identify whether there are circumstances beyond its control (for example extreme weather events or industrial action disrupting transport services) which have impacted on its ability to achieve its commitments in the SACs and will advise the TFSG that</i>	Amendment incorporated in part at Deadline 8. Further amendment not agreed; the Applicant does not consider the suggested amendment to be factually correct. The Applicant has included the following text for clarity in the version to be submitted at Deadline 9: <i>Generally, where GAL identifies that circumstances beyond its control has impacted on its ability to achieve its commitments in the SACs, GAL will be expected to demonstrate that the</i>

		<p><i>those events may affect the outcomes reported in the AMR. TFSG will decide and confirm whether they agree with GAL's view that matters are beyond GAL's control and whether those events may affect the outcomes in the AMR. For clarity the baseline public transport services are considered to be those during 2024 (the DCO examination) and not the services levels as modelled within the DCO submission, and this is not considered to be a matter that is beyond the control of GAL.</i></p>	<p><i>circumstances were: a. not permanent in nature; b. outside of the control or influence of the airport operator; and c. directly related to the breach of a Mode share commitment.</i></p>
Para 6.2.7	<p>If two successive AMRs continue to show that the mode share commitments have not been met or, in GAL's or the TFSG's reasonable opinion, suggests they may not be</p>	<p>As indicated in REP7-104, to also include text in bold: <i>If two successive AMRs continue to show that the mode share commitments have not been met or, in GAL's or the TFSG's</i></p>	<p>Amendment incorporated in part at Deadline 8.</p> <p>Amendment reflecting 30 calendar days timeframe is incorporated at Deadline 9.</p>

	<p>met (having regard to any circumstances beyond GAL's control which may be responsible), GAL will prepare a further action plan (the "SAC Mitigation Action Plan") and will provide this to the TFSG, together with additional data if necessary and possible, in order that the TFSG can consider, comment on and approve or reject the SAC Mitigation Action Plan</p>	<p><i>reasonable opinion, suggests they may not be met (having regard to any circumstances beyond GAL's control which may be responsible), GAL will prepare a further action plan (the "SAC Mitigation Action Plan") and will provide this to the TFSG within 30 calendar days, together with additional data if necessary and possible, in order that the TFSG can consider, comment on and approve or reject the SAC Mitigation Action Plan (including costs, an implementation plan and any changes to monitoring and reporting).</i></p>	
<p>Para 6.2.9</p>	<p>The Secretary of State may approve the SAC Mitigation Action Plan or direct GAL to include in a revised SAC Mitigation Action Plan the Proposed Measures or such additional or alternative</p>	<p>The authorities note the Applicant's response to ExA Q2 TT2.6 in REP7-092. However, para 6.2.8-6.2.11 does not explicitly state the controls highlighted and SCC seek an update of</p>	<p>Not accepted. As the Applicant has noted in previous submissions (including in response to ExQ2 TT.2.6 [REP7-092], the Applicant is not prescribing the measures available to the SoS; it is in the SoS discretion to determine such additional or alternative interventions it considers reasonably</p>

	<p>interventions it considers reasonably necessary to achieve the mode share commitments having had regard to the materials submitted in accordance with paragraph 6.2.8 above including the representations submitted by the TFSG and any relevant evidence, data or information submitted by GAL.</p>	<p>the SAC to this effect. To also include text in bold:</p> <p><i>The Secretary of State may approve the SAC Mitigation Action Plan or direct GAL to include in a revised SAC Mitigation Action Plan the Proposed Measures or such additional or alternative interventions it considers reasonably necessary to achieve the mode share commitments having had regard to the materials submitted in accordance with paragraph 6.2.8 above including the representations submitted by the TFSG and any relevant evidence, data or information submitted by GAL. It does not preclude the Secretary of State from directing other controls on factors affecting mode share at the airport</i></p>	<p>necessary to achieve the mode share commitments having had regard to the submitted materials. For that reason, the Applicant does not consider it appropriate to explicitly name one or two options available to the SoS which may inadvertently constrain the most appropriate interventions in each case.</p>
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		<p><i>including passenger numbers, aircraft movements and/or parking numbers where the Secretary of State considers those interventions are reasonably necessary to achieve the mode share commitments</i></p>	
New para/table		<p>Reporting timetable:</p> <ul style="list-style-type: none"> • First AMR – to be issued upon DCO consent and annually thereafter • First Action Plan – to be issued within 30 days of the First AMR • TfSG Approval – within 30 days of receipt. • Second AMR – to be issued on first anniversary of DCO Consent • SAC Mitigation Action Plan – to be issued within 30 	<p>The Applicant has made relevant amendments to section 6 of the Surface Access Commitments in the version submitted at Deadline 9.</p> <p>The Applicant does not require an additional 21 days to consider the decision before preparing a submission to the Secretary of State within 30 days.</p> <p>The Applicant does not consider it appropriate to impose a timetable on the Secretary of State's decision.</p> <p>The Applicant will be required to implement the measures in the SAC Mitigation Action Plan approved by the Secretary of State. It may be appropriate to engage further with the TFSG in respect of the measures approved by the</p>

		<p>days of the Second AMR</p> <ul style="list-style-type: none"> • TfSG Decision – within 30 days of receipt • GAL’s consideration of decision – within 21 days • Submission to SoS within 30 days • (Assume SoS decides within 30 days) • TfSG consideration of SoS decision – within 30 days <p>We note that these timescales may need further consideration in light of the ExA proposed revisions to Requirement 20.</p>	<p>Secretary of State but the Applicant will be required to implement the approved measures in any case and therefore does not consider it necessary to impose a timeframe on the TFSG to consider the Secretary of State's decision.</p>
7.1.3	<p>GAL has identified the following aspirational mode share targets, which indicate GAL’s longer-term goals. These are not commitments under this document</p>	<p>To change text to: <i>GAL has identified the following aspirational mode share targets, which indicate GAL’s longer-term goals. These will become commitments under this document in 2042.....</i></p>	<p>Not agreed.</p> <p>The aspirational targets note the requirement for further engagement and support from third parties, i.e. they go beyond what can reasonably be expected from GAL without further commitments from others. They will</p>

			remain as aspirations to provide context for future actions in relation to surface access interventions and for the development of future ASAS action plans and targets.
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