

Our ref: 20044834

Your ref: TR020005

Secretary of State for Transport
C/o Planning Inspectorate Case Team

Via E-Mail to:

GatwickAirport@planninginspectorate.gov.uk

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National Highways
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16 December 2024

Dear Secretary of State,

Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010

Application by Gatwick Airport Limited (“the Applicant”) Seeking Development Consent for the Proposed Gatwick Airport Northern Runway Scheme

Request for comments from the Applicant and other parties

National Highways welcomes the Secretary of State’s request for comments on the proposed amendments to Schedule 2 (Requirements) of Gatwick Airport Limited’s (the Applicant) draft Development Consent Order, issued on the 9 December 2024.

Having reviewed the proposed amendments to Requirement 20, which National Highways has been invited to comment on, the following comment is provided.

Requirement 20 – Transport Forum Steering Group

National Highways has reviewed the additional subsection (2) that has been proposed by the Secretary of State and has no specific comments. National Highways has signed a Framework Agreement with the Applicant which is considered to appropriately manage the operational phase of the authorised development (subject to the comments in the “Additional Comments” section below). In its capacity as a member of the proposed Transport Forum Steering Group, National Highways will continue to monitor the Applicant’s progress in discharging their obligations in line with the Surface Access Commitments that will be secured as part of the Development Consent Order.

Additional Comments

Having reviewed the proposed changes to Schedule 2 in the letter issued on the 9 December 2024, National Highways has the following additional comments that it would like to highlight to the Secretary of State.

Requirement 2 – Phasing Scheme

National Highways notes that the proposed changes incorporate new subsections (3) and (4) to Requirement 2 to the phasing of the scheme. National Highways observes that these amendments exclude National Highways and as a result, do not align with the rest of the subsections in Requirement 2. National Highways requests that the Secretary of State consider whether subsections (3) and (4) should also refer to National Highways for completeness.

National Highways Position on Indemnity

National Highways maintains its objection to the indemnity limit proposed by the Applicant. If accepted, this would place a potential financial liability on National Highways for the Applicant's scheme and could indirectly affect the future operation of the Strategic Road Network. National Highways' precedented and proposed indemnity approach, and the associated reasons why National Highways believes the Applicant's approach should be rejected were set out in National Highways Closing Statement **[REP9-160]**. The Secretary of State is requested to adopt the approach proposed by National Highways to ensure appropriate use of public funds and ensure that the Applicant provides an indemnity in relation to surface access assets.

National Highways welcomes the opportunity to respond and will review any submissions provided by the Applicant as part of its own response to the consultation request. National Highways requests that the Secretary of State provide clarity on whether any follow up responses or rebuttals from the invited parties will be required in the new year.

Yours Sincerely,



Peter Fisher
Head of 3rd Party NSIPs