

Gatwick Airport Update

Planning Policy Committee, Thursday, 21 September 2023

Report of: Planning Policy Specialist

Purpose: For decision

Publication status: Open

Wards affected: All

Executive summary:

Gatwick Airport Limited (GAL) submitted their application for Development Consent for the Northern Runway Project (NRP) to the Planning Inspectorate (PINS) on 6th July 2023. On 3rd August, after the 28-day period of consideration and having reviewed the Adequacy of Consultation (AoC) Representation from the consortium of ten affected local authorities (including Tandridge), PINS accepted the application, thereby triggering the pre-examination stage of the process. Examination is currently expected to commence towards the end of 2023.

This report is to update Members on the progress to date with the Development Consent Order (DCO) process, the current budgetary status, and the immediate future steps and requirements as best understood at this time. It outlines the expectations on the Council from the DCO and how these may best be delivered in the tight time frames set out for the pre-examination and examination schedules, and in the context of being able to deliver this within constrained physical and financial resources.

Concurrently with the DCO, work is ongoing on the Future Airspace Strategy Implementation-South (FASI-S). This report therefore also updates Members on the FASI-S consultation presently being undertaken by GAL.

This report supports the Council's priority of:

- Building a better Council
- Becoming a greener, more sustainable District

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Recommendations to Committee:

That:

- A. the contents of this report regarding the progress made to date in the DCO process and the current position be noted; and
- B. the contents of this report regarding recent developments in relation to FASI-S be noted.

Reason for recommendations:

The implications of the construction and operation of the Northern Runway Project at Gatwick Airport could be significant for both the local community in proximity to the airport as well as the wider communities across Tandridge.

As a consultative body, the Council is required to engage and participate in the DCO process within the statutory timescales set.

The Council also has an obligation to its residents and business communities to understand the full extent of impacts of GAL's proposals, including how these may be exacerbated by the options being considered in the on-going FASI-S process, and through engagement in the DCO process seek to ensure these are limited and mitigated as fully as possible within the conditions of the application and in compliance with relevant standards and legislation.

Given constrained physical and financial resources within Tandridge, as well as at other authorities in the Gatwick Officer Group (GOG) consortium, the Council is also continuing to seek efficiencies through collaborative working, subject to approval for appropriate expedited sign-off mechanisms for collaborative documents to be submitted for Examination.

1 Gatwick Northern Runway Project DCO

- 1.1 Gatwick Airport Limited (GAL) submitted their application for Development Consent for the Northern Runway Project (NRP) to the Planning Inspectorate (PINS) on 6th July 2023. Following submission, there was a 28-day period for PINS to consider the application, within which there was an initial 14-day window for relevant local authorities to submit an Adequacy of Consultation (AoC) Representation. A joint AoC Representation was submitted to PINS by the consortium of ten affected local authorities (including Tandridge) on 20th July.
- 1.2 On 3rd August the Planning Inspectorate (PINS) announced that they had accepted to take to examination GAL's application for an Order to grant Development Consent for their Northern Runway Project. This acceptance started the formal pre-examination period, during which GAL must provide a Section 56 notification of acceptance of their application. Following this, interested parties are invited to submit Relevant Representations on the application to PINS, whereby they will have the right to be heard at later examination.

1.3 The scheduled sequence for this latest stage of the process can be seen in Table 1 below. However, the timetable was delayed for reasons set out in paras 1.4-1.7 and on 31st August officers were notified that it was GAL's intention for the Relevant Rep period to commence on 4th September and run until 29th October.

Timescales for s56 process

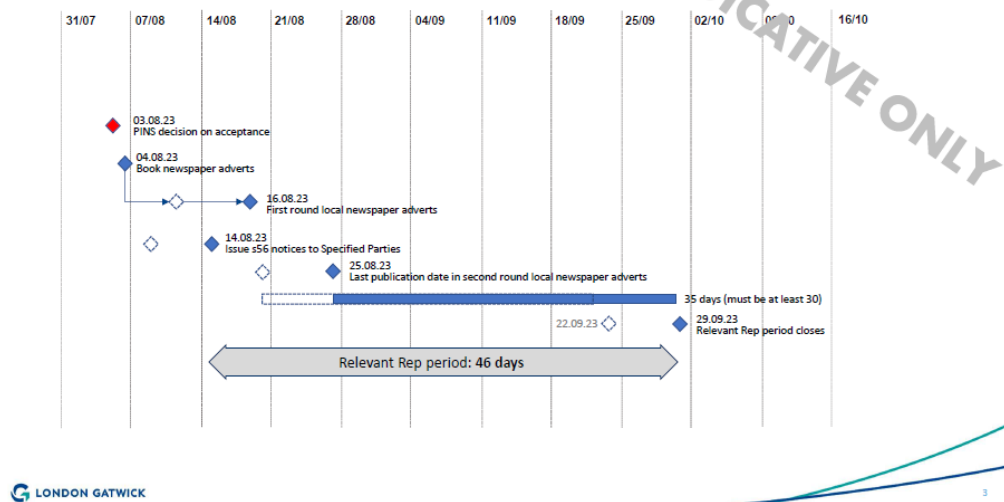


Table 1: Previous Section 56 timescales and Relevant Representations period (delayed) – Relevant Representations now scheduled to run until end-October.

- 1.4 Alongside the notification of acceptance of the application, PINS also issued to GAL some initial observations on the application under Section 51 of the Planning Act 2008. Of the ten observations issued, numbers 1 and 2 were of direct relevance to the consortium of local authorities working together to address the impacts of the NRP.
- 1.5 Observation 1 outlined concerns raised in the joint local authority AoC Representation on effective engagement and advised GAL to review the points made in the AoC Representation with a view to more constructive engagement moving forward.
- 1.6 Observation 2, again resulting from the AoC Representation, proposed that GAL should prepare an Issues Tracker *in advance* of giving Section 56 notification, should there still be support for this from the consortium of local authorities. Whilst GAL proposed that any issues identified could be addressed through the Statements of Common Ground (SoCG), the consortium requested the provision of an Issues Tracker, leading to the delay in Section 56 notification.

- 1.7 The Issues Tracker (four separate tracker spreadsheets circulated by GAL to capture the previous consultations carried out and comments made to them) was subsequently provided to the local authorities on 21st August and these are currently in the process of being reviewed, with the aim of providing feedback to GAL for these to be finalised and approved for use moving forward. They will then need to be managed between GAL and all the affected authorities as the application progresses towards examination, with further issues included as they become identified. On the 5th September GAL agreed to consolidate the four trackers to a single tracker to improve efficiency and confirmed these will be updated to include any issues raised through relevant reps.
- 1.8 The PINS notification of acceptance of the application also triggered the release of the full suite of Environmental Statement documents. This was the first opportunity that both affected authorities and the public have had to review the full scope and detail of impacts as identified and assessed by GAL and their respective consultants.
- 1.9 In total, there are 192 documents covering impacts across sixteen thematic areas, in extensive detail and across specialist fields. The affected authorities and their engaged consultants are continuing to review these documents in order to consider the assertions made and identify their own understanding and view of the impacts. They will engage with GAL to seek an appropriate basis of mitigation and/or compensation.
- 1.10 In respect of the above and the imminent requirements of the process, Tandridge officers have commenced drafting its Relevant Representation in anticipation of the 29th October due date. The representation will be informed by commissioned consultant work as it progresses (see paras 2.1–2.5 below) and with additional expert input on the areas of most concern to the district: air quality and noise (see paras 3.3-3.4 below).
- 1.11 Alongside this, work is also on-going on the SoCGs. Meetings on the thematic areas are currently proposed to be hosted by GAL over the course of a week in September and a further week in October (dates still to be confirmed at the time of drafting this report and subject to suitable progress being made with the Issues Tracker). The SOCGs are to be progressed towards finalisation where possible in the weeks following these meetings and continuing through the examination period.
- 1.12 The Council has agreed to have two bespoke SoCGs with GAL – ‘Air Quality’ and ‘Noise’. Tandridge SoCG responses to GAL on a further ten thematic areas will be deferred to those prepared with Surrey County Council (SCC) and/or other adjoining authorities as appropriate and/or where they have direct responsibility and where the specific topic expertise is available. For SCC these will be the thematic areas of the principle of development, transport, climate, greenhouse gases, ecology & nature conservation, archaeology, geology and ground water, water environment, socio-economics, health and well-being, and cumulative effects.

- 1.13 Lastly, the Council has agreed to engage with the affected Surrey authorities in the preparation of a joint Local Impact Report, led by Surrey County Council, to be submitted to PINS in advance of the commencement of examination. This document is currently at inception stage, but a shared channel for collaborative working on the report is being finalised, best practice examples are being explored and a meeting to establish the working framework and discuss next steps will have taken place on 6 September (after the drafting of this report).

2 Consultant Engagement on Gatwick NRP DCO

- 2.1 The Council is party to the local authority consortium's engagement of AECOM, the consultancy that is undertaking work across all the Environmental Statement thematic areas specific to the discrete requirements of each respective authority. For Tandridge District Council, AECOM has been commissioned to focus on the thematic areas of Air Quality and Noise, the issues identified as having the most significant impact on the district.
- 2.2 In terms of the scope of the work that AECOM is covering, this has to date been targeted at Phase A (pre-submission) through participation at Topic Working Groups (TWGs) and support on SoCGs, which has only progressed to a very limited degree on account of GAL's unwillingness to agree content for these documents pre-submission. Phase B (post-submission) will now focus on continued support on SoCGs and the TWGs, input into Relevant Representations, Written Representations and the Local Impact Report, assistance with any questions put to Tandridge by the Examining Authority, Expert Witness at examination if required, and further support with Section 106 obligations.
- 2.3 Complementing the above consortium commission, Tandridge District Council has independently commissioned Ekosgen, a London-based econometric consultancy, to carry out a bespoke economic and socio-economic assessment of the air quality and noise impacts in the district from the northern runway proposal. The consultants have commenced work on this commission and at the time of this committee will have carried out four of their five initial consultation sessions (CAGNE, Tandridge District Council Members, Surrey County Council Transport Planners and AECOM's air quality and noise specialists). A further meeting is currently being scheduled with GAL's own air quality and noise experts to complete the initial factfinding sessions, before beginning the preparation of their written report.
- 2.4 Ekosgen are currently aiming to have a draft report on the economic and socio-economic consequences of the impacts completed by early November. This will then be returned to Members for further discussion and to agree the course for completion of the report.

- 2.5 The Council is also party to the consortium commission of York Aviation (YA) to challenge both the principle of development for the airport, as well as the operating assumptions supporting its case to meet its forecast future capacity set out over a number of target years to 2047. YA have most recently been instructed by the Project Manager of the local authority consortium to carry out additional work on the needs case presented for the airport as well as a review of the relevant Environmental Statement documents. The outputs of this will inform the Relevant Representations of each authority as well as the SoCGs.

3 Gatwick NRP DCO Budget

This is covered in a separate report elsewhere on this agenda.

4 Future Airspace Strategy Implementation - South (FASI-S)

- 4.1 GAL recently held a series of stakeholder presentations (on 28th July, 31st July and 2nd August) on the methodology and outcomes of the Initial Outcomes Appraisal (IOA) for the FASI-S Airspace Change Programme (ACP), part of the coordinated modernisation of airspace in the south of England.
- 4.2 The current Step 2B of Stage 2 and the overall timeline for the Airspace Change Programme can be seen in the tables below.

2. Overall ACP Timeline Update

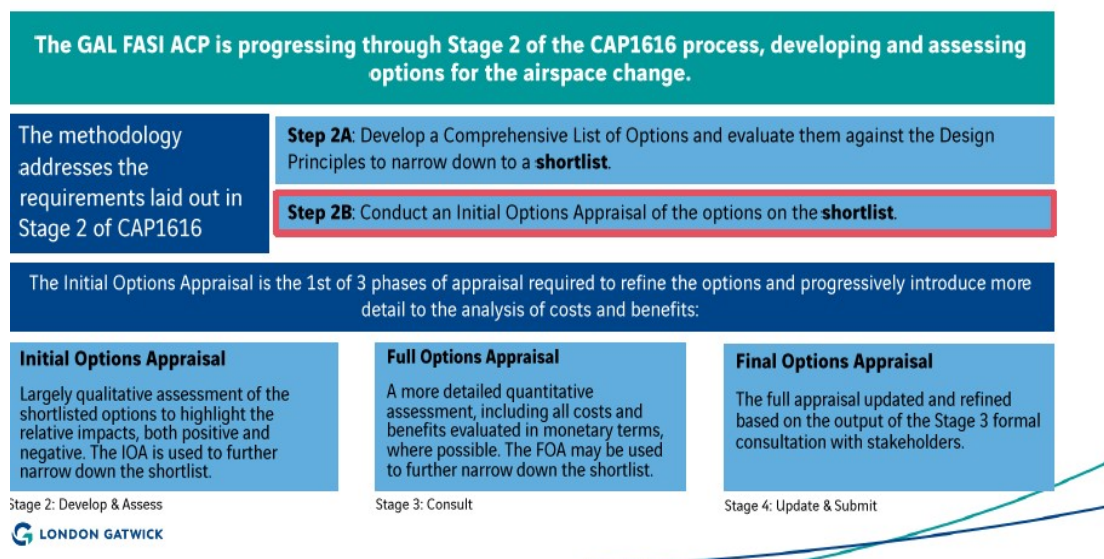


Table 2: Stage 2 (current) of the CAP1616 process.

2. Overall ACP Timeline Update

The following diagram shows the updated Stage 2A timeline within the overall ACP timeline:

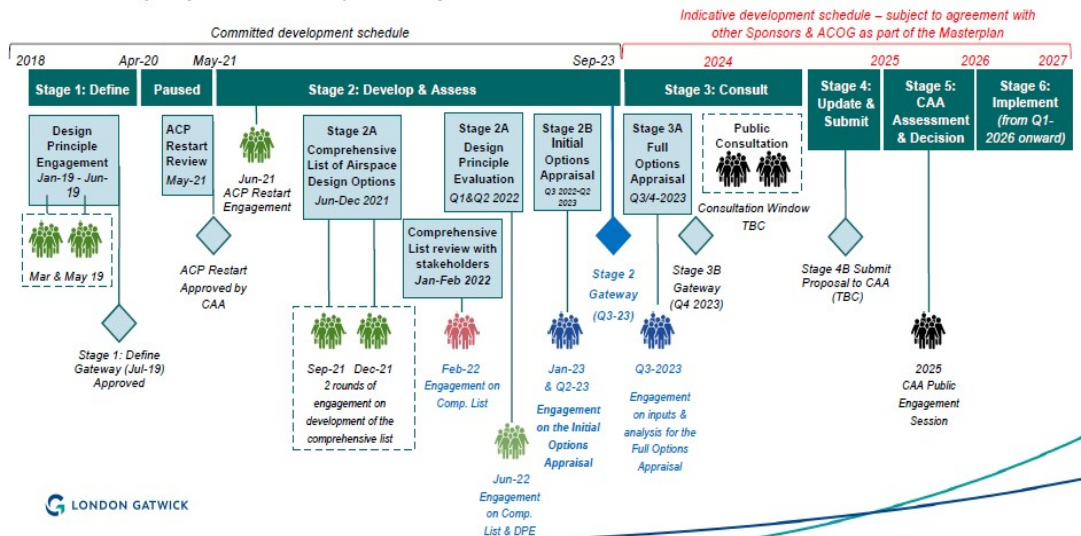


Table 3: Overall Airspace Change Programme timeline

- 4.3 Although GAL have been keen to stress that the information included in these options should not be considered final, it is important to note that it is currently a comprehensive list of options that is being appraised, of which a number will be taken forward to submission to the Civil Aviation Authority (CAA). At this stage, some of the proposed options have been based on earlier feedback on issues such as 'rural areas and ambient noise' and 'arrival respite' configurations with two routes, and other routes have been discontinued because of an identified increased population affected by noise impacts.
- 4.4 However, it would appear that many of the outcomes being brought forward at this early stage of the appraisal - both easterly and westerly departures and arrivals - introduce new paths that will overfly the District. In advance of further route appraisal being undertaken, it would at this stage be reasonable to assume these will create noise impacts over a wider area.
- 4.5 It is equally significant to recognise that the consultation on FASI-S is being undertaken in isolation from and separate to the DCO process. There has been no discernible attempt by GAL to factor the ACP potential into its DCO documentation and therefore the affected local authorities have at this stage no scope to understand flight routes most likely to come forward for the projected increase in air traffic to Gatwick with the NRP in place.
- 4.6 The consultants engaged by Tandridge District Council have been asked to consider this as far as is possible in undertaking their assessment and analysis of future air quality and noise impacts in the district. There are no cost implications of this request. The consortium of local authorities is also trying to reflect as much as is possible the impacts of FASI-S ACP as it progresses in the collective work being undertaken.

- 4.7 The next step in the FASI-S process is for GAL to submit to the Civil Aviation Authority the Stage 2 documentation on 1 September 2023 (documentation is available at [Airspace change proposal public view \(caa.co.uk\)](https://www.caa.co.uk/Airspace-change-proposal-public-view))

Key implications

Comments of the Chief Finance Officer

The Chief Finance Officer's main comments regarding the latest stage of the Gatwick DCO process are included within the additional report on this agenda regarding budgetary implications.

Comments of the Head of Legal Services

The Monitoring Officer's main comments regarding the latest stage of the Gatwick DCO process are included within the additional report on this agenda regarding budgetary implications.

Equality

There are no equality implications as a result of this report.

Climate change

The implications of increased air traffic and new potential flight paths from Gatwick do have environmental implications. This is one of the main concerns for the Council and residents and will be an area where the Council will be vigilant in its responses. However, for this report, which is focused on providing elected Members with an update on the DCO process and associated workflows, there are no direct climate change implications.

Appendices

None

Background papers

None