

# Gatwick Airport Development Consent Order (DCO) process

## Planning Policy Committee Thursday, 18 January 2024

Report of: Chief Planning Officer

---

Purpose: For information

---

Publication status: Open

---

Wards affected: All

---

### Executive summary:

This report is to update Members on the progress to date with the Development Consent Order (DCO) for Gatwick Airport Limited (GAL)'s Northern Runway Project (NRP). It outlines the immediate and longer-term requirements for the Council to respond to the DCO.

There are two key developments to note. First, the Examining Authority published a 'Rule 6' letter on 5<sup>th</sup> January 2024 under the Planning Act 2008 – Sections 88 and 89; and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rules 4, 6, 9, 13 and 16. This letter includes a draft timeline for the examination as well as the Initial Assessment of Principal Issues, prepared by the Examining Authority.

Second, GAL have launched a public consultation (until 21<sup>st</sup> January 2024) regarding revised proposals for specific aspects of the project.

---

**This report supports the Council's priority of:** Creating the homes, infrastructure and environment we need/ Supporting economic recovery in Tandridge/ Becoming a greener, more sustainable District

**Contact officer** Helen Murch  
Hmurch@tandridge.gov.uk

---

## **Recommendations to Committee:**

That:

- A. progress on the workstreams be noted; and
  - B. GAL's revised proposals and new consultation period be noted.
- 

## **Introduction**

- 1 Gatwick Airport Limited (GAL) submitted an application for an Order to grant Development Consent for its Northern Runway Project. The Planning Inspectorate accepted the application.
- 2 For further information on the Development Consent Process including written guidance and various videos please go to the following weblink
- 3 [The process | National Infrastructure Planning \(planninginspectorate.gov.uk\)](https://www.planninginspectorate.gov.uk/the-process/national-infrastructure-planning/)
- 4 The Gatwick Airport Limited submitted Application documents, representations and procedural documentation are available to view on the following website
- 5 [Gatwick Airport Northern Runway | National Infrastructure Planning \(planninginspectorate.gov.uk\)](https://www.planninginspectorate.gov.uk/gatwick-airport-northern-runway/national-infrastructure-planning/)

## **Representations**

- 6 The period for relevant representations (consultation responses) to be submitted to the Planning Inspectorate started on the 4 September 2023. On 19 November 2023 the PINS initial consultation period for the submission of representations in relation to the GAL application closed. This was then extended until the 12 December 2023 as there were other interested parties identified who had not been consulted.
- 7 Over 4000+ representations have been received by the Planning Inspectorate.
- 8 Written Representations are due on 12<sup>th</sup> March 2024 (see Rule 6 letter section below).

## Topic Meetings

- 9 Gatwick Airport Limited have organised a number of topic meetings with the Joint Local Authority Consortium and their specialist consultants. In these topic meetings GAL provided presentations and invited discussions on those various topics. Tandridge attended the GAL topic meetings on Employment and Skills, Air Quality, Transport and Noise.

## Issues Trackers

- 10 GAL have collated topic related issues trackers from the issues provided to them in the submitted representations and any other raised relevant issues that have arisen since. GAL have produced topic related trackers and their responses to each of those matters and they have shared those latest versions with the Joint Authority Consortium in December 2023. GAL have stated that they intend to update these trackers and issue them again in January 2024.

## Gatwick's Revised Proposals

- 11 GAL published their revised proposals on the 13 December 2023 and are undertaking public consultation from 13 December 2023 to 21 January 2024 at 11:59pm. They are consulting the public, landowners and other stakeholders on their proposed changes.
- 12 The proposals are available to view on GALs website which is available to view on the following weblink [Northern Runway Plans | London Gatwick Airport](#)
- 13 There are 3 methods by which interested parties can respond to GAL's revised proposals consultation which are as follows:
  - The completion of online form available on the GAL website
  - Email to [feedback@gatwickfutureplans.com](mailto:feedback@gatwickfutureplans.com) or
  - Postal responses can be sent to Northern Runway Project Team, Destinations Place, South Terminal Gatwick Airport, West Sussex RH6 0NP.
- 14 Once the consultation has been completed GAL will consider the comments and then they will submit their revised proposals to the Planning Inspectorate. They expect to do this in February 2024. It will then be for the Planning Inspectorate to decide if the changes can be made to the application before it is examined.
- 15 The Joint Authority Consortium (JAC) are discussing about producing a joint response to the revised Gatwick proposals, except Crawley who will prepare their own individual response due to the greater impact on their area.

## **Local Impact Report**

- 16 With a Development Consent Order application, the Examining Authority (the Planning Inspectorate) will invite the relevant local authorities to prepare and submit a Local Impact Report (LIR) by a required deadline. A LIR provides details of the likely impact of the proposed development on the authority's area (or any part of that area). The content is decided by the authority. The submission deadline is 12<sup>th</sup> March 2024 (see Rule 6 letter section below)
- 17 Surrey County Council is working in partnership with Tandridge District Council, Mole Valley District Council and Reigate and Banstead and Banstead Borough Council to draft a Joint Local Impact Report. This will contain shared sections in relation to the impact across the whole of the County and it will also contain specific sections in relation to the impact on Tandridge, informed by advice from our noise and air quality specialists.
- 18 The Joint Authority Consortium's legal representatives Sharp Pritchard and Kings Counsel will be reviewing the various drafts from the later part of January 2024.

## **Section 106 Agreement**

- 19 GAL has informed the JAC that they intend to circulate a first draft of the Section 106 Agreement in January 2024. The Legal Department of Tandridge District Council will be reviewing and feeding into the various drafts of the Section 106 Agreement and the Council will be a signatory to the final agreed Section 106 Agreement alongside the other relevant authorities.
- 20 In terms of the other local authorities, their joint legal representatives Sharp Pritchard along with Kings Counsel will be reviewing and feeding into the draft Section 106 Agreement. In December 2023, Mole Valley District Council decided to join this joint legal partnership in relation to the Section 106 matters only and entered into a separate written agreement.

## **Statements of Common Ground**

- 21 GAL will be producing the required Statements of Common Ground with the various local authorities. Some will be joint statements with the JAC where there are common issues that are agreed by all parties and some Statements of Common Ground will be produced with individual authorities in relation to specific issues.

## **Rule 6 Letter**

- 22 On 5th January 2024, PINS issued a Rule 6 letter which provides information about how the application will be examined. The letter gives the following details:
  - i. Details about the Preliminary Meeting
  - ii. Draft Examination Timetable
  - iii. Initial Assessment of Principle Issue

## Preliminary Meeting

- 23 The Rule 6 letter confirms the arrangements for the Preliminary Meeting. The purpose of the Preliminary meeting is to discuss the arrangements for the examination of the application. It focuses on the process only and questions, discussions and representations about the merits or disadvantages of the Proposed Development are for the Examination itself which will begin after the close of the Preliminary Meeting.
- 24 All Interested Parties have been invited to the Preliminary Meeting which is to take place on Tuesday 27<sup>th</sup> February 2024, 10.00am, at the Sandmand Signature London Gatwick Hotel and virtually. A livestream of the event will be made available online as well as a recording, following completion of the event.

## Examination Timetable

- 25 PINS has confirmed that the Examination Authority will be made up of five Planning Inspectors.
- 26 The ExA is under a duty to complete the Examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting, on 27<sup>th</sup> August 2024.
- 27 The ExA has published the following indicative timetable for the examination:

<b>Date</b>	<b>Item</b>
06/02/2024	Procedural Deadline A
28/02/2024	Preliminary Meeting
29/02/2024, 01/03/24 and 05/03/24-07/03/24	Open Floor Hearings
28/03/2024	Publication of the ExA's Written Questions
w/c 29/04/2024	Hearings
w/c 17/06/2024	Hearings
01/07/2024	Publication of the ExA's Further Written Questions
w/c 29/07/2024	Hearings
14/08/2024	Publication of the ExA's proposed schedule of changes to the draft DCO

- 28 Deadlines and details of when documents, such as the Written Representations, Local Impact Reports and Statements of Common Grounds, are due are set out in Annex F of the Rule 6 letter.

## **Initial Assessment of Principal Issues**

- 29 The ExA has published their initial assessment of principal issues in appendix to the Rule 6 letter.
- 30 The ExA identified the following as being principal issues:
- Air Quality
  - the case for the proposed development
  - Climate Change and Greenhouse Gas Emissions
  - Compulsory Acquisition and Temporary Possession of Land and Rights
  - Draft Development Consent Order, Planning Obligations, Agreements and Management Plans
  - Ecology
  - Historic Environment
  - Landscape and Visual Effects
  - Noise and Vibration
  - Social, Economic and Land Use Considerations
  - Traffic and Transportation
  - Water Environment

## **Key implications**

### **Comments of the Chief Finance Officer**

The Council to continues to consider issues of financial sustainability as a priority in order to ensure stable provision of services in the medium term.

The expenditures associated with the Gatwick DCO workstreams are supported by the Section 151 Officer provided they are undertaken within the existing approved Gatwick DCO expenditure envelope and it demonstrably delivers value for money for the Council. In conjunction with Planning Policy, the costs will continue to be planned and monitored.

### **Comments of the Head of Legal Services**

There are no identifiable legal implications arising from this report. The consultation currently being held by GAL is a valuable opportunity for stakeholders to express their views on the proposed options for expanding aviation capacity close to the District. Under section 42 of Planning Act 2008 ('the Act') the Council along with other local authorities must be consulted about whether an applicant, in this instance GAL has complied with their duties. In addition, under the Act, GAL must notify each consultee of the deadline for receipt of comments in relation to the consultation which must not be earlier than 28 days after the consultation documents are received. The Councils can confirm that this provision has been met as the consultation period has been extended from 13 December 2023 to 21 January 2024. The inhouse legal services team will negotiate the terms of the s106 Agreement on behalf of the Council.

## **Equality**

There are no equality impacts associated with this report.

## **Climate change**

The implications of increased air traffic and new potential flight paths from Gatwick does 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

----- end of report -----