

Report to:	Leader and Lead Member for Strategic Management and Economic Development
Date of meeting:	28 September 2023
By:	Director of Communities, Economy and Transport
Title:	Gatwick Airport Limited (GAL) - Gatwick Northern Runway Project (NRP) and the current Development Consent Order (DCO) application
Purpose:	To provide an update on GAL's Gatwick Northern Runway DCO application and outline the Council's next steps.

RECOMMENDATIONS: The Leader and Lead Member is recommended to:

- (1) note the different stages of the Development Consent Order process, including East Sussex County Council's responses to date, and those proposed;**
 - (2) seek the views of Full Council on Gatwick Airport Limited's Northern Runway Proposal Development Consent Order and the key topic areas affecting East Sussex at a proposed full council debate on 10 October 2023; and**
 - (3) consider a further report in early November 2023 on the outcomes of the Full Council debate and the Council's response to the Gatwick Northern Runway Proposal.**
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1 Background Information

Policy Context

1.1 Sir Howard Davies was commissioned by Government in 2012 to examine the need for additional UK airport capacity. The Commission concluded in summer 2015 that there was a need for one net additional runway to be in operation in the south east by 2030. Of the three shortlisted options considered, the Commission's recommendation to Government was to progress with a third runway north west of the existing runways at Heathrow; the other two options being a third runway west of the existing runway at Heathrow and a second runway at Gatwick. The Commission also recognised the need for a further additional runway in the south east by 2050 as well as a need for other airports to make more intensive use of their existing infrastructure.

1.2 In response to the Airports Commission consultation on the shortlisted options, East Sussex County Council (ESCC) voted at a Full Council meeting in January 2015 to support Gatwick's proposal for a second runway, noting the potential economic benefits that Gatwick's proposal would bring to the county. This support was caveated that any detrimental impacts arising from the second runway would be appropriately mitigated, including impacts of noise on local communities and surface access issues.

1.3 Government's subsequent 2018 Aviation Strategy call for evidence was supportive of those airports wishing to make best use of their existing runways subject to environmental issues being addressed. This was reflected in the Government's 2018 Policy Paper 'Making the best use of existing runways'.

Gatwick Airport Limited (GAL)'s Northern Runway Proposal (NRP)

1.4 In response to the Government's Aviation Strategy, Gatwick's 2019 Masterplan presented their proposal for the potential use of the standby runway, north of the existing main runway, to enable dual runway operations and to increase the overall capacity of the airport. The northern runway would be utilised by smaller aircraft (eg A320 and A321s used by chartered carriers) for take-off whilst the main runway would continue to be used by larger aircraft for take-off and by all aircraft for landing.

1.5 The NRP would potentially increase Gatwick's passenger throughput from the 'without project' projection of 62.4 million passengers per annum (mppa) to approximately 75.6mppa by 2038, an increase of approximately 13.2mppa. By 2047, the NRP would enable passenger throughput of approximately 80.2mppa, an increase of 13mppa over the 'without project' projection of 67.2mppa.

1.6 In autumn 2021 Gatwick published a preliminary environmental impact report (PEIR) on the NRP which sought to identify and assess the significant effects likely to arise from the project. The County Council responded in detail to this consultation and raised concerns about how the assessment had been undertaken. This was reflective of the comments raised by the other Gatwick Officers Group (GOG) authorities, which comprise East Sussex, West Sussex, Surrey and Kent County Councils, and Crawley, Reigate & Bansted, Mole Valley, Tandridge, Mid Sussex, and Horsham Councils.

1.7 In summer 2022 a further consultation took place on updated highway design proposals around the airport, as well as plans on car parks, the airfield, water management, carbon, and noise in relation to the NRP project. Key comments in the Council's response included a request to extend the transport modelling to include Ashdown Forest, and improvements to public transport connections (bus) between the airport and East Sussex, particularly the centre and north of the county where currently there is limited public transport connectivity.

1.8 Since the 2021 and 2022 consultations GAL has continued working on developing their proposals. In doing so they have been engaging with the local authorities through a range of Topic Working Groups (TWG), mainly attended by representatives from GOG, as well as other officers as necessary. For East Sussex the topic working group areas of greatest importance are surface access, noise, air quality and climate, health, and economy.

2 Supporting Information

Submission of the Development Consent Order (DCO) application

2.1 Gatwick submitted a DCO application for their NRP to the Planning Inspectorate (PINS) on 6 July 2023. In the context of GAL's NRP DCO application to PINS, East Sussex County Council is classified as a category D prescribed consultee - '*an upper tier county council which shares a boundary with a host 'C' authority - a neighbouring authority (s43(3))*'. It is important that the Council engages throughout the process to ensure that, should the proposal receive consent, the Council can demonstrate that local communities are represented appropriately, and that any associated impacts are mitigated.

Stages in the NRP DCO Process

2.2 With the submission of the DCO application, the following stages will take place over the next 12 to 18 months.

(i) The 'Acceptance Stage' (6 July – 3 August 2023)

2.3 Following the submission of Gatwick's DCO application, GOG authorities submitted a collective Adequacy of Consultation (AoC) response highlighting concern over how Gatwick has engaged with the affected authorities up to this stage, and concerns about the absence of sufficient information or evidence for the GOG authorities to fully understand what the impacts on the respective authorities would be.

2.4 Nevertheless, PINS deemed GAL to have complied with section 55 of the 2008 Planning Act in relation to accepting DCO applications, and the DCO application was accepted on 3 August 2023.

(ii) The 'Pre-examination Stage' (6 September - (anticipated) beginning December 2023)

2.5 As part of the pre-examination stage, Gatwick issued a section 56 notice under the Planning Act 2008 on 6 September 2023 seeking relevant representations from interested parties to be submitted to PINS with a submission deadline of 23:59 on 29 October 2023. 'Relevant Representations' are and can be made by anyone, including local authorities as well as individual members of the public, on the DCO application. With a maximum of 1,500 words, any representation should include:

- a summary of what is agreed and/or disagreed within the application;

- what the main issues are considered to be; and
- their impact.

2.6 The relevant representation responses are used by PINS to help inform their initial assessment of principal issues for the next stage, the examination.

2.7 The County Council will be submitting a relevant representation to PINS which will focus on the areas of greatest importance in relation to the NRP around surface access, noise, air quality and climate, health, and economy. A summary of the key points that will be included in our representation are outlined at Appendix 1.

(iii) The 'Examination Stage' (likely to start beginning of 2024):

2.8 PINS as the Examining Authority have appointed a panel of five Inspectors who will undertake the DCO examination of the proposals. Ahead of the examination, interested parties are invited to provide more details of their views in writing, including:

- 'Written Representations' - the most appropriate document to set out views on the application i.e. whether they do or do not support the application and reasons; and
- 'Local Impact Reports' (LIR) - a technical document submitted by a local authority setting out an evidence-based assessment of the impacts of a proposal on the communities affected.

2.9 It is important to note that at the examination stage, interested parties such as local authorities can only raise issues previously referred to in their 'Relevant Representations' provided at the pre-Examination stage.

2.10 After the submission of both the Written Representations and the LIR, the views of stakeholders and interested parties will be considered by the Examining Authority at a series of hearings which are expected to commence in early 2024 and run over a period of five to six months.

2.11 Neither the County Council or the other local authorities in the vicinity of the airport are the decision making authority on Gatwick's DCO application; the decision on the application will be made by the Secretary of State for Transport. Based on the current timetable, it is expected that the Examining Authority's recommendation will be reported to the Secretary of State for Transport in late summer or early autumn 2024 and the Secretary of State making their decision in late 2024 or early 2025.

2.12 As GAL's DCO application progresses through the pre-examination and examination stages, it is important that we seek the views of Full Council to help inform the Council's responses to the LIR and Written Representation. It is therefore recommended that Full Council are asked to engage and debate the topic areas which are considered most likely to affect East Sussex - surface access, economy, noise, air quality, carbon, climate change and health – at the Council meeting on 10 October 2023, as well as consider the County Council's overall position on Gatwick's Northern Runway proposal.

2.13 Individual Councillors can register as interested parties on the DCO application and can make their own representations on the proposals.

3 Conclusion and Reasons for Recommendations

3.1 The County Council has regularly engaged and responded to consultations on Gatwick's NRP since 2021 to ensure that those living in and visiting East Sussex are appropriately represented, and it will continue to do so. The focus of The Council's responses and engagement through the various topic working groups undertaken by Gatwick Airport on their proposals has been in relation to surface access, economy, noise, air quality, carbon, climate change and health. In doing so, the Council have worked collaboratively with other local authorities to ensure common issues and concerns are raised collectively to strengthen the voice and ensure these are fully considered and addressed by Gatwick in their proposals.

3.2 Gatwick submitted their DCO application to PINS on 7 July 2023. Despite the collective concerns raised by GOG on the adequacy of Gatwick's consultation ahead of submission, the DCO application was approved by PINS on 6 August 2023.

3.3 As highlighted in section 2 of this report, following the acceptance of the DCO application, the process moves into its next stages at which the Council has further opportunities to highlight any concerns and issues regarding the NRP and in the event of the proposal being approved, what mitigations should be in place. A summary of the key points that will be included in the Council's relevant representation and that focus on surface access, economy, noise, air quality, carbon, climate change and health can be seen in Appendix 1.

3.4 The Leader and Lead Member is asked to note the responses provided to date by the County Council, the forthcoming DCO stages, and that the Council will continue to make representations on the issues relevant to East Sussex in the Council's Relevant Representation response (Pre-Examination Stage) and at the later Examination Stage when preparing the LIR and Written Representations. Under the County Council's scheme of delegation for the Department, the final responses submitted to PINS will be subject to approval by the Director for Communities, Economy and Transport and/or the Assistant Director, Economy.

3.5 As the DCO application progresses through to the Examination stage, it is important that the views of Councillors are sought to help inform the Council's responses to the LIR and Written Representation. It is therefore recommended that the Leader and Lead Member seek the views of Full Council on Gatwick Airport Limited's Northern Runway Project Development Consent Order at the Council meeting on 10 October 2023, and that Members debate the topic areas which are considered most likely to affect East Sussex, those being surface access, economy, noise, air quality, carbon, climate change and health.

3.6 It is also recommended that following Full Council a further report is considered by the Leader and Lead Member in early November 2023 on the outcomes of the debate and the Council's response to Gatwick's Northern Runway Proposal.

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LOCAL MEMBERS

All

BACKGROUND DOCUMENTS

East Sussex County Council response to Gatwick Northern Runway Proposal Preliminary Environmental Impact Report (PEIR) (December 2021)

East Sussex County Council response to Gatwick Airport's Consultation on Highway Improvement Changes and Project Update (July 2022)

Gatwick Local Authorities Adequacy of Consultation response on Northern Runway Proposal Development Consent Order (July 2023)