



www.stopstanstedexpansion.com
info@stopstanstedexpansion.com

PO Box 311
Takeley
Bishops Stortford
Herts CM22 6PY
Tel: 01279 870558
Fax: 01279 870786

15 January 2009
by post and email

Ms Carmel Edwards
Inquiry Manager: Stansted G2 Inquiry
Planning Inspectorate
Temple Quay House
2 The Square, Temple Quay
Bristol BS1 6PN

Dear Ms Edwards

Stansted G2 Programming Meeting - 19 January 2009

Thank you for your email and attachments of 7 January concerning the above. We attach our response within which we ask for the proposed 15 April starting date for the Inquiry to be discussed at the Programming Meeting. We explain below why we now have very serious and genuine concerns about the proposed 15 April starting date.

Our Appeal against the G1 decision has now been scheduled by the High Court to be heard during the week commencing 23 February with a decision expected in early March – though not necessarily before 10 March, the date by which our G2 Proofs of Evidence are required. The timing of this creates uncertainty and potential difficulties for all the main parties but it puts SSE in a particularly invidious and, we believe, unfair position in two main respects:

1. Over the next few weeks we need to devote considerable time to the preparation and presentation of our High Court Appeal. This is on top of what was already a very challenging timetable for producing our G2 Proofs of Evidence;
2. If our G1 Appeal is successful, the G2 Inquiry will presumably be cancelled, but if it is unsuccessful we may not have had any time to review the Judgement before the deadline for submitting our G2 Proofs of Evidence. This is of particular concern in relation to our evidence on Economics, Climate Change and Noise Impacts, which are at the heart of our Appeal, and on the wider issue of the scope for the assessed environmental and economic impacts to outweigh the policies set down in the Air Transport White Paper.

The circumstances we currently find ourselves in are not of our own making other than that we have exercised our right to appeal. As advised in our Statement of Case, we asked the High Court to expedite the G1 Appeal hearing because we judged that it would be in the interests of all parties to have this matter settled before the G2 Inquiry begins. In addition, it would have created a virtually impossible situation for SSE if the High Court had scheduled the G1 Appeal to be heard after the G2 Inquiry was under way.

The difficulty in timing has arisen entirely because the decision on the G1 application was announced far later than expected, on 8 October 2008, by which time the G2 Inquiry process was already under way. Indeed the fact that the G2 process was already under way – with Outline Statements of Case to be submitted by 13 October 2008 (just a week after the G1 decision was announced), Statements of Case by 22 December 2008 and Proofs of Evidence

by 10 March 2009, and the Inspector's expectation that SSE should fully participate in the Topic Working Groups – created a considerable deterrent to SSE lodging an Appeal against the G1 decision. (We do not suggest that was in any way deliberate.) Nevertheless, following consultation with our membership, SSE, on advice, decided that an Appeal was fully justified.

In the interests of ensuring fairness, we ask the Inspector to consider postponing the proposed starting date for the G2 Inquiry until (say) September. We can think of no vital reason why there should not be a postponement and, apart from fairness, there are a number of other reasons including pending announcements on key issues which add weight to the case for a postponement. Amongst these, the unknown attitude of the new owner of Stansted towards the G2 project is in itself a common sense reason for postponing the starting date for the Inquiry. We do not believe that any party could reasonably claim that there is an urgent need for the development or for the Inquiry to begin in April 2009 and, taking account of all the circumstances, we believe that a postponement until (say) September would be both in the public interest and the national interest.

The consequences of continuing to proceed on the basis of a starting date of 15 April would be that:

- (i) A great deal of time, effort and public and private money would have been wasted in the event of either the G1 Appeal being successful or the new owner of Stansted deciding that he did not wish to proceed with the G2 project;
- (ii) SSE would immediately require to consider its position and take advice in relation to the unfairness of the circumstances we find ourselves in as a consequence of the G1 and G2 Inquiries running almost back-to-back.

I should be grateful if you could circulate this letter to the other main Inquiry participants and have no objections to it appearing on the Inspectorate's website.

Yours sincerely



Carol Barbone
Campaign Director