

Gatwick Area Conservation Campaign

GACC

Campaigning for a better environment
for the whole area around Gatwick

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Rt Hon Chris Grayling MP
Secretary of State for Transport
Department for Transport

Judicial Review

Gatwick Airport Ltd and some London Boroughs have indicated that if the Government support a third runway at Heathrow they will consider applying for judicial review of such a decision. I am writing to warn you that the converse will also be true.

If the government were to support a second runway at Gatwick without a cast-iron case, GACC will consider making an application for judicial review. We have been advised by John Steel QC, who has many years' experience specialising in aviation, planning and public law including judicial review. He has advised that there are a number of potential grounds able to be considered which are sound, including that a decision to choose Gatwick as the location for additional runway capacity in the South East, if based on political expediency, would be irrational.

Understandably, he has made it clear to us that whether or not he is able to advise that a judicial review should be pursued will of course

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depend upon the facts and reasons for the decision once made. However, we have every intention to consider seeking judicial review if we are advised that there is an arguable case.

We would expect to seek the support for such an application from the two County Councils and seven Borough and District Councils which have all voted strongly to oppose a second runway, and also from the nine local Members of Parliament who are all on the record as being firmly opposed.

As you know, easyJet and British Airways have both stated their opposition to a second Gatwick runway: they may also separately seek judicial review. Moreover, reports in the press suggest that the Manchester Airports Group may also seek review on the ground that Stansted had been wrongly excluded.

In short, it would be entirely wrong to assume that a decision in favour of a second runway at Gatwick would be likely to avoid both legal challenge and also strong opposition.

Brendon Sewill CBE
Chairman

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