

## CABINET REPORT

Title: **HEATHROW AIRPORT:  
ENVIRONMENTAL NOISE DIRECTIVE  
DRAFT NOISE ACTION PLAN 2010-2015**  
For public consultation – June 2009

Date: 24<sup>th</sup> August 2009

Member Reporting: Phillip Bicknell, Lead Member for Public Protection, Chairman,  
Aviation panel.

Contact Officer(s): Philip Turner, Team Leader – Environmental Protection.  
Tel;: 01628 683645

Wards affected:

All Wards of the Borough are to be affected to varying extents by aircraft noise. In particular the towns and Parishes of Windsor, Eton, Wraysbury, Horton, Datchet and Old Windsor, Maidenhead and surrounding areas.

### 1. SUMMARY

- 1.1 This consultation is the result of the need for all EU airports to submit noise action plans. This requirement arises from EU Directive EU 2002/40 transposed into UK law as the Environmental Noise (England) Regulations 2008. BAA plc (Heathrow) has prepared such a plan, *Heathrow Airport Noise Action Plan 2010–2015, Draft for public consultation June 2009*. The Executive Summary of the BAA Heathrow Document is attached at Appendix 1. The Questions to be answered in response to the consultation are at Appendix 2. The deadline for responses is 5<sup>th</sup> October 2009
- 1.2 The Council responded in November 2008 to an earlier consultation on the proposed guidance given by Government to those who make noise action plans: this response followed a report to this Panel. This is discussed later at (2).
- 1.3 The consultation outlines BAA's views and proposals. It seeks the views of stakeholders by posing questions to be answered: these may be regarded as leading and limiting. It would be wise for respondents to qualify their answers by additional comments.
- 1.4 The main concern is that the Plan is written from a viewpoint of perceived community satisfaction with the present noise climate: this is not the view expressed by residents in this area. It is also clear that BAA Heathrow believes that it has undertaken, committed to or will be undertaking, a more than adequate stance against aircraft noise problems: it even refers to the noise insulation scheme - a fundamental flaw in the argument is that such 'cover up' measures for certain buildings are a suitable remedy.
- 1.5 There is no proper recognition of the impact of night-time noise, irregular flights, early arrivals, routing errors or the control or monitoring of departure noise impacts (a matter of increasing importance and concern). Nor does it address fully the Council's concerns surrounding the options for departure and landing operations or the impacts of the removal of the Cranford Agreement. It refers only to the airport as presently operated with no consideration of any expansion; a matter presumably left for a later consultation.

- 1.6 The Draft Action Plan does not go anywhere near far enough in addressing the very real concerns of RBWM (or many other) residents about the impact of aircraft noise and reducing those impacts in real terms.
- 1.7 Information for residents and others interested have been placed on the council's website: this includes the Executive Summary, questions posed and a link to the BAA website to access the full 60 page document.

## 2. RECOMMENDATION

That:

- a **the Council responds to the consultation using answers to the questions (as posed and requested) but expressing concerns which go beyond those questions, to include existing, expressed concerns about the noise impacts;**
- b **the Council encourages residents organisations & community groups to respond individually.**

What will be different for residents as a result of this decision?
If a response is sent then BAA, the Borough & its residents will have its views heard & it will be recorded that we are not satisfied with the depth & scale of the Noise Action Plan whose weaknesses and failures are clear. Government can be copied in on the response to impress our views on aviation policy makers, the aim being to press BAA for action to improve its plan and make it align with the objectives for the future benefit of residents..

## 3. SUPPORTING INFORMATION:

- 3.1 The Council responded to the earlier consultation stressing that the Regulations required (airport operators) to 'avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to environmental noise.'
- 3.2 It referred to the Council's extreme concern that many requirements in the Environmental Noise Directive had not adequately been considered and that the document was ambiguous and inconsistent in a number of areas. As a result, members were concerned about a number of aspects including:
- the definition of 'harmful effects' as defined and as to whether this reflected the criteria set out in the World Health Organisation (WHO) Community Noise Guidelines;
  - the ability of the UK to determine the onset of annoyance given the ANASE debacle;
  - contradiction between Government policy – '*to limit and where possible reduce the number of people in the UK significantly affected by aircraft noise*': (this was referred to in the first consultation), '*limiting and where possible, reducing the number of people significantly affected by . . .*' The present consultation appears to aim only to keep numbers static;
  - an unrealistic timescale: the original timescale has not been kept;
  - confusion as to the versions of strategic noise maps;
  - the question of whether the current impacts are acceptable
  - how action plans will stand in relation to:

- adding capacity at Heathrow Airport;
- changes to the Cranford Agreement;
- the Heathrow Master Plan;
- 'Quiet Areas';

No significant cognisance of the Council's response (or that of neighbouring Councils, members of 2M), expressed at that time appears to have been given in the new consultation.

3.2 Many of these matters remain unaddressed and consequently have been carried forward into the basis on which the Draft Action Plan has been prepared.

3.3 The response should refer to these principal areas of concern, many of which also affect neighbouring areas, as bulleted above and should suggest that a revised plan which addresses these matters of concern be submitted for consultation.

#### **4. OPTIONS AVAILABLE AND RISK ASSESSMENT**

##### **4.1 Options**

	<b>Option</b>	<b>Comments</b>	<b>Financial Implications</b>
1.	Respond to the Questionnaire	This limits the extent of the consultee's responses potentially to giving the required answers	Not recommended
2.	Respond to the questionnaire with a supporting document of suggestions And reiterating already expressed views on the subject	This approach allows full & fair comment of both the Forum's views and the Council's exiting & established statements on the subject of the impacts of aircraft movements over the Borough.	Recommended
3.	Do not respond	This could and would be viewed as unqualified acceptance	Not recommended

#### **5. CONSULTATIONS CARRIED OUT**

5.1 The view of the Aviation Forum was sought at its meeting on 24<sup>th</sup> August: these views have been incorporated into this report.

##### **5.2 Consultation**

The Aviation Forum considered a report at its meeting on 24<sup>th</sup> August 2009. Its comments may be summarised as:

- concerns about the transcription of the EU Directive into UK law which led to many of their reservations about the Plan:
- the incorrect belief that residents found present noise impacts acceptable;

- the proposed steps for improvement are unchallenging, being in progress or already projected. No proper timeline is provided;
- no consideration of standards or monitoring for landing noise is given;
- no consideration is made of the preservation of 'Quiet Areas';
- infringement penalties are felt to be inadequate and the subject is inadequately covered in the plan;
- the Plan's use of a 2006 noise baseline potentially weakens any basis for improvements;
- the Forum's continued concern that the ANASE\* noise study continues to be ignored;
  - \* the most recent study of attitudes to noise & relating to aviation.
- given the airport's location close to a very large exposed population, the aim should not be to have Heathrow in the top five similar airports (itself not defined), the aim should be to be the top performer in noise terms.

These and other comments are incorporated into the suggested answers given (in italics) in Appendix 2.

## 6.0 COMMENTS FROM OVERVIEW AND SCRUTINY PANEL

Comments will be added after the Panel has met & discussed..

## 7. IMPLICATIONS

The following implications have been addressed where indicated below.

Financial	Legal	Human Rights Act	Planning	Sustainable Development	Diversity & Equality
✓	✓	✓	✓	✓	✓

### Background Papers:

Heathrow Airport Noise Action Plan 2010–2015 Draft for public consultation June 2009, BAA plc.

## APPENDIX 1

### Comment:

The aim of this consultation is to seek acceptance of BAA plc's plan to control noise in its role as enforcing authority under current Government lead arrangements. As such it seeks acceptance of the controls that BAA plc puts in place to control aircraft noise affecting the lives of people living, working & visiting the areas affected by Heathrow Airport noise. Whilst it is claimed that this is the best means of control practicable, your officers do not believe the proposals go far enough, simply maintaining the *status quo* rather than genuinely seeking a very necessary improvement in noise levels affecting the Borough. As such residents will not benefit from what can be done, only what the airport operator is willing to offer.

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### EXECUTIVE SUMMARY TAKEN FROM THE CONSULTATION DOCUMENT: 'Heathrow Airport: Environmental Noise Directive, Draft Noise Action Plan 2010-2015

This consultation document seeks views on BAA Heathrow's action plan to manage aircraft noise impacts over the five year period 2010– 2015. **It is important to note that this document seeks views on noise relating to the current 2 runway airport. It is not a consultation about future noise or an expanded airport.**

This document aims to:

- Demonstrate our continuing commitment to managing aircraft noise impacts associated with Heathrow Airport's operations. BAA has identified this issue as one of the key priorities for our corporate responsibility agenda.
- Allow us to engage with communities affected by aircraft noise and better understand their concerns and priorities, so that we can ensure our airport noise strategies and action plans are well informed.
- Enable us to make progress towards our long term statutory and voluntary aircraft noise objectives.
- Enable us, in our role as the competent authority for Heathrow Airport's Noise Action Plan, to meet the requirements of the Environmental Noise Directive 2002/49/EU and The Environmental Noise (England) Regulations 2006 SI (2006) 2238.

Over the following paragraphs we have set out the key aspects of sections 3 to 11 contained within this draft action plan. There are a series of Annexes also contained within this document.

**Section 3** sets out the purpose and scope of the draft noise action plan. The purpose is to seek the views of all stakeholders on the proposed draft noise action plan. The scope of the draft noise action plan is extended beyond the areas identified by the strategic noise mapping to include ground noise issues and actions that impact on areas outside of the contours. The section also points out that responsibilities for noise management do not always fall to the airport operator and often fall to the DfT, NATS and/or the CAA. In such cases the airport operator can only recommend any proposed changes.

**Section 4** provides a description of Heathrow Airport and comments briefly on future development of the airport.

**Section 5** introduces the issue of aircraft noise and details the legal context in which Heathrow Airport operates.

Over the past 30 years aircraft have got progressively quieter whilst the number of movements has increased significantly. This is illustrated by the fact that between 1980 and 2006 the number of people living within the 57dBA 16 hour Leq daytime noise contour (57 decibels averaged over 16 hours) has fallen from 2 million to around 252,000 during which time runway movements have increased from around 273,000 to 477,000.

Within the text it is also acknowledged that noise contours are not the only way to describe the community impacts of aircraft noise. This section introduces the ANASE study conducted on behalf of the DfT, some of the effects of noise and some of the early feedback we have received during our pre-consultation stakeholder meetings and from our complaint data. It is clear that the frequency of overflight, night flying and potential sleep disturbance, the value placed on periods of respite and more recently the potential implications of the removal of the Cranford Agreement are all key local concerns for community stakeholders.

The interdependencies between noise and emissions, and working with agglomerations to ensure compatibility between action plans are also briefly discussed.

The governance structure for noise within which Heathrow operates is complex. The role of ICAO in setting international noise certification standards is detailed and its role in setting International Standards, Recommended Practices and Procedures in relation to aircraft noise. Reference is also made to the requirement for Member States to adopt a “balanced approach” to noise management. At the European level some detail is provided on some key European Union Directives which relate to aircraft noise including the phase out of older Chapter 2 aircraft in 2002.

At a national level a number of significant Acts of Parliament and regulations exist. These include the Civil Aviation Acts 1982 and 2006 which grant the government powers to introduce noise control measures at designated airports (Heathrow, Stansted and Gatwick). The text also introduces the UK Aeronautical Information Package (UK AIP) which contains a range of noise controls relating directly to aircraft operations. Some specific noise abatement and environmental objectives are also detailed, for example that the 48 dB(A) Leq 6.5 hour night contour is limited to 55km<sup>2</sup> in 2011-2012 and that if a third runway is built that the 57dBA daytime noise contour should not exceed 127km<sup>2</sup>.

Section 5 also identifies the planning conditions in place relating to the use of Terminal 5 and Terminal 4.

**Section 6** outlines our strategic approach to aircraft noise management framed around our long term objective *“To limit aircraft noise impacts and gain the trust of our stakeholders that we are using best practicable means to achieve this goal, and to continue this approach into the future, within the framework established by Government.”* In discussing our strategy it invites comment and review of our goal to be amongst the leading airports for noise management activity at comparable airports. It also sets out the themes to our noise work program which are:

1. Reducing noise impacts wherever practicable. This includes:
  - 1.1 Quietest fleet practicable;
  - 1.2 Quietest practicable aircraft operations, balanced against NO<sub>x</sub> and CO<sub>2</sub> emissions;
  - 1.3 Effective and credible noise mitigation schemes.

2. Engaging with communities affected by noise impacts to better understand their concerns and priorities, reflecting them as far as possible in airport noise strategies and communication plans;
3. Influencing planning policy to minimise the number of noise sensitive properties around our airports;
4. Organising ourselves to continue to manage noise efficiently and effectively;
- 5 Continuing to build on our understanding of aircraft noise to further inform our priorities, strategies and targets.

The text goes on to describe the current measures in place to manage noise at Heathrow Airport. This is a very detailed section of the draft noise action plan and is an indication of the wide range of the statutory and voluntary noise management controls already in place. In headline terms the measures include:

- Noise and Track Keeping Monitoring arrangements
- Operating Restrictions
  - Runway use
- Westerly Preference
  - Runway Alternation
- Cranford Agreement
  - Night Flight Restrictions
- Operational Procedures
  - Departure Procedures
- Noise Preferential Routes
  - 1000ft rule
- Arrival Procedures
  - Continuous Descent Approach (CDA)
- Joining Point Rules
  - Reverse Thrust
- Noise Limits
  - Departures
- Ground Noise Controls
  - Differential Landing Fees
- Local Planning Conditions
  - Terminal 4
- Terminal 5
  - Noise mitigation and compensation schemes
- Stakeholder Engagement

**Section 7** summarises the results of the 2006 noise mapping and is supported by the maps in Annex 3. Whilst the mapping introduces a new metric in describing the noise impact, because of Heathrow’s history of noise management controls and frequent contour analysis it does not highlight any new geographical areas of concern with regard to noise impacts.

**Section 8** sets out how we intend to monitor progress against the action plan using performance indicators for individual actions. Where these indicators show trends which are discouraging we intend to set annual targets from time to time (action 4.3). Additionally this section details the following Key Performance Indicators and the 2006 baseline performance:

Ref No.	Key performance indicator	2006 Baseline
KP1	Percentage of Chapter 4 (or equivalent) Aircraft	N/A
KP2	Area inside the 55dBA $L_{den}$ Daytime contour (km <sup>2</sup> )	152km <sup>2</sup>
KP3	Area inside the 48dBA $LA_{eq,6.5hour}$ nighttime (winter & summer seasons combined contour)(km <sup>2</sup> )	N/A

KP4	Area inside the 57dB LA <sub>eq 16hour</sub> daytime summer contour (km <sup>2</sup> )	117.4 km <sup>2</sup>
KP5	Average Quota Count of aircraft scheduled to operate during the night quota	1.71
KP6	Number of infringements of the nighttime departure noise limit	34
KP7	Percentage of aircraft achieving CDA (24 hour period)	83.99%
KP8	Percentage of aircraft on track (all routes)	94.2%
KP9	No. of individual callers making noise related enquiries	2378
KP10	Percent of noise related enquiries responded to within 5 working days	N/A

As a way of measuring the success of this action plan we have identified a number of expected outcomes. These are also set out in this section and detailed below:

- No operations in 2015 by marginally compliant Chapter 3 aircraft (Chapter 3 high).
- At least 97% of aircraft movements by Chapter 4 or equivalent aircraft.
- The introduction of easterly alternation for arrivals.
- Performance against the noise abatement procedures in the UK AIP will be maintained and where practicable improved against the 2006 baseline.
- No daytime infringements against 94dBA daytime departure noise limit.
- We will be routinely reporting noise impacts using alternative metrics.
- The 57dBA 16hour L<sub>eq</sub> summer daytime contour will be within 127km<sup>2</sup>.
- The 48dBA 6.5hour L<sub>eq</sub> night contour (winter/summer combined) will be within 55km<sup>2</sup>.

**Section 9** is the list of draft actions. There are in excess of 50 actions detailed within the document. Over 30 of these represent the continuation of current good practice. There are however a number of new actions which highlight our desire to further improve our noise management approach. Some of the new actions to note are the:

- voluntary phase out of marginally compliant Chapter 3 aircraft by 2015 (1.1.3)
- publication of a Departures Code of Practice by 2012 (1.2.1)
- aim to establish a noise control scheme (1.2.2)
- publication of a schedule for the removal of the Cranford Agreement and the introduction of easterly arrival alternation (1.2.3)
- commitment in 2010 to the review of our existing noise mitigation and compensation schemes (1.3.1)
- annual publication of L<sub>den</sub> contours for the preceding year (3.4)
- annual publication of the 6.5hour night time 48 dBA L<sub>eq</sub> contour.(3.5)
- international benchmarking of our approach to noise communications (5.2)
- international benchmarking of our operational noise management controls (5.1)
- proposal to formulate a regime to track and describe our noise impact using a range of alternative metrics to help aid understanding (5.7)
- commitment to regularly review and publish progress against the actions and key performance indicators. (2.2, 5.6)



**Section 10** discusses the methodology we used to identify potential actions, assessing the financial costs of noise management and the number of individuals potentially benefiting from any new action.

Finally **Section 11** details how to respond to this consultation and asks a number of questions. The deadline for response to the following questions is 5 October 2009.

1. To what extent do you think that BAA Heathrow's noise strategies outlined in the draft noise action plan are targeting the most important problems in relation to aircraft noise?
2. To what extent do you think that the draft noise action plan provides a suitable framework to manage aircraft noise?
3. The draft noise action plan proposes a number of performance indicators to measure progress in implementing the action plan. To what extent do you think that these performance indicators are sufficient?
4. As part of its objective to limit and where possible reduce the impacts of aircraft noise, Heathrow has set a benchmark goal to be in the top fifth of airport companies for best practice in international airport noise management on comparable sites. To what extent do you think that this goal is sufficiently challenging?
5. Do you have any other comments on Heathrow Airport's draft noise action plan?

Response forms are provided in Annex 10.

### 5.3 **Background**

The requirement for airport operators to publish noise action plans (after consultation & with the agreement of the Secretary of State) arises from EU legislation, incorporated into UK law.

## APPENDIX 2

### QUESTIONS TAKEN FROM THE CONSULTATION DOCUMENT:

#### 'Heathrow Airport: Environmental Noise Directive, Draft Noise Action Plan 2010-2015

##### Note:

Potential response will be the subject of debate by the Forum.

Q1. To what extent do you think that BAA Heathrow's noise strategies outlined in the draft noise action plan are targeting the most important problems in relation to aircraft noise?

Completely Partially                      **Not very**                      Not at all                      Don't know

Q1a. Why is that?

*The draft Noise Action Plan (NAP) is supposedly written in accordance with the EU Directive but the NAP falls short of the requirements and misses the point: there are some fundamental errors.*

- *The Directive stresses a need to reduce impact – the document is written as a status quo document and does not target any real improvements. There is no long-term strategy or any proposed new projects to reduce noise impacts.*
- *The NAP presumes the acceptability of the present situation: this Council has not considered & does not consider that the present noise climate is acceptable.*
- *There is no consideration of the important, Quiet Areas, let alone systems to protect & improve them.*
- *Criteria for and monitoring of noise from arrivals continues to be ignored despite the fact that this is a matter of increasing significance.*
- *Infringement penalties are not covered: these provide funding for noise insulation schemes and their omission is therefore regrettable.*

Q2. To what extent do you think that the draft noise action plan provides a suitable framework to manage aircraft noise?

Completely Partially                      **Not very**                      Not at all                      Don't know

Q2a. Why is that?

*Airport operators are required to form a view as to the acceptability of the present noise climate: 'Acceptability' is not defined. There is no mention of how that noise climate has been deemed to be acceptable. The NAP is based on the fallacious supposition that the existing noise climate is acceptable. The Council believes that is not the case.*

*Given the BAA standpoint of a supposedly acceptable noise climate it is clear that objective proposals for significant improvement cannot be prepared.*

*Further it is largely a summary of measures already undertaken or proposed: there is no fresh thinking which is, or should be the basis of an NAP.*

*There is no timetable given for revocation of the Cranford Agreement.*

*The use of a 2006 baseline potentially makes future improvements weaker than is practicable.*

Q3. The draft noise action plan proposes a number of performance indicators to measure progress in implementing the action plan. To what extent do you think that these performance indicators are sufficient?

Completely sufficient                      Fairly sufficient                      **Not very sufficient**                      Not at all sufficient                      Don't know

Q3a. Why is that?

*As stated, the 2006 baseline potentially weakens potential for improvements.*

*Earlier standards ( $L_{eq}$ ) referred to  $127\text{km}^2$ . Whilst the new indices are more representative, the enlargement is regretted: actions should focus on ensuring than no more than  $127\text{km}^2$  is enclosed within the  $55\text{db } L_{den}$  contour.*

*A timetable for and the extent of reductions should be given.*

Q4. As part of its objective to limit and where possible reduce the impacts of aircraft noise, Heathrow has set a benchmark goal to be in the top fifth of airport companies for best practice in international airport noise management on comparable sites.

To what extent do you think that this goal is sufficiently challenging?

Too challenging	Sufficiently challenging	Not very challenging	<b><u>Not at all challenging</u></b>	Don't know
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Q4a. Why is that?

*The question uses the words 'comparable sites': no comparison is given: this measure should be based upon location rather than size but this is not specified. Given that Heathrow is more 'surrounded' by residents than any other airport of significance then it should be BAA's aim to ensure it is the top performer in this respect.*

Q5. Do you have any other comments on Heathrow Airport's draft noise action plan?

*Resident's representatives have expressed the view that the whole plan is in real need of rethinking from basics. However, given the timescale (and the document is significantly behind schedule), this is not possible but the points contained here and which are summarised and amplified in an accompanying letter should be accepted.*

Q6. How much of the Heathrow Airport draft noise action plan have you read or looked at?

<b><u>All of it</u></b>	Most of it	Some of it	Hardly any	None of it
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Q7. The next question will allow us to classify your answers.

Which of the following best describes you?

*Please put a tick in one box*

A private sector organisation (up to 250 employees)

A private sector organisation (250 or more employees)

Representative Organisation (e.g. Chamber of Commerce)

Trade Union

Interest or Pressure Group (including local residents association)

**Local Government**

Central Government

A school, college or university

A GP surgery, health centre or hospital

Other public sector organisation

Voluntary sector or Charity

Local resident / individual

Other (please write in)

Q8. Have you completed the survey on behalf of your company / organisation or from your own personal point of view?

**On behalf of my company/ organisation**

It's my own personal view

Q9. Please complete the following details.

Name: Ian Trenholme (Chief Executive)  
Organisation (if applicable): The Royal Borough of Windsor & Maidenhead  
Address: Town Hall, St. Ives Road, Maidenhead, Berks.  
Postcode: SL6 1RF  
Telephone: 01628 79 6222  
Email: ian.trenholme@rbwm.gov.uk

A list of all individuals and organisations who respond to the consultation will be included in the finalised Noise Action Plan which will be published following the consultation. Please tick this box if you do not wish for your name or organisation name to appear in this list. Your details and responses will only be shared with BAA and will not be passed to any third party.

Please tick this box if you do not wish for your details to be passed on to BAA with your responses.

GfK NOP will then ensure that your answers are reported anonymously to BAA.

BAA may wish to contact you to discuss further the issues that you have commented on.

Please tick here if you do not wish to be contacted in future by BAA about the matters raised in this consultation.

Please tick this box if you would like GfK NOP to send you a receipt to acknowledge your survey has been received.

**Thank you for participating in the BAA noise action plan consultation.**

**Please return your completed survey to the following address by 5th OCTOBER 2009:**

**BAA Noise Action Plan Consultation**

**GfK NOP Datacentre**

**Caxton House**

**91 Victoria Road**

**Chelmsford**

**CM1 1JW**