

AVIATION FORUM

WEDNESDAY, 19 APRIL 2017

PRESENT: Councillors David Hilton (Vice-Chair, in the Chair), Malcolm Beer, John Lenton and Adam Smith

Also in attendance: Councillor Dr Lilly Evans

Officers: Andy Carswell and Chris Nash

APOLOGIES FOR ABSENCE

Apologies were received from Cllr Bowden.

DECLARATIONS OF INTEREST

There were no declarations of interest.

DEPARTMENT FOR TRANSPORT CONSULTATIONS - AVIATION NATIONAL POLICY STATEMENT AND UK AIRSPACE POLICY FRAMEWORK

The Community Protection Principal informed Members that Officers were seeking clarification on the impact Purdah would have on the DfT consultations, in light of the announcement a General Election was to be held on June 8th. He stated that it was likely the consultations would either be postponed until a future date, or have their deadlines extended until after the General Election. Members were reminded that the deadline for consultation responses is May 25th, with Purdah due to take effect from May 6th. However it had not yet been confirmed that Purdah would take effect, so it was felt necessary to proceed with the meeting and present a recommendation on the Council's responses to the consultations to Cabinet.

The Community Protection Principal stated that the Council had written to the DfT requesting that the consultation be postponed, but had yet to hear a response. The Community Protection Principal also stated that the Leader had been due to attend an evidence session of the Transport Select Committee on April 24th; however, this had been postponed due to the General Election announcement.

Members were then asked to consider the Council's draft response to the Airports National Policy Statement. The Community Protection Principal reminded Members that a technical session had taken place the previous week, where ideas for amendments to the draft response had been proposed. In relation to answers to question 1, the Community Protection Principal said it had been suggested that reference to connectivity to other airports should be made. He stated that the spare capacity at Birmingham and Manchester airports should be mentioned in connectivity terms to HS2. He also suggested that a comment should be made raising concerns over whether Heathrow had included socioeconomic and environmental factors in their assessment of sustainability, and that Heathrow should demonstrate they had done this.

Responding to comments from Members, the Community Protection Principal stated that the legitimate expectations argument mentioned in point 1.1 was a key angle that was explored during the Council's High Court hearing. It was therefore agreed that the reference to legitimate expectations should remain in the Council's response.

It was agreed to re-word point 1.5 to reflect the fact that the DfT was being seen to have not explored any other options in relation to airport capacity and was only giving material planning

consideration to increasing capacity at Heathrow. Members were reminded that it was the Council's position to support an increase in capacity at Gatwick, on economic grounds rather than in totality.

Members agreed that clarity needed to be sought as to how the proposed Heathrow 'Hub' would be set up and guaranteed to have improved connectivity.

The Chairman asked if there would be separate responses sent from the Council and the 2M group, and whether it was essential that the responses are worded differently. The Community Protection Principal confirmed that separate responses would be sent, and that Legal had been advised to look at submissions from 2M and each partner member side-by-side in order to ensure uniformity on answers. Cllr Beer suggested however that the submissions should be worded differently, in order to prevent the responses from being considered as one submission.

In relation to question 2, the Chairman noted that the Appraisal of Sustainability did not draw any firm conclusions. The Community Protection Principal stated that during the technical session it had been agreed to re-word the response to this question to reflect the fact there was no proper way of comparing the three proposed schemes against each other, and as a result any comparison of the schemes was subjective. He added that he would consult with Planning to improve on the response in point 2.4, in relation to the methodology of comparative assessments.

Regarding economic delivery, the Community Protection Principal informed Members that a response stating that the economic claims did not stand up to scrutiny was in the process of being formulated. However this was legally privileged.

It was agreed to consult with Planning in order to formulate responses to the points relating to the Borough Local Plan and the impact on road and rail access within the Royal Borough. Cllr Beer stated that a DfT report was published in February looking at improvements to existing transport links, which suggested access from the M4 at Brentford could only be improved from the construction of a new tunnel. It was agreed that the report would be sent to the Community Protection Principal.

In response to question 3, it was agreed that close reference should be made to the requirements and conformance of the NPPF.

In response to point 4.3, Cllr Lenton said that it was a false assumption to state that 783 homes would be demolished. It was agreed to reword the response to describe the 10,000 people needing new homes as being an 'upper end displacement'. In response to point 4.5, it was agreed a response would be formulated with Transport to state that the current infrastructure provision is already insufficient and was in need of improvements at the present time.

In response to question 5, the Community Protection Principal informed Members that the advice of an air quality expert was being sought. He added that in relation to point 5.2, this was also being examined by Transport for London and the points made in the Council's response were likely to be similar to those made by TfL. The Chairman stated that little evidence of modal shift had been provided, and said that Heathrow should be asked to provide it. The Community Protection Principal informed Members that monitoring at the Air Quality Management Area at J13 of the M25/Wraysbury Road interchange indicated that the air quality was improving, but more slowly than had been anticipated. In relation to point 5.13 it was agreed to include Eton and Datchet in the response, and for confirmation from the DfT that current and relevant noise monitors had been used to collate information. In relation to point 5.18 it was agreed to respond that there should be a recognition that Royal Borough would be overflowed and therefore negatively impacted, even though the Royal Borough was not included within any of Heathrow's designated areas.

In response to question 6, the Chairman stated that the Council's response should note that there are no indicative departure routes or times, meaning there was no publicly available information and therefore no way of residents being informed of the consequences of the proposed routes and/or times. Cllr Beer stated that the Communications Director of NATS had recently addressed members of LAANC and stated that no proposed flight paths had been put forward by the group as it was not felt possible to do so.

In response to question 9, the Community Protection Principal said that the 2M partnership (via legal) had written to Sir Jeremy Sullivan at the outset of the consultation to raise the point that the leaflets sent out to residents informing them of the consultation had not taken into account ethnic minorities who did not speak English as their first language. It was agreed to raise this point again in the Council's response. The Community Protection Principal added that a set of wording in response to the deficiencies in the exhibition process had been agreed by Legal.

Members were then asked to consider the Council's response to the UK Airspace Policy Framework. It was noted that the draft response had not been numbered in the same way as the response to the National Policy Statement, and that this would be done prior to submission.

In response to point 1a, it was agreed to clarify that the figure of 100,000 people referred to in the third paragraph would be newly overflowed only as a result of Heathrow expansion. It was also agreed that the fourth paragraph should be rephrased to confirm that clarification on ICCAN's role – particularly in relation to Development Control Orders – should be given. In response to point 1c, the Community Protection Principal stated that a report published in July 2015 from Anderson Acoustics, outlining the noise effects created by the concentration of aircraft over a certain area, would be referenced.

In response to question 2 it was agreed that a greater level of evidence was needed to demonstrate the impact on health and quality of life, and that other noise level recording metrics were needed as the standalone metric that had been used was not a reliable indicator.

In response to question 3 it was agreed that it needed to be firmly emphasised that ICCAN should be given the power to take action and enforcement against airlines that do not address noise impacts. Members stated that they felt the DfT needed to outline how ICCAN would operate in future Airspace Strategies, and stated that community representation on its board of members was essential. It was noted that the makeup of its board was currently unclear. Members also stated their belief that ICCAN should be independent of the CAA, which was not currently proposed. The Chairman stated that ICCAN also needed to establish its priorities and a set of rules relating to those priorities. The Community Protection Principal added that there was an expectation for the DfT to set out clear parameters of what ICCAN and the CAA would have jurisdiction over.

In response to question 4, the Chairman stated that it was unclear who the competent authority would be. He stated his belief that it should be the Secretary of State. In relation to point 4c, the Community Protection Principal stated his belief that details of aircraft tracks and performance should be made fully public, and that ICCAN should act as the independent enforcer. In relation to point 4d the Community Protection Principal said that another role of ICCAN should be to hold airlines and airports to account if they are found not to have adopted best practice in relation to aircraft noise management. The Chairman stated his belief that there should be greater incentivisation for airlines to adopt better practice.

In response to question 5 it was agreed that the altitude based priority between 4,000 and 7,000ft needed to be addressed, as this had led to a large number of complaints locally.

RESOLVED UNANIMOUSLY: To approve that the skeleton arguments be presented to Cabinet for consideration.

The meeting, which began at 7.00 pm, finished at 9.46 pm

CHAIRMAN.....

DATE.....