

AVIATION FORUM

THURSDAY, 14 NOVEMBER 2019

PRESENT: Councillors John Bowden (Chairman), David Hilton (Vice-Chairman), Karen Davies and Gerry Clark

Officers: Chris Nash, Mark Beeley and David Cook

WELCOME

The Chairman welcomed everyone to the meeting and asked those present to introduce themselves.

He also informed members that the meeting was being audio-recorded and would be available on the RBWM website in due course.

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Johnson and Davey, and from Mr Duncan Reed.

DECLARATIONS OF INTEREST

There were no declarations of interest received.

MINUTES

RESOLVED UNANIMOUSLY; That the minutes from the meeting held on 22nd August 2019 be agreed as an accurate record.

MATTERS ARISING

None.

UPDATE ON JUDICIAL REVIEW

Chris Nash, RBWM, updated the Forum on the Heathrow third runway Judicial Review.

On 16th October 2019 the Borough commenced its appeal proceedings at the Royal Courts of Justice; heard by Lord Singh, Lindblom and Haddon-Cave. This was in conjunction with the London Boroughs of Richmond, Wandsworth, Hillingdon and Hammersmith & Fulham and supported by Greenpeace and the Mayor of London. A number of council leaders spoke outside the court including Cllr Johnson on behalf of RBWM.

Three grounds were broadly explored:

- Habitats Directive requirements – particularly the manner in which Gatwick Airport was discounted.
- Strategic Environmental Assessment – such that characteristics of areas were not effectively tested – including aspects such as noise.
- Climate Change – in the failure to take account of carbon reduction requirements.

Without wanting to prejudice the case, which was still with the Lords for their determination – the strongest of the grounds entertained by the court appeared to be the regard given to carbon and the effect on climate change targets. It was hoped a determination would come forth by the end of this year – however with a general election now having been called, the certainty of this timetable was now unclear.

The Chairman did not think there would be much movement until the New Year.

Councillor Hilton asked how long the process normally took. Chris Nash explained that it depended on both the length of the hearing and the complexities of the arguments presented. Last time it was a two week hearing which they heard back from after four months. If this was the case, they would likely hear back in January 2020, assuming no impact due to the General Election.

Chris Nash said that Friends of the Earth/Plan B had created a strong climate change argument as part of the case and said the thoughts around carbon offsetting were at such a high level, in that they could potentially burden future generations not being able to use carbon offsetting.

UPDATE ON HEATHROW STRATEGIC PLANNING GROUP

Chris Nash updated members on the above titled item. He explained that the Airport Expansion Consultation closed on Friday 13th September 2019 and RBWM provided a response in line with the key points previously set out to the forum. This also provided input to the overall HSPG response.

RBWM have had three bilateral meetings with Heathrow to discuss surface access, economic development and noise impacts. There was concern at the lack of available detail and limited commitment to mitigating the impacts on local communities. Heathrow was continuing to work towards the submission of the DCO in summer 2020, although officers were sceptical with this given the volume of work whether this would be achieved. They were currently engaging with local authorities and other technical stakeholders on the scope and methodology of the assessments that would form part of their submission. Officers were expecting initial outputs of the transport assessment and EIA work to be released in February/March 2020. Through HSPG, all local authorities continued to urge Heathrow to undertake further consultation on these outputs ahead of their DCO submission.

Perhaps the most pertinent of these to the Aviation Forum was the work of the Noise Envelope Design Group (CN circulated graphic setting out the principle behind this work stream) – which was responding to the aim of the airport (as eluded to in the ANPS) to remove the cap set at the T5 enquiry. In its place would be a binding limit set within the DCO. Under this limit was a 'tradable floor' in which residential benefits/capacity release (through environmentally managed growth) could be traded.

The current idea was to link these to the five year noise action plans; to be overseen by an Independent Scrutiny Panel (ISP). This process was dependent on the detail that would come forward from both EMG and the ability of the ISP to hold the 5 year noise action plans to account.

HSPG were also co-ordinating some joint work looking at the role of local authorities in future monitoring and enforcement framework that could be granted through the DCO. It was also considering how the various income streams such as increased business rates and the vehicle access charge could be ring-fenced through the DCO to be invested in local communities.

Councillor Clark commented that Cookham was a common flight path for helicopters and this was not taken into account in terms of the impact that it was having on residents. Chris Nash agreed and said that all cumulative noise should be considered.

Areas with high ambient noise meant that the impact could be less, which was important in rural communities where the noise would have a greater impact.

Councillor Hilton clarified that Heathrow's expanded limit could be as high as 900 and, was unsure if targets were met, if they would be able to expand this limit. He also said that the Noise Action Plan was created by Heathrow and therefore it would likely be designed to benefit them. Chris Nash said that the Independent Scrutiny Panel should hold Heathrow to account on this limit. The Noise Action Plan was not from one source and was held to the principles of the DCO.

In response, Councillor Hilton said that any process that would allow Heathrow to expand without delivering benefits would be a disservice to local communities.

A member of the public asked if Heathrow took into account World Health Organisation (WHO) figures, which was agreed by Councillor Hilton who pointed out that he was aware of airports that used WHO figures. He also believed that the noise envelope should include a 'measure of nuisance' which would recognise the interests of those moving into the borough.

Councillor Hilton further asked when residents would be sure of where flights paths would be, and how often the Strategic Planning Group meets. Chris Nash said the remit of the NEDG was not to set out where the flight paths would be, just the framework under which they would be assessed. Currently, the group meets every three weeks.

A question was asked about the position of local MPs, the Forum was told that they were against the expansion plans.

A member of the public commented that in Vienna, nothing got built if communities said no and that the compensation package for those affected would be significantly more than what was received here.

PARTNERSHIP BODIES

The Chairman said that there was an invitation for six members to attend the Heathrow Community Engagement Board to discuss trust with the airport. However, RBWM did not count as one of the six borough which were considered to be affected by the creation of a third runway and was therefore not represented on any of the strategic bodies.

Malcolm Beer informed the Forum that he was currently chair of the Local Authority Aircraft Noise Council. Some new boroughs had come on board and there was regular communication with the respective leaders. There had been criticism of the HCEB membership, that members did not have sufficient knowledge and a background in aviation.

Malcolm Beer circulated an election leaflet from the 'No Third Runway Coalition' and explained the background and aims of the group.

Councillor Hilton explained that the Heathrow Community Noise Forum was particularly concerned about noise envelopes and the impact on local communities, especially as they were being designed without knowing where the flights path would be.

There was discussion on the topic of monitoring points and whether they would be renewed. Chris Nash said that all the options would be considered, but there was not much value in the current contract. A final decision would be made in consultation with the appropriate lead members.

A question was asked about RBWM not being represented on the 'No Third Runway Coalition'. The Chairman confirmed that he and other councillors had attended but RBWM

was not officially recognised as a member. It was also noted that a lot of those on the 'No Third Runway Coalition' did not join the legal challenge.

DATES OF FUTURE MEETINGS

Members noted the dates of forthcoming meetings.

The meeting, which began at 7.00 pm, finished at 8.47 pm

CHAIRMAN.....

DATE.....