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## AVIATION FORUM

TUESDAY, 15 MARCH 2016

PRESENT: Councillors John Bowden (Chairman), Malcolm Beer, Simon Dudley, David Hilton and John Lenton

Also in attendance:

Officers: Shilpa Manek and Chris Nash

### WELCOME

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

The Chairman went through the fire procedures and advised all present that the meeting was being audio recorded.

### APOLOGIES FOR ABSENCE

No apologies for absence were received.

### DECLARATIONS OF INTEREST

No declarations of interested were received.

### MINUTES

**RESOLVED UNANIMOUSLY: That the minutes of the meeting of the Forum held on 9 November 2015 be approved.**

### MATTERS ARISING

All Matters Arising would be discussed in the Meeting in other Agenda items.

### FLIGHT PATH ISSUES

Andrew Hall, resident, gave a verbal update concerning the routing flights over the Ascot/Burnham path. Andrew Hall highlighted the following points:

- The noise pollution, there are no flights between 11.30pm and 4.30am and some flights cannot fly over Heathrow for certain routes.
- Helicopters are restricted to 500/1000ft high.
- Silence was not possible as small planes were still allowed to fly.
- There have been two major changes in the last thirty years, there were a lot more planes and there were now helicopters compared to the 1950s.
- Over the decades, the Ascot/Burnham route has become increasingly busy with a high increase in flights, larger fuel tanks, larger populations and a definite decrease in safety.
- The third runway reviews must include the safety issues.

Councillor Hilton asked where the helicopters were heading. Helicopters were flying round the perimeter fence hence having to fly the Ascot/Burnham route. Many helicopters were from the Blackbush and Farnborough areas heading northwards.

Chris Nash informed Members that their concerns were going to be addressed with the CAA in the next couple of months when SASIG meet to consider the issue. Chris Nash was happy to put forward concerns at this meeting. Airport Watch had already wrote to the Prime Minister requesting a consultation. Councillor Beer informed the Members that HAAC had already considered helicopter movements.

Councillor Hilton updated the Members on the ongoing correspondence with NATS concerning the Compton Gate. The points discussed by Councillor Hilton included:

- The verified radar data provided by Heathrow was accurate.
- The final analysis was three weeks ago, an assessment had been written which had not been published yet. It had been agreed with Heathrow. Currently the assessment was being reviewed and amended before publishing.
- No A380's were flown over the 3km gate, more than half flew below 4000ft, outside the noise proliferation. This was checked by the community representatives and all recordings would be published.
- The Community Noise Forum was moving forward in the following ways:
  - Monitoring and verification
  - Operating procedures
  - Light and scheduling operations
  - Research, policy and communication (health and restbite, communications in noise issues)
  - The Compton Route and developing a new route.
- A series of different routes had been proposed and the best route would be reported on once the work was completed. Councillor Hilton had suggested a consultation was the best way forward.

Councillor Beer left the Aviation Forum at 7.45pm.

Chris Nash gave the SASIG update. Points that Chris discussed included:

- Department of Transport (DfT) were currently embarking on a review of airspace and noise policy. It was reviewing the responsibilities of CAA, ATC and the Secretary of State in airspace design and regulation.
- Chris Nash had attended a presentation by Kate Jennings, Head of Airspace Policy at DfT on 4 March where she had set out a number of key aims of the review. The aims were as below:
  - Review NPRs
  - Support the CAA in reviewing CAP725
  - Reviewing need for new statutory guidance – particularly from an environmental perspective
  - Exploring the role of a proposed Independent Aviation Noise Authority
  - Work on how concentrations of aircraft can be addressed (both above and below 4,000ft) and the metrics used to measure.
  - This is to be viewed in conjunction with their noise attitudes study (SONA) which is expected to be published at some point this year.

Chris Nash outlined to the CAA that, in response to the presentation that it was vital for community groups and local authorities to be consulted and that care needed to be taken by the DfT in clarifying 'Airspace Change' and 'Airspace Use' as failure to distinguish these two had led in part of the disruption over communities such as Ascot and surrounding areas.

Chris Nash continued to inform the Forum that further to the information received at SASIG, the borough was contacted by the Aviation Environment Federation (AEF), an environmental lobbying group, to gather our views on the current engagement it was having regarding the DfT's draft noise proposals. The questions currently being asked are as follows:

- The future role of the Secretary of State (SoS) in the airspace change process (including whether or not to retain the requirement, never in fact used, for the CAA to seek the approval of the SoS when there is likely to be a “significant detrimental effect on the environment”
- Proposals for new consultation requirements relating to “Permanent and planned redistribution of air traffic” even if it falls outside the Airspace Change Process as defined by the CAA
- The proposed removal of Noise Preferential Routes at Heathrow, Gatwick and Stansted, with a new duty proposed for the three designated airports to publish details of all the aircraft tracks actually flown on each departure route on at least a quarterly basis.

Chris Nash proposed that if the Forum agreed, a response would be pulled together in consultation with the chairman and Cllr Hilton which would highlight the potential for impact of flight path changes and that the system is not currently working, resulting in a great impact on local residents. A request can then be made to the DfT via the AEF that they engage with neighbouring local authorities directly via full consultation once the feedback sessions were complete.

The Forum agreed with the suggestion made by Chris Nash.

### RBWM/2M SUBMISSION TO GOVERNMENT

A joint letter had been put together with LB of Richmond, Hillingdon and Wandsworth and sent to Government, however no consultation response or further engagement had taken place as a result.

Chris Nash highlighted the following points:

- As members of the forum will be aware, the Government announced at the end of last year that a decision on runway capacity in the South East would be postponed; citing completion of a further package of works to be completed by summer 2016.
- This work is focussing primarily on noise and air quality.
- Through joint working with like-minded 2M Boroughs, in particular Hillingdon, Wandsworth & Richmond, the potential legal processes by which a decision could be made were explored.
- Following discussions with the lead member for environmental services and chairman of this forum a decision was taken in January to enter into a formal agreement with these authorities and to jointly appoint legal representation.
- We have since met jointly with both our solicitor and with an experienced QC to explore the legal mechanisms by which we can fight any decision, if required.
- A joint letter was subsequently sent to the Prime Minister and to the legal department at number 10 outlining the mechanism and intention of the four Borough’s should a decision to expand Heathrow be made. A copy of this letter has been circulated.
- The basis of the legal challenge is that consideration of Heathrow, as a viable option for expansion, is illegal on the grounds of:

- It defies residents legitimate expectation of there not being a future 3<sup>rd</sup> runway. This is due largely to the so-called promises made by the prime minister and previous transport ministers over rejecting a future 3<sup>rd</sup> runway.
- The recommendation is based upon flawed assessment methodology with regards to air & noise particularly
- There has not been adequate or fair consultation for residents
- The letter goes further and challenges the mechanism by which the government appears to be approaching the final 'package of work' – whereby its goals seem to be to convince residents in the robustness of mitigation, rather than looking at the above key legal tests.
- To decide upon a third runway through the mechanism the government is setting out would amount to a substantive change in policy, going against precedents set out in other legal cases.
- In summary & conclusion the letter sets out that the government either set out further detailed consultation, or opens itself up to legal challenge, if required.

### FULL RUNWAY ALTERATION ('CRANFORD APPEAL')

Chris Nash updated the Forum that some correspondence was received on 26 January 2016, confirming the considerations of Secretaries of State for local government, and for transport, regarding the planning inspectorate appeal of proposed enabling work required to implement the Cranford Agreement. In particular it sought views on the wording of a suggested condition regarding noise mitigation.

Other points raised by Chris Nash included:

- The condition sought to group properties in to Type A and Type B – within a 63dB and 69dB contour respectively.
- In our response, further to the one we sent to the inspector in November 2014, we set out a number of key points:
  - The contours would only apply directly to those people immediately surrounding the airport & not to the wider communities surrounding.
  - This is due predominantly to the noise contours put forward being a totally inadequate representation of noise impact in real terms.
  - We also highlighted the appropriateness of the dB levels in principal, due to them falling well short of WHO and NPSE objectives.
  - We proceeded to ask that the Inspector consider imposing a package of noise mitigation measures to all communities affected; ensuring such mitigation is fit for purpose and not simply adhering to the 63dB contour as proposed.
  - The above approach would ensure that communities both in London and the Thames Valley (in both urban and rural settings) are adequately protected against an ongoing unacceptable noise climate, which is likely to be exacerbated for some communities if the above appeal is granted.

### PARTNERSHIP BODIES

#### SASIG

DfT were at the meeting. The policy update included:

- Permutations of the third runway.
- Parliament rising in July.
- First response is due between July and August.

- Levels the same for Gatwick and Heathrow.
- Three month consultation.
- Cost of £10 million.

HAAC

- No questions were asked at the meeting.
- Not a consultative committee.
- HAAC newsletter gave details of export and import figures of 50%.
- Cllr Bowden had been given the landing routes of which there were a multiple use of the left and right routes and limited use of the centre route.
- The increased noise levels over Hillingdon and Harmondsworth had not featured in the airport commission.
- Only good news reported by HAAC.

LAANC

- Disappointing low attendance continued apparently due to workloads of the Environmental Officers who worked as partners to the Council reps.
- S.Bucks and Elmbridge Councils had joined recently, as had Englefield Green Action Group.
- Surprisingly any Heathrow expansion would be considered as a Planning Application, not as a Parliamentary Hybrid Bill (shades of T5 ?)
- Heathrow had opened bidding process for more localised noise monitors - an opportunity for RBWM.
- The Airports Commission recommendation that an Independent Airport Monitoring Body be established had commenced.
- A high level group which had been set up to consider the problems of new flight path trials had been set up with Stanstead as the main players. LAANC Officers supported in their quest to get LAANC representation.
- LAANC would invite DfT rep to its next Exec Meeting.
- HAL to be asked to explain why the 90 million passengers p.a. in 2016 forecasted at T5 Inquiry is short of that with the current highest to date of 75 million p.p.a with overall average seating take up of circa 73%.
- A Heathrow Noise Monitoring body to be set up at Council level to cover part of the former Noise & Track Keeping Group's remit.
- Heathrow's Noise Action Plan ran out last year. Drafting the targets for the next 5 years had started.
- AND A RECOMMENDATION FOR FUTURE RBWM / LAANC ACTION - challenge the longstanding policy of not setting noise targets (or fines) for landing aircraft. Historic contention has been that so doing could jeopardise safety, but huge increase in southern runway landing post Cranford will highlight this matter.

DATES OF FUTURE MEETINGS

The dates of future meetings were noted by Members.

The Chairman suggested that it would be wise to inform our residents of any news using 'Around the Borough' newspaper.

The meeting, which began at 7.00 pm, finished at 8.45 pm

CHAIRMAN.....

DATE.....

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