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THE LOCAL AUTHORITIES' AIRCRAFT NOISE COUNCIL

Minutes of the Meeting - Friday 7th June 2019

Those Present

Mr Colin Stanbury Director, Dr Chris Hill Independent, Mr Paul Baker Hammersmith and Fulham, Mr John Coates Richmond, Mr Surinderpal Suri Hounslow, Cllr Richard Baker Richmond, Cllr Malcolm Beer Old Windsor Parish Council - Chairman, Mr Michael - Elliot ENAG - President, Dr Margaret Majumder ENAG, Cllr Wendy Mathews Iver Parish Council, Mrs Val Beale Hillingdon, Rob Gibson Independent.

1. Apologies for absence

John Bowden Windsor and Maidenhead.

2. Minutes of Meeting 26th April 2019.

2.1 The minutes of the meeting of 26th April 2019 were agreed and signed as a correct record.

3. Matters Arising

3.1 European Elections. The majority of newly elected members to the European Parliament may not be supportive of Heathrow expansion. It was suggested that LAANC ask for members to consider the environmental impact of aviation and consider this in the context of growth more seriously. There are eighteen members within the south east and London areas but after discussing the matter it was considered expedient to contact all MEPs on the grounds that climate change restrictions will affect regions ability to grow their air services due to Heathrow expansion taking up a significant proportion of the budget. Contact via email was deemed appropriate.

3.2 It was suggested that a similar letter should be sent to the Conservative Party leadership candidates.

3.3 The Climate Change Committee will report in June. It may go beyond the current assumption that is UK aviation emissions in 2050 should be around their 2005 level (i.e. 37.5 MtCO_{2e}). The Richmond Heathrow Campaign is writing to Environment

3.4 Secretary, Mr Gove on this and a number of related matters. It was suggested that LAANC may wish to consider the letter and support thus adding weight to the arguments posed. The subjects to be covered include disputing the description of Heathrow's operation as a hub which was the reason this airport was selected for expansion. There is little evidence suggesting that flight transfers are supporting economic growth. The traffic forecasts suggesting 43 million passengers will use a third runway are not additional travellers but are being pulled from the north of England (17 million), accounting for transfer passengers, a third runway will only generate an extra 10 million passengers per annum.

3.5 Given these developments a review of the Airports National Policy Statement should take place. There is a provision in the Planning Act 2008 for this and the process being investigated.

4. ICCAN - Corporate Strategy Consultation (closing date 16th June 2019)

4.1 ICCAN could not attend the meeting but the Heathrow assigned commissioner will be present at the next meeting 12 July 2019.

4.2 ICCAN has not been set up as the Airport Commission suggested, to advocate on behalf of affected communities, it considers itself to be independent of all parties. They are however questioning norms and are concerned about the mistrust between industry and community.

4.3 The Director will pull together a set of questions regarding airspace etc. prior to their visit and will also respond to consultation on the basis that LAANC can be supportive of ICCAN's aims. Comments on the strategy and questions for the meeting were requested.

5. Airports Expansion(a) ANPS Judicial Reviews (Appeals Update).

5.1 Unfortunately the case was lost. The judgment has been described as of "questionable" quality there being a lack of legal analysis and intellectual questioning. An appeal has been lodged.

5.2 The Government is arguing that the grounds for appeal are without merit and there is an expectation that the Divisional Court will reject the application. If the application for appeal is struck out there is an option to seek to appeal to The High Court to have key elements reheard. The appeal will include consideration of two noise points (i) 54dB v 51dB as the consultation boundary i.e. it was unlawful to only have consulted those within the future 54dB noise contour when 51dB had already been adopted by the Government as the Lowest Observable Adverse Effect Level (LOAEL)? (ii) The notable lack of flight paths within the consultation prior to the NPS that, if provided, would have allowed communities to see if they would be overflowed in the future and thereby have had the opportunity to voice objections before parliament voted on the NPS.

5.3 There is a need to clarify how to respond to Heathrow's Development Consent Order (DCO) process in the context of sub judice.. Advice received is to make best comments

possible on the DCO material including getting advice from experts. Further advice on the sub judice matter is being sought.

- 5.4 The question of the future location of a UK hub airport and whether or not the removal of Gatwick's removal from the Aviation National Policy Statement (as an alternative to Heathrow) was challenged. The Director explained that the Government had claimed the presence of rare (but unverified) orchids near to the M23 presented an insurmountable hurdle for Gatwick to overcome with respect to the EU Habitats Directive. When pressed on the accuracy of the supporting data for the claim the Government changed its story claiming that in the final analysis the Secretary of State had ruled Gatwick out on the basis that it was not a hub (This point is still is being considered for appeal).
- 5.5 Air Quality - Heathrow will have to address all of the air quality issues in the DCO process. This is the "reddest of red lines" according to the judgment. It was considered difficult to see how this is to be satisfactorily demonstrated.

(b) Aviation 2050 Green Paper (UK Aviation Policy)

- 5.6 The consultation deadline is 20th June 2019. A list of the consultation questions on noise was tabled, with accompanying commentary. Consideration of aircraft noise is one very small part of a business focused document. To support the consultation paper the CAA has produced CAP 1731: Aviation Strategy – Noise Forecast and Analyses.
- 5.7 In relation to the management of aircraft noise the introduction of noise envelopes is seen as the panacea for facilitating growth by both the aviation industry and DfT officials alike. The concept is considered not to have merit from a noise perspective unless accompanied by a movement number cap as currently applied at Heathrow by the Terminal 5 inspector.
- 5.8 The strategy was summarised as "business as usual" echoing Government's desire not to impede growth. This seems inconsistent with the latest Government policy on Carbon which is to phase out the use of fossil fuels phase out in the transport sector.
- 5.9 The following comments were also made:
- Could noise control be put on a legal footing?
 - What is ICCAN's role?
 - Noise levels are too high already;
 - Future growth is predicated on sharing the noise benefits resulting from technology;
 - An air transport movement limit is genuine restriction and should be encouraged;
 - Further growth seems to be inevitable and is advocated in the paper;
 - Air quality should be considered;
 - Aviation seems to be treated as a special case;
 - It is perverse if the World Health Organisation and the International Civil Aviation Organisation do not complement each other given they are both United Nations bodies;
 - Adherence to the ICAO balanced approach should be encouraged.

- 5.10 Richmond Heathrow Campaign has calculated the ultimate capacity of a three runway Heathrow to be 830,000 atms from flow rates issued by Heathrow (cf design capacity of 740,000 atms). The discrepancy between the design capacity and the operational capacity highlights the need for a movement limit at Heathrow with three runways.
- 5.11 It was noted that Heathrow have issued land use questionnaires to residents. It proposes to share data with “trusted partners.

(c) CAA consultation. <https://consultations.caa.co.uk/policy-development/ppr-decision-making-process/>

5.12 This is an unannounced consultation by the CAA, referred to in the Aviation 2050 Green Paper consultation document. It is designed to address the administration of changes to operating practice within existing aircraft swathes due to technology or route use change. The proposed policy is said to be necessary to be deal with these changes by the use of an adapted airspace change procedure. Examples of what may happen can be seen on pages 32 and 33 of the consultation document with three categories being considered. These are:-

- Type 1 Lateral shift in flight track of more than a specified distance;
- Type 2 Departure routes: redistribution between Standard Instrument Departures;
- Type 3 Change to Instrument Landing System joining point (on approach).

5.13 Each category has a trigger point but the meeting expressed a concern that the triggers are weak and could be circumnavigated.

6. Heathrow - first statutory consultation for DCO - Commences 18th June 2019
<http://mediacentre.heathrow.com/pressrelease/details/81/Expansion-News-23/11085>

6.1 Heathrow are planning to stage forty three exhibitions for the purposes of consultation. It was suggested that attendance at the early exhibitions would be advantageous so that key points can be established and used as a basis for challenging Heathrow at later exhibitions.

6.2 With regard to the two exhibitions in Richmond, it was noted that these were during the summer holidays.

7. HCEB report back

7.1 The current, previously minuted, perceived deficiencies in HCEB should be brought to attention of ICCAN.

7.2 Community noise forum.

7.2.1 With regard to Independent Parallel Approaches, the options are being examined.

- 7.2.2 Overflight - the definition being used was considered very narrow (taken from CAA airspace change document (CAP1498)
https://publicapps.caa.co.uk/docs/33/CAP_1498_V2_APR17.pdf.
As a result lots of communities are at risk of being excluded in the proposed policy. The policy appears to be intentionally designed to limit by definition the numbers of people who in future may be affected.
- 7.2.3 It was considered that these practices / definitions are a precursor to mixed mode operation and the introduction of precision navigation (PRNAV).
- 7.2.4 The community noise forum have agreed to look at restrictions on easterly operation and the 6am to 7am tactically enhanced arrival mode procedures.

8. UK Airport Traffic Statistics - latest figures

- 8.1 Heathrow is operating at over 80 mppa.
- 8.2 Luton airport have failed to comply with its planning cap. They have exceeded noise contour so the Airport is making an application to vary the planning condition instead of reduce flight numbers.

9. Any Other Business

- 9.1 An independent adviser for community groups has been appointed by Heathrow. Richmond Heathrow Campaign is the point of contact in the first instance.

Meeting ended at 13.00 hrs.

10. Date of next meeting – July 12th 2019 (10:30 – 12:30)

(Please notify apologies to the Director on 01737 373868 or 07778 294309
Director's Email: colin@acoustek.demon.co.uk)