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Ward (s) affected	All	Key Decision	Yes
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Subject	Department for Transport's draft Aviation Policy Framework
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RECOMMENDATIONS
 Subject to any comments by the Executive, the draft responses to the thirty questions contained in the draft Aviation Policy Framework document that are set out in the Appendix to the report be submitted to the Department for Transport.

EXECUTIVE SUMMARY
 The draft Aviation Policy Framework (APF) explains the Government's views on the impact of aviation on issues including climate change, noise and other environmental issues and the collaboration between the aviation sector and those affected by it. The consultation document sets out a high level strategy, including the Government's overall objectives for aviation and its policies to achieve those objectives.

The Government is seeking views and information relating to thirty questions. These are set out in the Appendix to this report together with draft responses. The draft APF consultation does not cover issues of runway/airport capacity and how future provision should be planned for. That will be addressed by the recently established Independent Commission on Aviation Connectivity whose terms of reference and working arrangements have yet to be announced.

1.0 BACKGROUND

- 1.1 In July this year the Department for Transport (DfT) published a draft Aviation Policy Framework (APF) and invited comments on it during the period to 31st October. The draft APF sets out the Government's developing policy position in relation to a number of issues, but in particular aviation's contribution to the economy, noise, carbon dioxide and how it engages with local communities. It is not addressing issues relating to airport capacity and whether additional runway capacity should be planned for.
- 1.2 Since the draft APF was published there has been a cabinet reshuffle and a new Secretary of State appointed. Following this, the Government announced it was setting up the Independent Commission on Aviation Connectivity. Its role will be to examine the scale and timing of any requirements for additional hub capacity to maintain the UK's position as Europe's most important aviation hub and to identify and evaluate how any need for additional capacity should be met in the short, medium and longer term.
- 1.3 The Commission will compile an interim report for ministers no later than the end of 2013 setting out its assessment of the evidence on the scale, nature and timing of the steps needed to maintain the UK's global hub status. The preliminary report will recommend immediate actions to improve the use of existing runway capacity in the next five years that are consistent

with credible long term options.

- 1.4 The Commission will then publish by the summer of 2015 a final report that will assess the options for meeting the UK's international connectivity needs including their economic, social and environmental impact as well as its recommendations for the optimum approach to meeting any need.
- 1.5 The final report will also provide the context and material to help the Government prepare a National Policy Statement on aviation for planning purposes. The Government has stressed that any decision on new capacity at any existing airport or the development of new facilities will be taken by the next administration after 2015.
- 1.6 To inform the work of the Commission, the Government will be calling for evidence during the autumn on matters relating to airport connectivity and capacity. The details of this have been put back and are awaited.

2.0 DfT Consultation on the draft Aviation Policy Framework.

- 2.1 The consultation document extends to a hundred pages and sets out a high level strategy, including the Government's overall objectives for aviation and its policies to achieve those objectives. The Government is seeking views and information relating to a set of thirty questions. These are set out in the appendix to this report,
- 2.2 The Council is a member of the Local Government Association's Strategic Aviation Special Interest Group (SASIG) which has submitted a detailed response on the APF on behalf of its local authority members.
- 2.3 The Council is also represented on the Gatwick Airport Consultative Committee (GATCOM) which is also making a full response to the consultation.
- 2.4 The Appendix to this report provides a brief summary of the main elements of the draft APF to provide a context to the questions, the DfT's questions themselves and a draft responses to each one. They draw on the draft responses prepared by SASIG, GATCOM and the Gatwick Area Conservation Campaign all of whom have detailed and specialist aviation expertise to call on. The responses take a Mole Valley perspective on the questions where it is felt they relate to matters of relevance to the Council's role and its community responsibilities.

3.0 CORPORATE IMPLICATIONS

Legal Implications - None.

Financial Implications - None

Reputational Implications – None.

Risk Implications - None.

Equalities Implications - None.

Employment Issues – N/A

Sustainability Issues – None for the Council.

Consultation - None

BACKGROUND PAPERS - Draft responses to the draft Aviation Policy Framework

Proposed MVDC response to the Department for Transport's consultation on the draft Aviation Policy Framework.

Issue: Connectivity

The draft Aviation Policy Framework (APF) defines aviation connectivity as a combination of destinations served and frequency of flights: the broader the range of destinations served and the higher the frequency of flights to and from those destinations the better connected an airport, city or country is. The Government is keen to ensure that the country is able to connect with the countries and locations that are of most benefit to its economy and make sure it is one of the best connected countries in the world.

Question 1

Do you agree with our analysis of the meaning and value of connectivity set out in the draft APF?

Response

The definition of connectivity in paragraph 2.14 of the draft APF and its importance to the UK is agreed. This can be best achieved in the short to medium term by making the best use of existing runway capacity and encouraging airlines to establish more routes from regional airports although it is recognised that it will take time for new routes to achieve the critical mass to make them commercially viable for the airlines.

Issue: UK's Fifth Freedom Policy

Fifth freedoms are the rights granted to allow an airline of one country to land in a different country, pick up passengers and carry them on to a third country. There has long been a presumption in favour of liberalising fifth freedoms from airports outside the South East but now the Government is asking whether they should apply to Gatwick, Stansted and Luton. This would allow a foreign airline to carry passengers between these three London airports and another country as part of a service that begins or ends in the airline's home country.

Questions 2 & 3:

Do you support the proposal to extend the UK's fifth freedom policy to Gatwick, Stansted and Luton and are there any conditions that ought to be applied to any extensions to the fifth freedom policy to Gatwick?

Response:

On the face of it, extending the fifth freedom policy has the potential to assist in achieving improved connectivity. However, providing such opportunities to foreign based airlines operating long haul services could result in the operation of larger and potentially noisier aircraft using Gatwick. In considering allowing the extension of fifth freedom policy rights the Government should look at applications on a case by case basis and only allow those which demonstrate that the route would maximise use of the slot. Otherwise the situation could arise that aircraft are transferring only a few passengers which has little economic benefit but environmental consequences in terms of noise and emissions.

Extending the fifth freedom policy could offer the potential for airports to offer differential terms that would encourage the use of less noisy and cleaner aircraft. There is also the need to ensure that fifth freedom flights are counted against the night flight quotas, both for arrivals and departures. Exercising fifth freedom rights should not be used to exceed night flight quotas.

Issue: Open access to airlines

The Government is proposing to offer bilateral partners open access to airports outside the South East in order to facilitate inward investment in new routes and extra choice for passengers without having to secure reciprocal access for UK airlines to the airports of other countries.

Question 4:

Do you agree that the Government should offer bilateral partners unilateral open access to UK airports outside the South East on a case by case basis?

Response:

No comment

Question 5

Do you have any other comments on the approach and evidence set out in Chapter 2 in respect of the benefits of aviation?

Response :

The draft APF recognises the importance of good rail connectivity to airports and indicates the Government's intention to work with airport operators, the rail industry, local authorities and Local Enterprise Partnerships to improve rail access.

This is welcomed but greater consideration should be given to the surface transport issues at airports other than Heathrow. To fulfil the acknowledged potential for point to point services such as provided at Gatwick more support should be given to improving surface level access. For example, stakeholders should be pressed to bring forward concrete proposals for improving the frequency and speed of service on the North Downs line that provides an important and valuable links in the services to Gatwick airport from the Midlands and West Country via Reading

Issue: Climate Change Impacts

The Government is committed to targeting actions on CO2 emissions which may help reduce other green house gas emissions and improve the understanding of the non CO2 impacts of aviation. Its objective is to ensure that the aviation sector makes a significant and cost effective contribution towards reducing global emissions and will support action for a global aviation climate change agreement.

The draft APF explains the range of actions that the international and European aviation industry is taking to reduce carbon emissions. These include the reduction of emissions at source; research and development; modernisation of air traffic management and market based measures. Specific measures are being taken through the EU Emissions Trading System which sets a cap on emissions and encourages investment in low carbon technologies and efficient operational practices. The Single European Sky initiative seeks to improve the management of airspace to improve punctuality and resilience but also in fuel savings and reduced carbon emissions.

At the national level, the Government has to respond to the requirement of the Climate Change Act (2008) to set five yearly carbon budgets and to explain how it will handle emissions from international aviation. It is also considering its response to the Climate Change Commission's views on the establishment of a national emissions target for aviation.

The draft APF also makes reference to the alternatives to air travel such as improved teleconferencing, remote working and rail travel, since they could have a bearing on the demand for air travel. The opportunities for reduced emissions through the development of new technologies and biofuels are also covered in the draft APF.

Question 6

Do you have any further ideas on how the Government could incentivise the aviation and aerospace sectors to improve the performance of aircraft with the aim of reducing emissions?

Response

The range of actions being taken at international, European and national level to reduce the emission of greenhouse gases provide a positive framework to address the consequences of aviation on climate change. However the measures to increase European airspace efficiency and capacity could result in an increase in aviation activity. The Government needs to recognise this and work to ensure that it does not give rise to a commensurate increase in emissions.

The combustion of aviation fuel produces carbon emissions. Aviation fuel is a major part of the airline industry's costs yet it is not subject to taxation. If it was, there would be a greater incentive for engine manufacturers and airlines to develop and introduce engines that minimise carbon emissions.

Question 7: Do you have any other comments on the approach and evidence set out in Chapter 3?

Response

Research by the Strategic Aviation Special Interest Group (SASIG) of the LGA into aviation technology fuel efficiency improvements has found that the progress towards European emissions targets has not been at a rate that would enable them to be met. The Government needs to bring forward measures to incentivise the improvement of engine design technology to achieve lower levels of emissions.

Issue: Noise and other environmental impacts

The Government recognises that the local environmental impacts of aviation, especially noise, continue to be a key concern for local communities around airports. The Government wishes to strike a fair balance between the negative impacts of noise (on health, amenity, and productivity) and the economic and social benefits of flights.

It wants to establish a new policy framework which more strongly incentivises noise reduction and mitigation and also encourages better engagement between airports and local communities.

The draft APF recognises that there is a requirement under the European Environmental Noise Directive for airports to prepare Noise Action Plans which are used by airport operators to explain noise mitigation policy and describe their actions to reduce noise impacts. It also explains that Heathrow, Gatwick and Stansted are designated airports for noise management purposes. This means that the Government sets noise controls at these airports. Some Stansted stakeholders have questioned the need for the Government to regulate noise at this airport.

Question 8

Do you agree that the Government should continue to designate the three largest London airports for noise management purposes?

Response:

The three main London airports are under separate ownerships. If they were not subject to Department for Transport regulation there is the possibility that competition between the three airports could lead to a lowering of noise standards to attract airlines.

Devolving responsibility for airport noise to local authorities would place an increased burden on already stretched resources and it is doubtful whether many local authorities have the technical expertise to replace the resources of the Department for Transport.

Issue: Government's objective on aviation noise.

The Government's existing high level policy objective on aircraft noise is to limit and, where possible, reduce the number of people in the UK significantly affected by aircraft noise. The question of how to describe the impact of noise is a technical matter but relevant to the development of Government policy. Use has been made previously of the 57 Leq contour as the average level of daytime noise marking the approximate onset of significant community annoyance. The draft APF recognises that

there is an argument to suggest that some communities are now more sensitive to aircraft noise and that they believe the 57 Leq threshold is too high.

The Government believes there is insufficient evidence to indicate a clear threshold noise level at which it can be said with any certainty that there is an “onset of significant community annoyance”. It recognises that people living outside the 57 Leq contour are also affected by aircraft noise and that for some, the annoyance may be significant.

As there is no conclusive evidence, the Government is minded to retain the 57 Leq contour marking the approximate onset of community annoyance.

Question:9

Do you agree with the Government’s overall objective on aviation noise?

Response

Yes. Noise from aircraft landing and taking off at Heathrow and Gatwick airports is a significant issue for communities in Mole Valley and the Council looks to the Government to ensure that going forward the number of people significantly affected by aircraft noise is reduced.

Question 10: Do you agree that the Government should retain the 57 Leq contour as the average level of daytime noise marking the onset of significant community annoyance?

Response.

In the absence of an alternative measurement, it is believed that the 57 Leq contour should be retained as the measurement of the onset of significant community annoyance although there is an argument for using the 54 Leq contour to reflect the lower background noise and expectation of a quiet environment in rural areas.

However, looking forward, it is considered that a measurement should be used which recognises the improved living standards and increased community expectations for quiet and less disturbance from aircraft noise. This should recognise that the annoyance caused by aircraft is now more as a result of their frequency of landing and departure rather than the noise of the individual aircraft which was the situation when the Leq contours were derived. This makes the concept of an averaged figure for noise less relevant than previously.

The Government should as a matter of urgency undertake new research into the levels of noise and annoyance. This would show whether the current threshold should be lowered (i.e. recognise that a lower level of noise causes annoyance) or whether a different means of measuring noise that causes significant community annoyance is needed. It should also recognise that airport related ground noise is also a source of disturbance and annoyance and should be recognised in the APF and included in the production of noise contours or other appropriate measurements.

Question 11: Do you think that the Government should map noise exposure around noise designated airports to a lower level than 57 dBA? If so, which level would be appropriate?

Response:

If the Leq measure is to be retained, the 57 Leq contour should be replaced by the 54 Leq contour. Moreover, there are benefits to using the 55Lden contour in order to bring aircraft noise measuring in line with the EU and because this measurement will be used in future noise action plans. This means of measurement would seem appropriate for Gatwick and Heathrow airports which have year round operations and Lden seems to more accurately reflect the situation there.

Issue: Noise envelopes.

The draft APF explains that a noise envelope would aim to limit the number of people significantly affected by noise from aircraft operations, to incentivise noise reduction and to share the benefits of technological improvements by allowing growth in return for improvements in the noise climate.

Question 12: Do you agree with the proposed principles to which the Government would have regard when setting a noise envelope at any new national hub airport or any other airport development which is a nationally significant infrastructure project?

Response

The aims of a noise envelope are supported. The area/size of the envelope should be set and defined by the appropriate noise contour. It should be legally binding through for example a S.106 Agreement; it should contract year on year and the airport's compliance with it monitored independently. An envelope based on average noise per flight is not supported as it would give no assurance that total noise would not increase.

Issue: Noise Abatement operational procedures

The Government believes that at the local level, individual airports working with the appropriate air traffic service providers, should give particular weight to the management and mitigation of noise in the immediate vicinity of airports, even if this has negative impacts on carbon emissions. It is planned to look at the efficiency of Noise Preferential Routes flown by aircraft and that it is important to consider creative solutions to give respite to those already affected by aircraft noise especially where frequency has increased over time.

Question 13: Do you agree that noise should be given particular weight when balanced against other environmental factors affecting communities living near airports?

Response:

Air and ground noise arising from the operation of airports is a significant environmental issue for communities. However, it has to be considered alongside other issues including the emission of greenhouse gases that are generated by airports' operation. The objective should be to reduce the overall impact of aviation on the environment.

The recognition in the draft APF that the tranquillity of rural areas should be given greater priority is supported as is the recognition of the importance of Areas of Outstanding Natural Beauty.

Question 14: What factors should the Government consider when deciding how to balance the benefits of respite with other environmental benefits?

Response:

If an acceptable single route for aircraft operating from an airport can't be identified, then the annoyance caused by aircraft noise should be shared rather than concentrated on the same communities all the time. The Government should consider the potential advantages and disadvantages of P-RNAV as it provides the opportunity to discover better paths to fly that may be just outside the NPR, but affects less people.

Any scheme for providing respite should not result in the introduction of flight paths over areas currently quiet and schemes should be subject to consultation and only introduced if the majority of those responding are in favour of the proposed scheme.

Question 15: Do you agree with the Government's proposals for noise limits, monitoring and penalties.

Response:

The Government's proposal to review departure noise limits is welcome with it is hoped the intention to decrease the limits to benefit local residents and encourage the development and use of quieter engines.

The suggestion in the draft APF that penalties for breaches of the departure noise limits should be set significantly higher is supported.

The suggestion that airports, airlines and air traffic management should give a high priority to compliance with CDA and minimum height requirements is supported as is the publication of airline performance in achieving CDA. The introduction of more noise monitors under approach paths at airports which are able to differentiate between aircraft so as to encourage best practice should also be introduced.

Question 16: In what circumstances would it be appropriate for the Government to direct noise designated airports to establish and maintain a penalty scheme?**Response:**

No comment

Question 17: In what circumstances would it be appropriate for the Government to make an order requiring designated airports to maintain and operate noise monitors and produce noise measurement reports?**Response:**

This should be a mandatory requirement for designated airports.

Question 18: How could differential landing fees be better utilised to improve the noise environment around airports, particularly at night?**Response:**

Greater use of differential landing fees could incentivise airlines to invest in quieter and cleaner aircraft. Higher landing fees at night for the noisiest aircraft have the potential to provide benefits for communities near an airport.

Question 19: Do you think airport compensation schemes are reasonable and proportionate?**Response:**

The Council has experience of the noise insulation scheme at Gatwick Airport. This is felt by some not to be generous and the area covered too limited. If the Government intends to introduce the concept of respite to those affected by aircraft noise, a commensurate improvement of compensation schemes should be brought about.

Question 20: Do you agree with the approach to the management of noise from general aviation and helicopters, in particular to the use of the section 5 power?**Response:**

Communities in Mole Valley experience annoyance from fixed wing aircraft and helicopters operating from Redhill and Fairoaks aerodromes. In addition the operation of helicopters from unlicensed sites (for example, gardens, farmland) also gives rise to episodic nuisance. It is appreciated that these aircraft have to meet the requirements of the organisations responsible for the management of airspace and the aerodrome's own operating regulations. While they do not cause a continuous level of noise that would register as creating community annoyance on the Leq scale, they do by their very nature

result in irregular noise episodes which are intrusive to the enjoyment of the residential amenities in rural areas of the District which by their nature are quiet.

The Government's proposal that NATS and the CAA should look into these issues as part of their review of London airspace is welcome. The impact of general aviation on the amenities of rural communities where there is generally a lower level of background noise and the scope for introducing measures to mitigate the impact of noise and annoyance should be examined by NATS and the CAA.

Question 21: What other measures might be considered that would improve the management of noise from these sources?

Response:

Consideration should be given to the introduction of noise monitoring along routes flown by helicopters and smaller fixed wing aircraft and the establishment of noise limits that recognise the particular characteristics of helicopter noise and the episodic nature of the annoyance that they cause.

The Air Regulations 2007 require aircraft to fly at a minimum of 1000 feet over built-up areas but do not control how quickly aircraft climb to those heights. The most economical way to reach these minimum heights is likely to be through a gradual ascent which means that aircraft are lower for longer than is desirable from the point of view of local residents. The CAA should be given greater powers to ensure helicopters are flown to reach minimum flying heights as quickly as possible, through for example minimum angles of ascent.

Question 22: Do you have any further ideas on how the Government could incentivise the aviation and aerospace sector to deliver quieter planes?

Response:

The Government should continue to set stretching noise standards to incentivise designers and manufacturers to push the envelope of aircraft engine and airframe design in the interests of delivering quieter aircraft.

The publication of performance data on for example take off noise levels and track keeping and the use of fines to penalise poor performance would help drive up operating standards and ensure flight procedure best practice.

Issue: Other environmental impacts of aviation

The draft APF recognises the consequences of aviation in terms of its contribution to reductions in air quality and indicates that standards are established through EU legislation. Air quality is a material consideration for local planning decisions and aviation policy needs to be consistent with both air quality legislation and local authority action plans and strategies for reducing air pollution.

Question 23: Do you believe that the regime for the regulation of other environmental impacts at airports is effective?

Response:

The Government appears to be suggesting that meeting EU standards and obligations is sufficient. Instead, the Government should be striving to establish stretching standards and introduce incentives for airlines and airport operators to operate aircraft and vehicles which have the least adverse impact on air quality. In the light of emerging evidence from monitoring at Gatwick airport, more emphasis should be placed on reducing ultrafine particulates from aircraft emissions than road vehicles.

Whilst noise is the most obvious and arguably the most disturbing of impacts, other impacts should not be overlooked in the development of the Government's aviation policy. These include aviation's contribution to congestion, its impact on the natural environment and urbanisation more generally

Question 24: Do you think that noise regulation should be integrated into a broader regulatory framework which tackles the local environmental impacts from airports?

Response:

The legislation covering the environmental impacts of the operation of airports is fragmented or in the case of road vehicle emissions for example does not exist. In view of the high costs to the UK of air pollution and the extent to which the operation of airports contributes to this, there would seem to be a strong case for legislation to bring together a regulatory regime for mitigating the adverse environmental consequences of the operation of airports and aviation.

Issue: Working together

The draft APF says that the Government's objective is to encourage the aviation industry and local stakeholders to strengthen and streamline the way in which they work together. The Government wants to encourage good practice and is not looking for a "one size fits all" model for local engagement. It is encouraging the provision of better public information about the environmental effects of aviation in the UK.

The draft APF suggests that Airport Consultative Committees (ACCs) could play a more effective role to discuss planning issues, noise envelopes or other innovative ideas for noise mitigation. It believes they could forge closer working relationships with the CAA in its new role to provide an oversight of noise management and that the governance arrangements for ACCs should be reviewed.

Question 25: Do you think Airport Consultative Committees should play a stronger role and if so how could this be achieved?

Response:

ACCs are consultative bodies with no executive powers and are reliant on airport operators for resources. Their composition of representatives from the airline industry, air passengers, local authorities and environmental organisations who all have their own agendas, means that agreement on any but minor matters is generally unachievable. Their value lies in acting as a forum for the exchange of views but unless their composition or terms of reference change it is unlikely that they would be able to play a stronger role.

Question 26: Is there a case for changing the list of airports currently designated to provide consultative facilities?

Response:

No comment.

Question 27: Do you agree that the Civil Aviation Authority should have a role in providing independent oversight of airports' noise management?

Response

There is likely to be doubts about whether the CAA could provide truly independent advice bearing in mind that they are the source of aviation policy advice to the Government and are wholly funded by those they regulate. Moreover, they do not have the experience of engaging with local communities which is so important when dealing with sensitive issues such as noise. Although the CAA could provide advice to ACCs for example, it should not have an oversight role of airports' noise management.

Question 28: Do you agree with the Government's overall objective on working together?

Response:

There will always be differences of opinion held by residents affected by the operation of an airport, businesses, airlines and airport operators. It is inevitable that there will be tensions between each group and reaching consensus unlikely except over minor issues. While stakeholder groups working together may help the understanding of different points of view, in practice, it is considered that the DfT should continue to have the overall say in aviation policy development and provide independent decision taking.

Question 29: Is the high level guidance provided in Annex E sufficient to allow airports to develop local solutions with local partners?

Response:

The recommended scope of airport master plans in Annex E is considered reasonable. However, it ought to be explained in the annex that airport master plans are generally a statement of the airport operator's intentions which may or may not tie in with the development planning policies of the local authority in whose area the airport is located.

The advice in Annex E would be improved if it was emphasised that the airport master plans should be prepared by their operators working with local communities – residents and businesses – to resolve as far as possible any tensions that arise as a result of the operators' proposals. There are benefits in the preparation of initial draft master plans which are published for consultation and then revised in the light of comments and suggestions before being adopted by the airport operator. This should be reflected in the Annex.

The Annex should also make it clear that the publication of an airport master plan does not necessarily mean that it has been accepted by all parties.

It would also be helpful if the Annex explained the relationship between Airport Master Plans and the Local Plans prepared by local planning authorities and that while only limited weight can be given to an AMP in the planning process it can be used to inform policies in Local Plans which can then be independently tested by a Planning Inspector. This gives local communities the chance to make their points before an independent Inspector and gives confidence that the airport's proposals can be independently tested..

Question 30: Do you agree that master plans should incorporate airport surface access strategies?

Response

Surface access strategies should be aligned with airport master plans in terms of timeframes and the land use planning aspects of master plans. However, they do not necessarily need to be part of them.

Question 31: Do you agree that where appropriate, the periods covered by master plans and noise action plans should be aligned?

Response:

It would seem sensible for the periods covered by master plans and noise action plans to be aligned. It would present opportunities for linking the noise consequences of development/operational activities of the airport which are proposed in a master plan to be identified and mitigation measures put forward in noise action plans.

The two documents should not be combined due to their different objectives.

