



Aviation Policy Framework  
Department for Transport,  
Great Minster House (1/24),  
76 Marsham Street,  
London SW1P 4DR

Email: [aviation.policyframework@dft.gov.uk](mailto:aviation.policyframework@dft.gov.uk)

Contact: Alice Ellison

Direct  
line: 020 7934 9829

Email: [alice.ellison@londoncouncils.gov.uk](mailto:alice.ellison@londoncouncils.gov.uk)

Date: 31 October 2011

Dear Sir/Madam,

### **DRAFT AVIATION POLICY FRAMEWORK - LONDON COUNCILS' RESPONSE**

London Councils is committed to fighting for resources for London and getting the best possible deal for London's 33 councils. Part think-tank, part lobbying organisation, and part service provider, London Councils formulates policies, organises campaigns and runs a range of services all designed to make life better for Londoners.

Please find the London Councils response to the Department for Transport Draft Aviation Policy Framework. Our response has been developed following consultation with London boroughs and addresses those questions posed by the draft framework which are relevant to London boroughs.

Yours faithfully,

A handwritten signature in black ink that reads "Catherine West".

Cllr Catherine West  
**Chair of the London Councils Transport and Environment Committee**

## Draft Aviation Policy Framework - London Councils' response

London Councils represents all 32 London boroughs, the City of London, the Metropolitan Police Authority and the London Fire and Emergency Planning Authority. We are committed to fighting for fair resources for London and getting the best possible deal for London's 33 Councils. We lobby on our members' behalf, develop policy and do all we can to help boroughs improve the services they offer. We also run a range of services ourselves which are designed to make life better for Londoners.

### Summary

In summary the most significant points raised in this response are:

- **Extra capacity does not necessarily lead to increased connectivity.** Experience at Heathrow has shown that extra capacity does not necessarily lead to increased connectivity, with destination numbers reducing over time whilst profitable routes are operated at higher frequencies. The final aviation framework provides an opportunity to introduce measures to ensure that this trend is not replicated at other airports.
- **Operational resilience.** The final framework must consider the issue of operational resilience. Measures taken to provide operational resilience for an airport should not be to the detriment of local communities.
- **The medium and long term.** The final aviation policy framework (due to be adopted in March 2013) should be clear on how fundamental decisions following the final report of the Davies Commission on airport expansion will be incorporated into any aviation policy.
- **Airport expansion.** A decision on options for airport expansion should be made sooner rather than later. It is currently proposed that the Davies Commission on airport expansion will report in three years' time in 2015; this is too late and brings unacceptable uncertainty to communities living close to affected airports and could have a negative impact on the city's economy. It should be noted that the majority of London boroughs oppose the expansion of Heathrow Airport.
- **Emissions from aviation.** Far more evidence and detail is required to show how emissions from aviation can be reduced.
- **Noise contours.** London Councils does not agree with the proposal to retain the 57dB LAeq contour to mark the onset of significant community annoyance. The aviation policy framework provides an opportunity to strengthen the protection against noise impacts by adopting a new benchmark of 55dB Lden.
- **Impacts of aircraft noise.** There is a need to carry out an independent, comprehensive study of aircraft noise impacts in London. London Councils would welcome a commitment from government to this end.
- **Designated airports.** In addition to the three largest London airports, the Government should designate *all* airports that meet certain criteria regarding the number of air traffic movements and / or passenger numbers. The threshold of movements or passengers to trigger the designation should be determined independently.
- **Air quality.** For local communities around Heathrow, poor air quality is a major concern, and needs to be given sufficient weight in the final framework. The final draft framework must identify a clear process for determining how environmental impacts will be factored into future decisions on allowing aviation services to grow.
- **The Civil Aviation Authority (CAA).** London Councils supports Government proposals to extend the remit of the CAA to include independent oversight of airports' noise management and believes that this role should be widened to include other environmental impacts such as local air quality. However, it is crucial that the CAA is given sufficient powers and resources in the Civil Aviation Bill.

## Responses to specific questions

### Chapter 2: The benefits of aviation

- **2.1: Do you agree with our analysis of the meaning and value of connectivity, set out in Chapter 2?**

The provision of connectivity must not be at any cost and we support the Government's approach of seeking to maintain a balance between the benefits of aviation and its costs, particularly climate change and noise. Support should therefore be given to enable UK airports, other than Heathrow, to develop long-haul services to a broader range of destinations to support the UK's international connectivity.

As acknowledged in the draft framework, experience at Heathrow has shown that extra capacity does not necessarily lead to increased connectivity, with destination numbers reducing over time whilst profitable routes are operated at higher frequencies.

**The final aviation framework provides an opportunity to introduce measures to ensure that this trend is not replicated at other airports to the detriment of UK connectivity.**

- **2.2: Do you support the proposal to extend the UK's fifth freedom policy to Gatwick, Stansted and Luton? Please provide reasons if possible.**

London Councils supports this proposal which could promote new services from the three airports concerned, which in turn will improve London and UK connectivity as well as taking some pressure off demand for Heathrow slots.

- **2.3: Are there any other conditions that ought to be applied to any extension of the UK's fifth freedom policy to Gatwick, Stansted and Luton?**

Any additional services should be developed with regard to potential impacts in terms of noise, air quality and surface access and should not place extra pressure on the airport in question to host more night flights.

- **2.4: 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?**

London Councils supports this proposal and agrees that the growth of regional airports should be supported. There are environmental and social benefits associated with reducing the need for air passengers and freight to travel long distances to reach larger UK airports and for providing additional capacity away from congested South East airports. Any additional services should be developed with regard to potential impacts in terms of noise, air quality and surface access.

- **2.5: Do you have any other comments on the approach and evidence set out in Chapter 2?**

#### Impact of aviation policy on London's economy

As recognised in the draft policy framework, aviation significantly benefits the UK both through its direct contribution to gross domestic product (GDP) and employment, and by facilitating trade and investment, manufacturing supply chains, skills development and tourism. This is particularly true for London as the economic powerhouse of the UK. In light of this, it is important to stress the impact that a decision about airports serving London will have on the Capital's economy and on continued confidence in London as a place to invest and do business.

### Short term strategy

Heathrow Airport is operating virtually at capacity with no headroom for operational resilience. This has led to the establishment of operational freedoms trials to attempt to give the congested airport some resilience. Local authorities in the vicinity of Heathrow are committed to ensuring that any operational freedoms for Heathrow do not add to the environmental burden of surrounding communities.

**The final framework must consider the issue of operational resilience and ensure all airports are managed accordingly in terms of their operational capacity. Measures taken to provide operational resilience for an airport should not be to the detriment of local communities.**

Related to both connectivity and capacity is the issue of slot use. It is important that slots on the busiest routes are used as efficiently as possible in terms of the average passenger capacity and passenger numbers per movement.

**The development of an aviation policy framework provides an opportunity to review how best to encourage/ regulate the more efficient use of slots.**

### Medium to long term strategy

While the draft framework states that the Government will ensure that its national strategies for aviation and high speed rail strategies are aligned, there is no reference to how this may be done given the range of differing timescales. The Government has already given its approval to the HS2 Phase 1 preferred route, and it has also given its commitment for a Heathrow spur route and station with a further consultation due in 2013/14.

**The final aviation policy framework (due to be adopted in March 2013) should be clear on how fundamental decisions following the final report of the Davies Commission on airport expansion (due to report in 2015) will be incorporated into any aviation policy.**

It should be noted that the uncertainty regarding the future of Heathrow Airport is a major concern for LB Hillingdon. Renewed speculation over a third runway not only brings unnecessary blight and uncertainty to residents but it also impacts on the borough's role as the planning authority. Hillingdon has faced difficult challenges in moving forward its local planning strategy, given the uncertainty over a third runway at Heathrow and the impact this would have on any development plans for the borough.

It is unacceptable to expect the residents of Hillingdon and other boroughs near Heathrow, potentially threatened by loss of their houses and increased congestion, pollution and noise impacts, to put their lives on hold again until post 2015 for a decision regarding Heathrow, when this threat had been lifted only recently in 2010 by a cross party agreement.

**It should be noted that the majority of London boroughs oppose the expansion of Heathrow Airport.**

**A decision on options for airport expansion should be made sooner rather than later. It is currently proposed that the Davies Commission on airport expansion will report in three years' time in 2015; this is too late and brings unacceptable uncertainty to communities living close to affected airports and could have a negative impact on the city's economy.**

### **Chapter 3: Climate change impacts**

- **3.2: Do you have any other comments on the approach and evidence set out in Chapter 3?**

While we welcome the Government's stated policy objective to ensure that the aviation sector makes a significant and cost effective contribution towards reducing global emissions; London Councils would like to see a more robust commitment in the final aviation framework to reduce emissions (especially carbon dioxide) from aviation as part of the UK's Climate Change Act targets and carbon budgets (from which international aviation and shipping emissions are currently excluded).

The draft framework provides little detail on how the potentially opposite aims of increasing aviation and reducing aviation emissions can be delivered, pointing to: some 'alternatives to travel'; 'developing new technology'; 'biofuels'; and 'better information'.

**Far more evidence and detail is required to show how emissions from aviation can be reduced.**

### **Chapter 4: Noise and other local environmental impacts**

- **4.1: Do you agree that the Government should continue to designate the three largest London airports for noise management purposes? If not, please provide reasons.**

We agree that these airports should continue to be designated for noise management purposes.

**In addition to the three largest London airports, we suggest that the Government should designate *all* airports that meet certain criteria regarding the number of air traffic movements and / or passenger numbers. The threshold of movements or passengers to trigger the designation should be determined independently.**

- **4.2: Do you agree with the Government's overall objective on aviation noise?**

London Councils agrees with the Government's objective to limit and, where possible, reduce the number of people in the UK who are significantly affected by aircraft noise.

**However, we feel that this objective should be widened to include the *total noise caused by aviation activities*. This will allow appropriate policy mechanisms to be developed to address issues such as ground noise as well as air noise.**

The draft framework acknowledges that Heathrow has a significantly greater noise impact with regards to the numbers of people exposed per flight than any other major European Airport. Given the scale of the impacts arising from Heathrow, it is vital that technological improvements in this location should be for the benefit of local communities and not for increasing the numbers of flights.

As aircraft engine technology improves, the noise impact on local communities should reduce; however, this should not result in the volume of air traffic being allowed to increase.

- **4.3: Do you agree that the Government should retain the 57 dB LAeq, 16h contour as the average level of daytime aircraft noise marking the approximate onset of significant community annoyance?**

**London Councils does not agree with this proposal. The aviation policy framework provides an opportunity to strengthen the protection against noise impacts by adopting a new benchmark of 55dB Lden which is consistent with the standard established by the European Environment Agency (EEA) and aligns with the level to**

**which airports are required to map noise exposure under the [EU Environmental Noise Directive](#).**

This would more accurately reflect the impact of aircraft noise within communities under the Heathrow flight path and provide a more rigorous measure against which to measure progress.

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

As stated in our response to the DfT 2011 scoping exercise, as part of a new, sustainable aviation framework, the Government must develop a robust and accurate method of assessing and measuring community impacts of aircraft noise.

**In light of this, we support proposals that aircraft noise should be mapped to a lower level than 57dB LAeq16h. Of the alternatives offered, we suggest the use of 55dBLden but consider it essential that this is supported by the mapping of night noise to 50dBLnight.**

**In tandem, there is a need to carry out an independent, comprehensive study of aircraft noise impacts in London. London Councils would welcome a commitment from government to this end.**

- **4.5: 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?**

We propose that any noise envelope should be set on a reducing area basis, with an accompanying cap on aircraft numbers, to ensure that local communities benefit from improvements to technology. This approach would align with the Government's overall objective to limit, and, where possible, reduce the number of people significantly affected by aircraft noise.

However, it should be noted that boroughs near Heathrow airport are of the view that the noise levels experienced by local communities are currently excessive. The primary objective of any aviation policy should be to *reduce* the present overall level of noise rather than preserve it within a noise envelope.

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

Noise is the key issue identified in the consultation document as a major concern for communities living near airports and therefore clearly requires significant interventions to ensure this is improved.

A predictable period of respite is the single most effective noise mitigation measure available. The effects of noise are immediate and psychologically damaging. As such the reduction of noise levels should be the priority.

**For local communities around Heathrow, poor air quality is also a major concern, and gives rise to considerable health issues. Given the legal significance of the UK Government being required to meet European Union limit values for local air quality, this aspect needs to be given sufficient weight where local communities are impacted by the activities arising from the operation of large airports.**

- **4.7: What factors should the Government consider when deciding how to balance the benefits of respite with other environmental benefits?**

The provision of predictable periods of respite is an effective noise amelioration measure widely supported by communities living under the flight paths at Heathrow. Maintaining respite periods must be one of the key objectives of any environmental management process around airports.

As stated earlier, Heathrow is operating at capacity with little or no operational resilience. Boroughs under the Heathrow flight paths, such as Hillingdon, would support a significant decrease in the number of permitted air transport movements, which could help ensure operational resilience benefits for the airport, reduce carbon emissions from 'stacking' of aircraft waiting to land and also achieve reliable periods of respite for local communities.

- **4.8: Do you agree with the Government's proposals in paragraph 4.68 on noise limits, monitoring and penalties?**

London Councils supports these proposals. It is imperative that noise limits are rigorously monitored and that robust enforcement action is taken where breaches occur. Crucially, the level of penalties must be sufficiently high to deter repeat occurrences.

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

A penalty scheme should be the normal practice at all airports that meet certain criteria regarding the number of air traffic movements and / or passenger numbers (see response to Q.4.1 above) to ensure that the airport operators are controlling the impact of the operation of the airport on the local environment.

The penalty scheme should be extended to arriving aircraft by using the Continuous Descent Approaches (CDA) compliance rate as an indicator. The operational freedoms trials at London Heathrow Airport may be able to provide data for a suitable indicator value.

- **4.10: 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?**

It should be mandatory for all noise designated airports to maintain and operate noise monitors and produce reports. The noise monitors should be used to ensure compliance with noise levels and, if the monitors are placed in suitable locations, be able to help verify noise maps and give information to policy makers to make informed decisions on the noise climate around the airport.

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

Further refinement based on comparative capacity /size should be adopted to determine landing fees. Much higher landing rates at night should be introduced to help discourage the practice of night flights.

On the issue of night flights, we suggest that the Government uses the second phase of the operational freedoms trial at Heathrow (currently on-going) as a basis for examining the scope for a permanent rescheduling of the first arrivals to 0500. As a second stage the Government and BAA could then evaluate the impact of retiming the first early morning arrival to 05:30. These two steps would represent an incremental move towards the final objective of a complete night flight ban before 0600.

- **4.12: Do you think airport compensation schemes are reasonable and proportionate?**

**The UK airport compensation schemes are inadequate and require a full and comprehensive review, to be carried out by the regulator in consultation with other stakeholders.**

New standards of entitlement should be determined and based upon World Health Organisation (WHO) and European Union (EU) Noise standards for the protection of human health and should ensure that all aspects of air and ground noise are included.

- **Q 4.13. Do you agree with the approach to the management of noise from general aviation and helicopters in particular to the use of section 5 powers?**

We would disagree that alternative solutions exist to powers under section 5 of the Civil Aviation Act 1982.

For example, while RAF Northolt is essentially a military airport, it is also used by a substantial number of civil flights. Because RAF Northolt is situated very close to residential areas, noise from civil aircraft using the airport causes serious disturbance to residents under the associated flight paths. Despite this, the airport has no effective noise management programme, no noise insulation scheme and no airport consultative committee. The view of the relevant London borough – Hillingdon – is that there are not currently sufficient powers for adequate local resolution of noise from general aviation use of RAF Northolt.

- **4.16: Do you believe that the regime for the regulation of other local environmental impacts at airports is effective?**

The regime for the regulation of other local impacts at airports is not effective, effective regulation is vital around airports such as Heathrow where the air quality is at unacceptable levels. At present, airports remain uncontrolled sources of emissions. Despite current control mechanisms at Heathrow airport such as: an air traffic movement (ATM) limit; a car park cap; and a noise contour limit, plus a legislative process in place for air quality, governed by European law, the London Borough of Hillingdon notes that the area around the airport:

- Is an air quality hotspot, currently not meeting the legal limits set for local air quality to be met by 2010, nor expected to meet these until at least 2020;
- Is surrounded by congested roads and over-crowded transport; and
- Accounts for nearly half of all the UK's aviation carbon emissions.

**The aviation policy framework should require a process by which there is transparent environmental accountability at airports including a procedure by which an independent regulator can invoke mechanisms aimed at reducing the impacts on local communities.**

**We support the establishment of an independent regulator, with sufficient powers to address all aspects influencing local air quality including aircraft operations, on-airport activities and surface access emissions.**

**The Civil Aviation Authority (CAA) is identified in the consultation document as the regulator with regards to noise management, and we believe this role should be widened to include other environmental impacts such as local air quality.**

In addition to regulation of local environmental impacts at existing airports, the draft framework does not identify a clear process for determining where and how the environmental impacts of any *future* development of airports will be factored in to any future decisions on allowing aviation services to grow.

**The final draft framework must identify a clear process for determining how environmental impacts will be factored into future decisions on allowing aviation services to grow so that current impacts, such as poor air quality around Heathrow Airport, are not replicated.**

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

This could work in theory, however any regulatory framework needs to ensure that each *individual* environmental impact is acknowledged and addressed.

If the CAA is to be appointed as a regulator just for noise, it is unclear how other environmental impacts such as local air quality will be taken into account and how any potential trade-off issues would be identified or addressed.

## **Chapter 5: Working together**

- **5.1: Do you think Airport Consultative Committees should play a stronger role and if so, how could this be achieved?**

Consultative Committees do not currently adequately represent the full range of voices on aviation and airport matters, the perception is that they tend to adopt a pro-airport perspective, with more critical voices (such as environmental and residents' groups) underrepresented.

**An independent review of the consultative process and the effectiveness of the airport consultative committees should be undertaken to provide recommendations for how this process can be improved as well as streamlined. This review should focus on exploring how the industry can work most effectively and inclusively with local stakeholders and communities.**

- **5.2: Is there a case for changing the list of airports currently designated to provide consultative facilities?**

Given that helicopters and heliports were not mentioned in the DfT 2011 scoping exercise, London Councils welcomes the recognition in the draft framework that the noise impact from helicopters can be disturbing to those who are regularly affected. The London Heliport at Battersea has previously been put forward by the DfT for designation under section 35 of the Civil Aviation Act 1982 to provide consultative facilities. London Councils would support the opportunity for the heliport to be formally designated under the Civil Aviation Act.

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

In the UK the Government made the airport operator the "competent authority" for drawing up the Heathrow Noise Action Plan. Given the need for objectivity it would not appear to be appropriate for the airport operator to fulfil this role.

**In light of the above, London Councils supports Government proposals to extend the remit of the Civil Aviation Authority (CAA) to include independent oversight of airports' noise management. However, it is crucial that the CAA is given sufficient powers and resources in the Civil Aviation Bill.**

The draft framework refers to an intention to encourage airports to make noise data more readily available and accessible. Unlike other regulated industries – notably rail – there is

an absence of centrally-held and easily accessible data for the aviation industry. A strengthened CAA should be responsible for providing such data.

- **5.4: Do you agree with the Government's overall objective on working together?**

London Councils supports the overall objective contained in this section and welcomes the recognition that local stakeholders have the experience and expertise to identify solutions tailored to their specific circumstances.

Effective local engagement is key and we would welcome and support a better engagement process for local authorities and local communities. To be effective, this process must have transparency and ensure that local forums are action-oriented and local concerns addressed.

There also needs to be more consultation and transparency between the Government, Civil Aviation Authority, National Air Traffic Services (NATS), airports and local authorities, with recognition of the potential negative impacts on community well-being (health, amenity etc) when considering changes to airspace design and airport operations.

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

The value of airport master plans is limited primarily because they can quickly become out of date. It is unclear whether airport master plans have any official status with the National Planning Policy Framework, which is essential if they are to be of any value as a land use planning tool. This must be clarified in the final guidance.

In terms of issues such as surface access and local air quality, the guidance needs to ensure that airport master plans and strategies are aligned with local plans from local stakeholders, including the statutory development plans for the area.

Airport transport forums (ATF)

The role of the ATF is to facilitate the implementation of the airport surface access strategy. Appropriate challenging targets must be set for achieving modal shift from private car to sustainable forms of transport. This is of high importance for large airports such as Heathrow where the surrounding road networks are already at capacity. The guidance should ensure that targets are challenging, appropriate to the surrounding conditions and that there is quantification of the environmental improvements arising from the implementation of the strategy. Review dates must be incorporated into the strategy and must be flexible to be re-adjusted with changing conditions such as a significant change in airline fleet plans to the use of larger aircraft.

London Councils welcomes the recognition in the draft guidance of local authorities as a key partner in the ATFs. We also support proposals contained in the guidance stating that airport operators should bear the costs relating to ATFs, and that ATFs should meet at least twice a year.

- **5.6: Do you agree that master plans should incorporate airport surface access strategies?**

We agree that master plans should incorporate airport surface access strategies. There must be a regular update mechanism by which the changing of aircraft fleet mixes are incorporated into the process. The plans must be flexible and subject to regular updates in line with changing circumstances to incorporate changes to airline business plans, which impact on the numbers or workers and passengers accessing the airport.

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

London Councils supports this approach.