

NORTH HERTFORDSHIRE DISTRICT COUNCIL
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20 June 2019

Aviation Strategy
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Our Ref: PN19.1.9/Aviation/LS
Your Ref:
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Dear Sir/Madam,

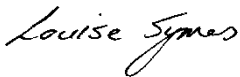
Aviation 2050: The Future of UK Aviation - Consultation

Thank you for the opportunity for North Hertfordshire District Council to comment on the above Strategy.

Given the close proximity of Luton Airport located near the administrative boundary of Luton Borough Council with North Hertfordshire District Council (NHDC), and as one of the ten local authorities within Hertfordshire, NHDC wishes to support the comments as submitted by Hertfordshire County Council to the above consultation.

The District Council requests that the comments as set out in the Hertfordshire County Council letter dated 20 June 2019 are also recorded as those from NHDC. (See Copy of letter attached).

Yours sincerely



Louise Symes

Strategic Infrastructure & Projects Manager

Director of Environment and Infrastructure: Mark Kemp
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20th June 2019

Dear Sir/Madam,

Aviation 2050 The Future of UK Aviation - Consultation

Thank you for the opportunity to comment on the above.

Strategic points

The general package of measures

The overall general package of measures proposed within the Strategy appear to be reasonably comprehensive and coherent. Perhaps inevitably, at times the Strategy is very high level and even where there are specific proposals, their success will depend much upon implementation. The County Council supports the overall approach subject to suitable monitoring mechanisms being put in place.

Managed and Co-ordinated Approach to Aviation Growth

In response to various Government/regulator and other aviation consultations over recent years the County Council has pointed to a lack of a managed and co-ordinated approach to aviation growth. In its response to an earlier consultation on the development of this Strategy, for example, the County Council observed:

'The current manner in which capacity enhancement materialises in the UK is somewhat haphazard. Individual airports come forward with planning applications for growth proposals independently of each other when they make their individual business decisions. Similarly, airspace change proposals emerge sporadically from airports apparently in isolation from each other, but each likely (in the south east at

least) to form an important part of the strategic change in airspace structure that is being progressed and will release additional capacity into the system. Meanwhile, Government makes the decision on the new runway for the UK (informed by an Airports Commission process which itself generated a huge range of potential growth proposals at existing and potential new airports), which has knock-on effects in some way or another to other processes. The Strategy process needs to review all mechanisms involved in bringing forward growth and articulate options and seek views on how these can best be operated and coordinated for the UK as a whole. That might consider issues such as:

- how and to what extent is forecast aviation growth to be managed – is Government adopting a predict and provide approach or will demand be managed.*
- how the airspace modernisation process is to be managed, communicated and strategically coordinated.*
- clarity on responsible/accountable bodies for the whole sector.*
- how the planning system can work best to bring forward aviation growth.*
- how best use of existing runway capacity means at individual airports is to be identified (if this is not already articulated within airport masterplans), communicated and managed and strategically assessed to assess whether 'best' growth equates to 'desired' growth at a national level.*
- the mechanism through which new runway proposals are to be brought forward.*
- how all the responsible/accountable bodies are going to work strategically to bring forward growth.'*

In the case of airspace modernisation, the Strategy recognises the importance of strategic management of the modernisation programme – without which aviation growth aspirations will not be achieved. But there are other areas where that management does not appear to be quite so proactive. Any airport in the UK can now, for example, come forward with proposals for making best use of existing runways and infrastructure with the benefit of in-principle Government support – in effect representing a free-for-all where such capacity exists. And in terms of location(s) for future new runway development, the Government favours a stronger role for industry in coming forward with proposals, rather than the process being run nationally with Government direction.

The County Council is of the view that Government should take strategic oversight of all matters relating to where and how growth is to be brought forward and managed.

Planning for growth – physical development and/vs airspace availability

The two main regulatory processes that facilitate the throughput growth of airports are the planning process and airspace change process. The planning process delivers the on-the-ground physical infrastructure and the airspace change process manages any changes to/operation of airspace required to enable aircraft to use the airport and any other strategic changes required to airspace generally.

Heathrow is currently progressing a planning application for its third runway, Luton is progressing a planning application to grow to 32 million passengers per annum

(mppa), London Stansted has been given the planning go-ahead to grow to 43mppa and Gatwick is considering seeking planning consent to grow to 70mppa. Despite these planning processes there remains uncertainty as to whether the airspace that exists within the south of England is able to accommodate it.

The main concern of some commentators and communities is that the planning process is approving airport capacity growth without the certainty that airspace can accommodate it and without evidence of where specific flightpaths, and therefore greatest impacts, will be. At least in the short term, this situation does not deliver confidence in the manner in which growth is being brought forward. At best, the planning process can only take a most informed view on where, on balance, future flightpaths are likely to be broadly located. There are those that take the view that the airspace change process should precede the planning process, enabling planning applications to thoroughly consider the environmental implications of growth.

Whilst the airspace modernisation process will to a significant degree reduce the uncertainty relating to airspace availability, the location of flightpaths required at individual airports and give certainty to the shape of the strategic airspace network, the County Council is very concerned about the current ongoing incompatibility between the planning and airspace change processes. Government should consider and provide advice on how this should be addressed.

Embedding aviation growth and the role of individual airports within economic/industrial/spatial planning frameworks

In response to various Government/regulator and other consultations over recent years the County Council has pointed to the need for aviation development and growth to be properly accounted for in broader planning/spatial/economic/transport/other strategies prepared by responsible agencies that have similarly long term timeframes. The Strategy recognises these interactions with wider spatial planning to some degree, for example:

‘Increasingly airports are becoming regional transport hubs which support multiple businesses, labour markets, and population centres. Their development needs to be planned in that context and included in relevant regional, spatial, and economic development strategies.’

But the process of embedding airports and aviation within forward-looking plans and strategies could be improved significantly. By way of local example, the current Development Consent Order process for London Luton Airport to grow to 32mppa has not featured in the preparation of any strategic strategies looking to the long term. There is not even a masterplan for the airport that provides the strategic framework for the planning application.

Government could usefully use this Strategy to articulate that it expects airports and their growth to be strategically integrated into long term strategies at local, sub-regional and regional level – for example economic/industrial strategies, spatial strategies, transport strategies, growth deals, etc.

Specifically

Ensure aviation can grow sustainably – a partnership for sustainable Growth

The Strategy states that:

‘Aviation provides significant economic and social benefits to the UK. It is an industry that contributes at least £22 billion to our economy, supports half a million jobs, serves 284 million passengers and transports over 2 million tonnes of freight a year. Forecasts show that demand for aviation will continue to rise in the period up to 2050. The government welcomes the industry’s future expansion. However, its growth must be sustainable – with affected communities supported and the environment protected. It is therefore vital that the government, the regulator, the industry and other interested parties work in partnership to achieve this shared goal.’

The Strategy recognises that there are challenges that need to be addressed:

‘Growth can have significant environmental impacts which affect local communities and increase emissions. There are also significant infrastructure constraints which require urgent attention, such as the need to modernise our airspace, improve transport links to airports and consider whether new runways are required. Therefore, while the government supports continued growth in aviation over the next 30 years, it also believes that the UK must be more ambitious on environmental protection to ensure that growth is sustainable.’ The strategy commits to providing the necessary framework for this to happen and believes *‘a partnership approach is required between the government, the regulator, the industry and other interested parties to ensure that necessary conditions are met in respect to infrastructure, community investment and environmental measures – providing long-term confidence for the industry and communities’*.

The County Council strongly supports the Partnership approach, but there are a multitude of mechanisms and processes at different administrative and spatial levels (local, regional and national) where the partnerships either are known not to exist and are proposed to be formulated, exist and need to be made more effective or indeed are not yet known and need to emerge over time taking into account the framework and operational experience. Much will therefore depend upon effective implementation and this is perhaps an area which Government could usefully take oversight of.

Future growth

Government believes that forecast aviation demand up to 2030 can be met through a Northwest runway at Heathrow and by airports beyond Heathrow making best use of their existing runways, subject to environmental issues being addressed. The Strategy states that whilst Government is not at the point of making a decision on long term need, it is seeking views on how best to make any future decision, should that be required. It believes that any new framework for growth could accommodate additional runways beyond 2030 if a needs case is proven and suitable conditions are met in respect of sustainability. The Strategy proposes to ask the National

Infrastructure Commission (NIC) to include airport capacity in future national infrastructure assessments to determine whether there is a needs case for further runways. The County Council supports this approach.

The Strategy states that there are options for how to reach a decision on location, subject to the grant of the necessary planning permission or development consent. This could be through a NIC sector study; an independent commission (like the Airports Commission); or an aviation NPS to either set out the criteria any development consent application would need to meet, or by naming airport(s). The Strategy states that at this stage the Government's preferred approach is a National Policy Statement (NPS) to set out the criteria but not name specific airports, so leaving it to industry to determine whether and when to bring forward applications.

The County Council has historically taken the view that Government should have a strong management/oversight role in strategically managing all aspects of aviation growth (which to some extent is happening in relation to airspace modernisation), including the growth aspirations of individual airports across the country and how these could best be brought forward in the interests of the nation and regions. The County Council remains of the view that direct Government involvement is required, particularly as decisions about new runway/growth proposals:

- involve infrastructure of at least regional and likely national importance.
- are not just about infrastructure – they have much wider economic, social and environmental implications which need to be balanced at a strategic level by Government, not by commercial operators.

Modernising our airspace for the future

The Strategy highlights that the UK's airspace is *'an essential, but invisible, part of our national transport infrastructure, and is also some of the most complex in the world. However it has not undergone significant change since the 1950s, and this outdated infrastructure is struggling to keep pace with the growing demand for aviation, which can lead to delays'*. The overall objective for airspace modernisation is to deliver quicker, quieter and cleaner journeys and more capacity for the benefit of those who use and are affected by UK airspace. It also recognises that although airspace modernisation is a national programme, there is a particular and immediate challenge in the south of the UK to coordinate multiple airspace changes across different airports in order to modernise airspace.

National Air Traffic Services (NATS) has produced a feasibility report that advises that there is sufficient airspace to meet airports' potential future demands for airspace subject to the introduction of new technology. Department for Transport and Civil Aviation Authority (CAA) have asked NATS to work with key stakeholders to develop a coordinated implementation plan and timeline for airspace changes (or airspace change masterplan) that will be required in the future in the south of the UK, involving a group of at least 8 and up to 15 airports [commonly referred to as Future Airspace Strategy Implementation South (FASI South)]. The level of interdependence creates a risk that a single airport, if behind schedule could hold up the entire programme. To address this risk, Government is proposing legislation which would give the Secretary of State the power to direct airports or air navigation

service providers to take forward airspace changes where they are unable or unwilling to do so.

The review of airspace over the south of England stalled in 2014. The consequences of the delay in this strategic overhaul of airspace is having a very significant detrimental impact upon communities in Hertfordshire. The County Council has previously written to Government, in response to a consultation on UK Airspace Policy, calling for airspace modernisation to progress as quickly as possible *'As growth continues there is an environmental imperative to ensure that the environmental improvements that can be secured through airspace modernisation are brought forward for communities as reasonably practicable as it is to do so. A key part of that modernisation is to reignite the London Airspace Management Programme as a matter of urgency and the Government should use all appropriate powers to ensure that process progresses as quickly as possible.'*

Given the immediate importance of strategic airspace modernisation to communities in Hertfordshire, the County Council strongly supports the commitment of Government to the introduction of governance arrangements and legislation to achieve modernisation as soon as is practicably possible. The County Council is aware of resource pressures that exist at the CAA relating to its ability to manage the scale of airspace change processes underway and programmed. Government should consider whether additional resources could usefully be deployed, wherever necessary, to ensure modernisation is achieved in a timely manner and as efficiently as possible.

Airspace Change Interaction with noise policy

The Strategy recognises that whilst airspace modernisation will bring noise benefits for many people, it could create increased noise for others. It states that Government believes it is essential that communities are able to understand the technical detail contained within airspace change consultations so that they can engage fully with them and proposes to ask Independent Commission on Civil Aviation Noise (ICCAN) to consider how they can best facilitate this. The County Council supports this role for ICCAN, but calls for public consultation on how this might be taken forward.

Community engagement and sharing benefits from growth

Airport consultative committees

The Strategy states that airports should create opportunities for communities to engage, particularly on issues which have the most direct impact on them such as road and rail access, airspace change and noise policy. It indicates that Government will work closely with airport consultative committees to explore the potential for supplementary guidance. The County Council is supportive of a review of the role of consultative committees and the potential for supplementary guidance.

Community funds

The Strategy identifies that a number of airports, in recognition of their impact on local communities and as a matter of good corporate social responsibility, have

community funds which exist to provide funding for local community projects and proposes. Given there is currently no national policy on such funds the Strategy proposes that Government produce guidance on minimum standards for funds. This is supported by the County Council.

Managing noise

The impact of aviation noise and current action

The Strategy recognises that disturbance from aircraft noise has negative impacts on the health and quality of life of people living near airports and under flightpaths. It refers to the new environmental noise guidelines for the European region published by the World Health Organisation (WHO) and agrees with the ambition to reduce noise and to minimise adverse health effects, but wants policy to be underpinned by the most robust evidence on these effects, including the total cost of action and recent UK specific evidence which the WHO report did not assess. The County Council is of the view that the Government's position on the WHO guidelines is fundamental to its approach to noise and should be resolved in advance of publication of the Strategy.

Towards a stronger noise policy framework

The current overarching policy, originally set out in the 2013 Aviation Policy Framework, is *'to limit and, where possible, reduce the number of people in the UK significantly affected by aircraft noise as part of a policy of sharing benefits of noise reduction with industry in support of sustainable development'*. The Strategy states that Government recognises that there has been uncertainty on how this policy should be interpreted, measured and enforced and intends to put in place a stronger and clearer framework which addresses the weaknesses in current policy and ensures industry is sufficiently incentivised to reduce noise, or to put mitigation measures in place where reductions are not possible.

The proposed new measures are:

- setting a new objective to limit, and where possible, reduce total adverse effects on health and quality of life from aviation noise. This brings national aviation noise policy in line with airspace policy updated in 2017.

The new objective is no longer restricted only to the number of people significantly affected by noise and is broadened to reduce total adverse effects which will include all adversely affected. The introduction of reference to health and quality of life also appears positive.

- developing a new national indicator to track the long term performance of the sector in reducing noise. This could be defined either as a noise quota or a total contour area based on the largest airports.

As a measure of collective progress, a national indicator would be of use, but the County Council considers it would have been useful had the consultation included potential options for consultees' views.

- routinely setting noise caps as part of planning approvals (for increase in passengers or flights).

This is current practice and does not introduce anything new.

- The aim is to balance noise and growth and to provide future certainty over noise levels to communities. It is important that caps are subject to periodic review to ensure they remain relevant and continue to strike a fair balance by taking account of actual growth and the introduction of new aircraft technology. It is equally important that there are appropriate compliance mechanisms in case such caps are breached and Government wants to explore mechanisms by which airports could 'pay for' additional growth by means of local compensation as an alternative to the current sanctions available.

Caps set within planning consents are a fundamental part of the decision making process – they are invariably one of the most important constraints placed upon development to protect communities from the adverse impacts of growth. There are statutory measures to enforce breaches in planning consent. This proposed measure appears to suggest that Government is supportive of operators buying their way out of breaches of planning controls designed to minimise the noise impact upon communities. This approach does not sit comfortably with the regulatory planning regime and potentially undermines the confidence of communities in the controls the planning system puts in place. The County Council is very strongly of the view that this approach is not one the Strategy should promote as a matter of common practice.

- requiring all major airports to set out a plan which commits to future noise reduction, and to review this periodically. This would only apply to airports which do not have a noise cap approved through the planning system and would provide similar certainty to communities on future noise levels. Government wants to see better noise monitoring and a mechanism to enforce these targets as for noise caps. The noise action planning process could potentially be developed to provide the basis for such reviews, backed up by additional powers as necessary for either central or local government or the CAA.

The County Council supports this measure, but considers it should be applied to airports with planning caps and be a fundamental objective of noise action plans produced by airports.

The consultation states that Government is of the view that avoiding people being exposed to aircraft noise in the first place is preferable to taking action through mitigation. Given Government's priority to provide new homes, it is unrealistic to expect that new homes will not be built in areas affected by aircraft noise to some extent. The County Council supports proposals to:

- develop tailored guidance for housebuilding in noise sensitive areas near airports.
- improve flight path information for prospective home buyers so that they can make better informed decisions

The Strategy proposes a range of new measures to ensure better noise outcomes from the way aircraft operate, by increasing uptake of best practice operating procedures and improving compliance with mandatory controls. The County Council supports these.

The Strategy states that there is already reasonable compliance with noise controls at many airports and, in the first instance, Government proposes to seek voluntary compliance with these new measures and points to ICCAN having been asked to consider compliance and enforcement as a priority work area and in the longer term. The Strategy also states that Government proposes to look into creating new statutory enforcement powers for ICCAN or CAA if other measures prove insufficient to drive the outcomes it wants. The County Council supports to commitment to the possibility of creating new statutory enforcement powers.

The Strategy states that Government is also proposing new measures to improve noise insulation schemes for existing properties, particularly where noise exposure may increase in the short term or to mitigate against sleep disturbance. Whilst imposing costs on the industry, they are an important element in giving impacted communities a fair deal. The County Council supports the proposed new measures.

Night flights

Whilst the document recognises that *'People find night flights the most disturbing.....'* and sets out the current arrangements for controlling/placing restrictions on night flights, the proposed new measures within the *'stronger noise policy framework'* it contain no proposals in relation to night noise. The County Council is of the view that the Strategy should at least give a strong steer that the partnership approach should give high priority to exploring all available options and mechanisms to restricting/alleviating the impacts of night noise.

Air quality

The Strategy states that *'government recognises that air pollution is the top environmental risk to health in the UK and it remains determined to improve air quality. A cleaner, healthier environment benefits people and the economy'* and proposed a range of measures to take further action to ensure aviation's contribution to local air quality issues is properly understood and addressed. The County Council welcomes the recognition of the importance of air quality and supports the measures proposed.

Regional transport hubs/surface access

The County Council supports the range of measures proposed in relation to regional transport hubs and surface access. The County Council also supports Government maintaining its current policy that the provision and funding of surface access infrastructure and services to airports is primarily the responsibility of the airport operator but where there are significant non-airport user benefits from changes and enhancements to the infrastructure and services government would consider making a funding contribution to reflect these.

Regional Growth and Connectivity

The County Council supports the recognition of the importance of airports to their local areas, sub-regions and regions and connectivity between them domestically and internationally through hub airports.

Yours sincerely,

Paul Donovan
Environment and Infrastructure Department
Hertfordshire County Council