

UK AIRSPACE POLICY JOINT STATEMENT BY AVIATION COMMUNITY GROUPS

The previous government's consultation on the design and use of UK airspace policy¹ closes on 25 May 2017. The consultation makes proposals on the measurement and management of aviation noise, changes in the use of airspace, regulation of aircraft noise and compensation. In parallel with the consultation the government published a "Strategic Rationale" for upgrading UK airspace². This forecasts a 50% increase in flights using UK airports by 2030 but makes no commitment to noise reductions.

Aviation community groups representing the views of hundreds of thousands of people around the UK's major airports call on the next government to:

1. Set ambitious, unambiguous targets for aircraft noise reduction at each major UK airport and make any growth in flight numbers conditional on achieving these targets. Successive governments have prioritised growth in flight numbers at the expense of the health and wider well-being of people impacted by aircraft noise and emissions. A new, balanced, aviation noise policy is essential.
2. Create an independent aviation noise regulator with the duty and powers to enforce achievement of those policy goals. Historic regulatory arrangements have failed. A new or newly empowered regulator is needed to drive noise reduction.
3. Establish a general principle that where aviation noise cannot be brought below acceptable thresholds people will be fully compensated for its effects, in line with the widely accepted polluter pays principle.

Aircraft noise in the UK

More people are adversely affected by aircraft noise in the UK than in any other country in Europe³. Although aircraft are getting less noisy, the number of people in the UK seriously impacted by aircraft noise is likely to have grown in recent years as the industry has concentrated flight paths often using new satellite navigation technology.

The adverse effects of aircraft noise range from mild annoyance and loss of amenity to serious physical and mental health issues. The government acknowledges that aviation noise contributes to chronic health outcomes including heart attacks, strokes and dementia, and that it impacts child cognitive development⁴. But it is not carrying out substantive research into these health impacts or requiring the industry to do so.

There is little meaningful regulation of aircraft noise in the UK. Airports and air traffic control can make major changes impacting tens of thousands of people with no requirement to consult or compensate. The airspace regulator (the Civil Aviation Authority) has no powers to set or enforce noise reduction targets or to require best practice noise management. The industry is tasked with self-regulation but its core objectives are to increase flight and passenger numbers; it has little incentive to reduce noise and regularly ignores opportunities to do so.

¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/588186/uk-airspace-policy-a-framework-for-balanced-decisions-on-the-design-and-use-of-airspace-web-version.pdf

² https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/586871/upgrading-uk-airspace-strategic-rationale.pdf

³ Airports Commission Discussion Paper 05: Aviation Noise

⁴ Airspace Consultation paragraphs 5.31-5.32

Review of UK airspace policy

In response to these and other concerns the government undertook a review of airspace policy and published a consultation document in February 2017. We welcome this: we are pleased that aircraft noise is receiving the attention it merits and that communities have been seeking. We support some of the proposals in the consultation, including certain of those concerning noise measurement and some of the new arrangements for defining and consulting on airspace changes. We also welcome the previous government's recognition that multiple routes or alternative arrangements offering dispersal or respite may be preferable to single concentrated routes, depending on local circumstances, and should always be considered.

However, in the critical areas highlighted above the proposals are unsatisfactory. Each of these is central to the creation of a fair and balanced relationship between the interests of the aviation industry and its customers and those of the people, businesses and communities the industry impacts. The new government needs to go further in these areas if it is to create an environment in which airspace modernisation can be considered constructively. We expand on each of these points below.

Policy objectives

Clear, balanced, government policy objectives are an essential foundation for constructive dialogue between the industry, impacted communities and the regulator. The consultation sets out a new overall policy on aviation noise:

“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 between industry and communities in support of sustainable development”

We do not believe this is either clear or balanced. Similar statements in previous policy documents have contributed to an environment in which complaints have increased very substantially, many new aviation noise groups have been created and trust between the industry (together with government and the CAA who have been seen as cheerleaders for it) and impacted communities has disappeared. A woolly, watered-down version of a failed formula is not a recipe for future success.

What is needed is a series of unambiguous policy goals based on a principle of genuine equitable balance between industry and community interests. These should include the following firm and enforceable commitments:

- There must be progressive and material reductions in the amount and impact of aviation noise, both in relation to the number of people impacted and the severity of impact. The target should be to avoid any exposure to noise levels above those recommended by the World Health Organisation (WHO).
- Any growth in air traffic movements at UK airports where noise levels exceed those recommended by the WHO will be conditional on a directly proportionate and enforceable reduction in noise.

More generally the industry must ensure that the harmful effects of aircraft noise disturbance are avoided, prevented or reduced as required by the Environmental Noise Directive.

Regulation of aircraft noise

Aircraft noise impacts millions of people in the UK. But its regulation is weak, disjointed and confusing. Multiple bodies have some involvement, but none is accountable. The government has been given substantial regulatory powers by Parliament, but most of these have not been used. No other entity has an explicit remit and the authority to achieve a long-term, sustained reduction in aviation noise, and the health impacts it causes, and for promoting, delivering and enforcing individual initiatives in pursuit of that goal.

The consequence of this regulatory vacuum is that valuable initiatives to reduce noise are pursued only on a haphazard basis, or not at all, by an industry that has little incentive to do so and a regulator with insufficient powers.

This situation is compounded by the industry's immunity from normal legal processes, denying impacted communities access to the remedies they have in relation to other forms of noise nuisance. We believe this places a particular onus on the government to ensure that proper regulatory and enforcement arrangements are put in place.

The proposals in the consultation do not adequately address this situation. What is required is firm regulation of aviation noise either by the government, using the powers it already has, or by a body that is given the remit and powers to define target noise outcomes for each airport in consultation with communities and then mandate and if necessary enforce their achievement. The regulator should have the power to review recent changes in the use of airspace as well as future changes and general noise reduction strategies. The government should make clear that it will put such regulation in place urgently. Important matters such as the identity, location and funding of any new regulator can then be addressed.

Compensation

Compensation for increases in aircraft noise is currently only payable in extreme circumstances: the normal compensation arrangements for other transport modes do not apply to aviation. The previous government's compensation proposals are wholly inadequate. They perpetuate an environment in which the aviation industry makes decisions without regard to their economic consequences or the legitimate interests of the people and businesses it impacts.

The government should establish a general principle that where aviation noise cannot be brought below acceptable thresholds people will be fully compensated for its effects, in line with the widely accepted polluter pays principle. This should particularly apply if noise or other environmental impacts increase from a previous norm. The arrangements could be achieved by applying the principles of the Land Compensation Act 1973 to aviation.

As well as providing equitable compensation to people and communities impacted by aviation we consider that these arrangements, if properly designed, would create economically rational incentives for the industry to design and undertake its activities in ways that take proper account of its noise and environmental impacts.

This statement has been prepared and is issued on behalf of the following groups:

Association of Parish Councils Aviation Group
Aviation Communities Forum
Aviation Environment Federation
Back Ifold Plaistow and Loxwood against Noise and Emissions (BIPLANE)
Bentley Parish Council
Communities Against Gatwick Noise and Emissions (CAGNE)
CPRE Sussex
CPRE Hampshire
CPRE Kent
CPRE Surrey
Easters and Rodings Action Group
East Sussex Communities for the Control of Air Noise (ESCCAN)
Edinburgh Airport Watch
Englefield Green Action Group
Flightpath Watch
Gatwick Area Conservation Campaign (GACC)
Gatwick Obviously Not
HarpendenSky.com
Heathrow Association for the Control of Aircraft Noise (HACAN)
High Weald Councils Aviation Action Group
Luton And District Association for the Control of Aircraft Noise (LADACAN)
London Luton Town & Villages Consultative Committee
Lydd Airport Action Group
Northington Parish Council
Nutfield Conservation Society (NCS)
Parish Councils Airport Association
People against Aircraft Intrusive Noise
Plane Wrong
Protect Aylesbury Vale Against Noise
Pulborough Against Gatwick Noise and Emissions (PAGNE)
Ropley Parish Council
Save Our Skies For Life On Earth
St Albans Quieter Skies (STAQS)
Stop Stansted Expansion
Teddington Action Group
The Chobham Society
Tunbridge Wells Anti Aircraft Noise Group

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