

Aviation 2050: the future of UK aviation

1. Introduction

2. Personal details

1. Your name and email address (only used if we need to contact you).

Your name Cait Hewitt	
Your email cait@aef.org.uk	

2. Are you responding as:

<input type="checkbox"/>	an individual? (Go to section 4. Chapter 2: Build a global and connected Britain)
<input checked="" type="checkbox"/>	on behalf of an organisation? (Go to 3. Organisation details)

3. Organisation details

3. What organisation do you work for?

Aviation Environment Federation

4. What type of organisation is this?

<input type="checkbox"/>	Airline
<input type="checkbox"/>	Airport
<input type="checkbox"/>	Regulatory body
<input checked="" type="checkbox"/>	Interest group
<input type="checkbox"/>	Community group
<input type="checkbox"/>	Industry
<input type="checkbox"/>	Other:

19. Annex A: Legislation to enforce the development of airspace change proposals

This section contains questions on Annex A of the aviation strategy - Legislation to enforce the development of airspace change proposals.

You will need to download a copy of the annexe from GOV.UK in order to respond to these questions.

You can find the annexe on this page - <https://www.gov.uk/government/consultations/aviation-2050-the-future-of-uk-aviation>

89. Should government legislate for powers to direct individual ACPs identified as necessary in a masterplan to be taken forward?

No. The rationale for the Government's programme of airspace change is, in our view, fundamentally about increasing aviation capacity to facilitate growth. In the absence of appropriate environmental limits (which the Government is not proposing to legislate for) we cannot support it.

We support (and some of our members strongly support) the development of a national airspace change plan for the purpose of transparency and to better enable community engagement. However, this high level plan, to be developed by NATS, should be subject to environmental and economic considerations at the local level. If airports see no operational need for airspace change, or if they consider that it could create unwanted disruption for local communities, they should not be forced to deliver it.

The rationale for the Government's programme of airspace change is unconvincing. Reference to the possibility that airspace change might be pursued in order to deliver "improvements to air quality" smacks of desperation in the search to legitimise the Government's ambition, since community concerns around whether airspace arrangements such as increased concentration, or the impact of aircraft emissions more widely, could have an impact on air pollution have, in our experience, always been brushed aside.

The Government has declined to introduce national noise limits around airports, instead asking airports themselves to develop noise action plans and expecting local planning authorities to introduce operational limits as required to protect communities and provide certainty about the airport's development and impacts. In this context, the Government should similarly leave it to airports to determine whether and when to pursue airspace change, taking account of any interlinked objectives, including environmental protection, and as part of a genuine conversation with local communities.

Feedback from our community group members on this question has been almost universally opposed to the granting of Government powers. "Whatever happened to localism?" asked one. The programme of airspace change as currently envisaged is not seen as beneficial to impacted communities: "As reflected throughout the consultation Aviation 2050, the overall desire is to facilitate future growth at all UK airports", one member said.

Community group representatives at the Airspace Strategy Board meetings and in subsequent correspondence with DfT have requested that the CAA's Section 70 duties be amended in order to give a better balance between their responsibilities to the aviation industry and to the general public in the context of its duties on airspace change. The response has been that this would require legislation and that slots for this are difficult to secure. If the proposals in Annex A proceed in the absence of any new legislation that benefits impacted communities and the general public, it will provide further evidence that the Government's institutional priority is in advancing the interests of the aviation industry.

90. What are your views on the above two proposals?

As noted in the text, NERL does not have experience of community engagement. We are concerned that asking NERL to deliver an airspace change in cases where an airport has not done so will undermine confidence in the processes for local engagement and decision-making by creating the impression that the Government is determined to drive through airspace change even if there is local opposition to it, and little commercial rationale for the airport concerned.

Having just – finally – created ICCAN with a specific remit to help restore trust between airports and their local communities the Government is now proposing to steamroller over local processes. Bristol Airport has just been through the process of both preparing its noise action plan and consulting on a planning application for growth, only to be informed that it may be instructed by the Government to implement an airspace change that will significantly change the pattern and nature of noise impacts. Airspace changes should be followed swiftly by a review of the airport's Noise Action Plan. The timetables for the two processes therefore need to align.

Many of our members were strongly opposed to the prospect of NERL being brought in as 'heavies' to drive through airspace change where the environmental and economic case for doing so is weak. The Annex A proposal was perceived as akin to giving NATS – a body with little public accountability, transparency or awareness of environmental impacts – statutory powers to act in its own institutional interests.

91. Do you agree that option a) should be the lead option?

	Yes
	No
✓	Don't know

Comments:

We don't support either option being taken forward. This question is therefore not applicable.

92. What are your views on the scope for the use of the powers?

As we have argued above, it is hard to conceive of an airspace change being undertaken solely in order to limit air pollution. Similarly fuel efficiency is unlikely to be the prime driver for a change. We see no argument for the Government forcing through an airspace change for any of the reasons listed.

93. What are your views on the use of the triggers for using the legislative powers?

We have no further comment on the triggers.

94. What are your views on the proposed sanctions and penalties regime?

N/A

95. The government proposes that the airport/ANSP would be able to appeal in relation to the following matters: the validity or terms of an enforcement order the imposition of a financial penalty the timing of the payment of a penalty the amount of the penalty What are your views on the grounds for appeals?

N/A

96. What are your views on the best approach to funding an airspace change where a small airport may need financial support to do so?

We agree that the taxpayer should not be expected to help fund airspace changes.