

# CAA and the Environment: improving aviation's sustainability now and for the future



## Consultation response from the Aviation Environment Federation

12<sup>th</sup> April 2012

The Aviation Environment Federation (AEF) is the principal UK NGO concerned exclusively with the environmental effects of aviation. Supported by community groups and individuals affected by the UK's airports and airfields or concerned about aviation and climate change, we promote a sustainable future for aviation which fully recognises and takes account of all its environmental and amenity affects.

AEF was pleased to participate in two stakeholder workshops considering the CAA's approach on environment. We hope that this consultation response will form part on an ongoing conversation as the CAA develops its environmental strategy over the coming months.

We have answered questions 1 and 2 of the consultation together.

- 1. Do you think we have identified our strategic fit and our relationship to the environmental debate correctly?**
- 2. Does the CAA's proposed approach to environmental issues reflect your impression of our capability and role?**

AEF very much welcomes the CAA's consideration of how it can better participate in environmental debate. We are pleased that the consultation notes that '... decisions concerning airport capacity, effects of aviation on local residents and efficient aircraft design all have environmental concerns at their core' and that even in times of recession 'environmental issues and the future sustainability of the aviation sector remain centre stage'. We are aware, however, that the CAA has a diverse range of roles and that some of these may appear to conflict with its proposed environmental work. We believe, therefore, that the CAA should clarify how its proposed environmental programme would fit with other aspects of its work, with reference to its legal obligations and responsibilities.

Allowing aviation to grow within environmental constraints has been a consistent theme of Government policy over the past ten years. At present, however, both this consultation from the CAA and, more particularly, the recently published environment 'insight note' appear to regard environmental considerations as issues to be looked at only after consumer considerations such as necessary airport capacity and industry growth have been taken into account. AEF believes that the appropriate approach for policymakers towards aviation and the environment is first to determine (with reference to appropriate evidence) acceptable limits for aviation's impacts, including noise, emissions, and other considerations such as air pollution and public safety. It should only then work back to consider how, and *how much*, aviation can operate within these limits. The CAA has, we believe, a potential information role in the first stage (determining environmental limits), and an important role in the second stage (considering how aviation can best operate within these limits).

## CAA's environmental aim

In relation to the CAA's overarching environmental aims (as on page 5 and page 12), we agree that there are some areas in which the organisation should have a more direct role than others. However, we believe that the CAA's aims need to be defined with reference to either delivering or informing Government policy. References to promoting 'environmental outcomes', for example, immediately start to raise questions about the difference between outcomes and targets, and about who determines what those outcomes should be – whether CAA, Government, industry or NGOs.

We suggest that the CAA should in all its work consider how it can *best promote and deliver* Government policy in relation to environment. In addition, in areas where the CAA believes it has a role in contributing to discussion about how best to manage the environmental impacts of aviation, including in relation to Government policy, it should (supported by relevant evidence) be ready to *inform* this debate. We note that the objective for the CAA Chair provided in 2011 by the Secretary of State for Transport (and usefully included in the Annex to the consultation document) requests the CAA to 'consider and advise on' future challenges which require policy solutions, with particular reference to environment. In other words it asks the CAA for evidence; it does not ask the CAA to propose or comment on Government policy.

## CAA's role in environmental debate and decision-making

AEF welcomes the CAA's concern that it should identify areas where it can best add value to environmental debate. Our view is that the CAA's strength lies primarily in its technical expertise and data collection, and we believe that the organisation can draw on these resources to provide valuable information and, where relevant, advice to Government, the public, consumers and industry. The CAA has less experience, and less evidence, in areas such as carbon leakage, the economy, and compensation arrangements for communities affected by noise (all of which were addressed in the CAA's recent environment 'insight note' ), and we feel that other organisations are currently better placed to provide comment on these topics.

The environmental policy refers a number of times to the CAA's intention to 'influence' outcomes or to 'shape' debate. We consider that the policy would strike a better tone by aiming to 'inform', 'contribute to', or 'participate in' relevant discussion. We are unclear about what is meant by the CAA's ambition to 'establish a position of influence at a UK level' in relation to aircraft emissions (page 28), or to take a 'more proactive role in shaping the debate around aviation noise and local impacts' (page 36). We hope that this document is the start of a wider conversation between the CAA and others about environment. To the extent that the CAA's engagement is policy-neutral – in relation to best practice on noise management for example – we very much welcome it. At present, however, some of the wording in the consultation document implies that the CAA is aiming primarily to advance its own existing views and to campaign for particular policies.

Discussion about the environmental impacts of aviation often generates heated debate, with disagreement about almost every aspect even of the data about the nature and scale of the impacts. While it does not form an explicit part of the envisaged work programme on environment, the CAA has suggested that in this context it might have a role to play as an 'honest broker' in the debate, facilitating, for example, 'airport operators and local communities working together' (page 15) and providing an 'objective approach to key environmental issues' (page 20). A number of challenges

would, however, need to be overcome before the CAA could be regarded as sufficiently independent to do this.

- (i) As the CAA is funded entirely through its charges, it is seen by many communities as a mouthpiece for industry. At a practical level, it is of course industry stakeholders with whom the CAA most often has contact. Yet even in relation to its proposed environmental work, the 'bodies with an environmental remit' with which the CAA plans to engage include various parts of the industry, but no NGOs, local community groups, or expert environmental bodies such as the Committee on Climate Change. The consultation section on biofuels similarly refers to supporting 'the sector's strategy' (page 25); it would be better for the CAA to support debate about a strategy for aviation biofuel that takes account of the views and interests of the public.
- (ii) The CAA might need to be ready to rethink its approach to environmental challenges based its proposed engagement with local communities. On noise, for example, the consultation document, and the environment 'insight note' similarly, suggest that as the CAA's analysis indicates that noise, when measured in Leq or similar, is reducing over time, the only remaining challenge is to facilitate communication and improve relations between airports and affected communities, perhaps with some compensation. There is plenty of data from other sources, however, to suggest that both annoyance from aircraft noise and health impacts as a result of it are in fact worsening over time. Many communities believe that this is due to fundamental shortcomings in the existing metrics used for monitoring aircraft noise in the UK, which fail adequately to capture the disturbance caused by an increasing number of aircraft. Neither conversation with their local airport, nor compensation, would necessarily help to resolve this.
- (iii) The CAA would need to carefully frame the advice that it is required to give Government on whether sufficient airport capacity exists to meet demand, since demand constraint is among the measures that the Government uses to manage aviation's environmental impacts. It would be possible for the CAA to provide this advice on a purely statistical basis, without recommending any particular policy decisions on capacity, though the recent 'insight notes' seem to be taking the CAA in the opposite direction, as do statements in the consultation document about plans for the CAA to enhance its policy role.
- (iv) The primary duty on the consumer that would be created by the Civil Aviation Bill in relation to the CAA's role as economic regulator, while it may challenge the organisation to think beyond the interests of airlines and airports, may nevertheless cement the idea that it has relatively little concern for people affected by aviation but not falling in the category either of 'industry' or 'consumer'. Page 22 of the consultation document suggests the CAA's environmental information powers relate only to consumers, but their intended audience under the Bill would, as we understand it, be wider than this. We are pleased that right at the start, the consultation document (on page 1) states: 'As set out in our Strategic Plan, our clear commitment is to protect the interests of the public'. Nevertheless the word 'consumer' is used, by our count, three times as often in the document as the word 'public'!

### Examples of specific text that would benefit from review

Much of the CAA's work is highly technical and explaining it to a lay audience would no doubt be challenging. Nevertheless, there are several passages in the consultation document that we feel could usefully be clarified or amended. Examples include the following:

- Page 23 states that CAA has a role in 'provision of emissions advisory to EASA and UK Government'; it is unclear what this means.
- Page 29 mentions the CAA's role in providing 'Technical expert support to Airspace'; the meaning of 'Airspace' in this context is unclear.
- Page 32 states that 'PBN will allow the implementation of airspace structures that take advantage of aircraft able to fly more flexible, accurate, repeatable and therefore deterministic three dimensional flight paths using onboard equipment capabilities.' We feel that this statement would benefit from clarification.
- Endnote ii refers to 'ICAO's seminal *Aviation and the Global Atmosphere* (1999)'. ICAO has recently stepped up its work on climate change and AEF is pleased to have the opportunity to take part in this work. *Aviation and the Global Atmosphere*, however, was written by IPCC.

### **3. In terms of the proposed future activities, desired outcomes and interim markers:**

#### **(a) Do you agree with the scope and focus of our proposed workplan?**

The workplan seems comprehensive in covering a wide range of activity within the CAA. As indicated in our response above, we suggest that the CAA reconsider the language it uses to describe its engagement in the environmental debate, and that it clarifies how its environmental programme fits with other aspects of its work such as advice to Government on airport capacity, and championing consumer interests in its role as economic regulator.

#### **(b) Do you think the workplan will add significantly to your costs and, if so, please provide details?**

N/A

#### **(c) What do you perceive to be the key benefits from the CAA developing its environmental work?**

The Government has stated that environmental considerations will be at the heart of the new aviation policy. The CAA needs to ensure that its own work reflects this high level commitment and considers how it can deliver Government policy, particularly in relation to noise. The CAA also has considerable technical expertise and can contribute to a range of policy and other debates in relation to environmental impacts, including in relation to measures to reduce emissions. We hope that in developing its environmental work the CAA will begin to engage more actively with environmental NGOs and with community groups around airports, both of whom are already key participants in debates relating to aviation environment policy.

#### **(d) Are there any other areas that we have not identified where you think the CAA could be more active?**

None that are not already described above.