

CAP 1037 Better information about UK aviation: consultation on the CAA's new publication duties



Response from the Aviation Environment Federation
30.8.13

The Aviation Environment Federation (AEF) is the principal UK NGO concerned exclusively with the environmental impacts of aviation. Supported by individuals and community groups 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. As well as supporting our members with local issues, we have regular input into international, EU and UK policy discussions. At the UN we are the lead representative of the environmental umbrella organisation ICSA, which is actively engaged in the current talks aimed at agreeing global climate measures for aviation.

AEF strongly supports the CAA's commitment to developing its environmental work. As well as responding to consultations in relation to environment, we participate in the organisation's stakeholder panel and in the CAA's working group on tranquillity. We are pleased to be able to respond to this consultation, and are grateful for the opportunities we have already had to discuss some of our views on these proposals with the CAA.

Summary

We welcomed the introduction of powers and duties for the CAA in relation to environment under the Civil Aviation Act 2012. We now urge the CAA to focus on how to exercise these powers most effectively, and to avoid the temptation to adopt a lowest common denominator approach, notwithstanding the strong opposition from some parts of industry (of which we have become aware through recent stakeholder events) to the CAA implementing its new powers in any way.

Our overall impression of the CAA's work in this area is that it has devoted far less attention to its powers and duties under Section 84 of the Civil Aviation Act than it has to Section 83, with the CAA's justification for provision of information to the general public coming across as far more hesitant than its rationale for consumer information. The organisation as a whole has a high-level commitment to serve the public in general and not just consumers of air travel, and Parliament clearly introduced Section 84 as an important counterbalance to Section 83. We hope therefore that the CAA will be willing to reconsider the range of information it could usefully provide – much of it, in our view, at little or no cost to industry – in relation to Section 84.

We understand that the primary duty towards consumers that was introduced under the Act has perhaps given a more direct steer to the CAA in establishing the value of information under Section 83 compared to Section 84. We consider, however, that the provision of environmental information to the general public would be both 'appropriate' and proportionate, for the following reasons:

- 1) Environmental information is an essential part of public debate about aviation. The CAA could play an important role in this debate by ensuring that the information available to journalists, NGOs, industry, other interested parties and the general public is reliable, robust and up-to-date. Such information provision would be an excellent complement to the CAA's own environmental work programme.
- 2) Better information can improve consumer choice, for example in relation to house purchases or selection of schools.
- 3) Environmental costs represent externalities in the aviation market; better information could help to address these market failures for example by informing discussions about appropriate levels of compensation or mitigation and by improving the transparency and accountability of the industry.
- 4) Better environmental information could help reduce certain burdens on industry, for example by helping to reduce levels of complaints.

Q.1 Do you agree with the CAA's assessment of the importance of information in promoting a well-functioning aviation market?

We agree that currently there are information gaps arising from market failures that the CAA could usefully help to fill.

In relation to consumers, people buying a home often have a poor understanding of how airport operations will impact them. They may not have a good understanding of flight paths affecting the locality and how these may vary depending on weather conditions and other factors, nor know that the property is situated just outside the PSZ of an airport that has approval to expand its operations and thus that there may be restrictions on the property's development in future as a result. Similarly, people may be unaware in choosing a school for their children of the extent to which it will be affected by aircraft noise. In both cases, provision of better information would leave consumers better positioned to make good choices, albeit they may or may not be consumers of air travel.

We also consider that a well-functioning aviation market is one that minimises its harmful impacts on third parties. Environmental impacts are widely recognised by economists as examples of market failure, because they can impose costs (for example the cost of aircraft noise or of air pollution on public health and wellbeing) that are not fully internalised in market prices. Better information about such impacts can help to inform debate about how these costs could be internalised, for example through effective insulation and ventilation schemes, or through compensation payments.

Q.2 Do you agree with the findings of the evidence base that the CAA has provided in support of its view that consumers would benefit from the provision of more information about air transport services and facilities (including that from other regulators and government agencies, summarised in Appendix G)?

We have no reason to challenge this evidence. In relation to CO2 information for consumers, we agree that there are very significant gaps in the understanding that air travellers have about the environmental impacts of air travel and do not consider that the aviation industry itself should be relied on for provision of such information, not just because it is presented in different ways by different organisations but also because the public is unlikely to regard it as trustworthy given its inevitable bias.

Q.3 Do you agree with the findings of the evidence base that the CAA has provided in support of its view that the general public would benefit from the provision of more information about the environmental impact of aviation (including that from other regulators and government agencies, summarised in Appendix G)?

Very little evidence is provided by the CAA of the need for better environmental information for the general public. Indeed, the subheading on page 32 for the section in which the value of environmental information is discussed (in 2 paragraphs – 3.51 and 3.52) fails even to mention the CAA’s research with the public. No evidence in relation to the value of environmental information for the general public is given in Appendix G, from what we can see.

We are disappointed that so little consideration has been given to the ways in which the public might benefit from environmental information and hope to be able to support the CAA in developing a strong rationale for delivering its duties under Section 84 of the Civil Aviation Act, which we feel are in danger of becoming lost in the CAA’s focus on consumers.

The research findings presented in 3.51 and 3.52 are interesting and important, namely that:

- “residents wanted to have more access to information that covered local air quality, the risks of aircraft accidents, CO2 emissions and aircraft noise information”
- “the majority of people do want information made publicly available, even if they may not use it themselves”
- “most people wanted information so that they could make more informed judgments on environmental issues both locally and nationally”

These findings suggest that:

- people are interested in a wide range of environmental information, and that it would be a mistake for the CAA to limit its information provision under Section 84 only to noise
- people feel that it is important for information to be in the public domain for the purpose of informing debate, including national policy debate, and not just to guide their own personal choices or to help them plan their days (around noisy and less noisy times, for example)

The CAA should take these findings seriously and in light of them review the approach it currently plans to take in delivering Section 84.

Objectives

Q.3 Do you agree with the CAA's approach to using its information powers in line with its Strategic Objectives, and with its suggested information objectives set out in paragraph 2.4?

We support the objectives set out in paragraph 2.4 and consider them to provide an accurate reflection of the duties and powers introduced by the Civil Aviation Act. We believe that more thought needs to be given to delivery of the second and third aspects of the three-part strategy than is evidenced in the consultation document.

Information channels and approach

Q.4 Do you think the CAA has adequately reflected the potential channels available to it to make information available in paragraph A27? Are you aware of any other routes we should explore?

We agree that the information will be most usefully presented through the internet. For most of the environmental information that we would like to see in the public domain, our preference would be for the CAA to consider how to disseminate it centrally. Airports, airlines and third parties could then be encouraged to direct people to the CAA's website from their own with appropriate signposting. Hosting the information in many different places, by contrast, would inevitably introduce the possibility of distortion. While we accept that the CAA may not currently be a well-known brand among the general population with regard to this issue, in order to discharge effectively its new duties and powers under Sections 83 and 84, the organisation should be addressing this problem head-on and considering ways of becoming more accessible and more widely recognised. Environmental information provided by interested parties such as airports or airlines is unlikely, in our view, to be regarded as trustworthy by the public.

However, the CAA's website is currently, we consider, quite difficult to navigate and there would be a great loss of opportunity if environmental information were to be buried in a hard-to-find location on the site. Thought will need to be given to how to make the information easy to find from a Google search, as well as ensuring it is clearly set out in terms of content.

Q.5 Do you agree with the CAA's proposal to tailor information provision on the basis of the topic and audience, rather than attempting to deliver all information in same way?

Yes, we agree that in some cases the CAA's role should be to require or encourage airlines themselves to display certain information and in others to disseminate it centrally. In the case of environmental information, we foresee most of it being best disseminated by the CAA itself, though we can think of examples of cases where information should be displayed alongside ticket purchases. Information for consumers about CO2 emissions from their flight may well fall into this category, since it would be important to ensure that the information was available at a point where

it could still influence consumer choice, suggesting airline websites or ticket booking sites as the most relevant outlets.

Benefits and adverse effects

Q.6 Do you agree with the CAA's high level considerations of the benefits and adverse effects of making information available in future, as set out in Section Two of the Statement of Policy?

We note from this section that when Sections 83 and 84 were passed by parliament (8 months ago) it was on the assumption that in addition to any information the CAA was able to disseminate for the public or consumers without making any information requests of the industry, industry would be expected to respond to four requests for information within the first two years of the CAA holding its powers. We hope that the CAA will not shy away from effective implementation of its duties and powers on the basis of industry opposition to anything that will impose any small burden on them, given Parliament's expectation. We note also that the CAA currently anticipates being able to carry out its duties and powers without any increase in fees. We agree that there is considerable scope for improving the availability of information at minimal cost.

We agree that the benefits of implementing these duties and powers will be harder to quantify in financial terms than the costs. Indeed, we anticipate that it may be hard to predict accurately who will use the information generated and in what way, notwithstanding the reasons summarised in our introduction why we believe that there is a need for better information provision. We agree with the CAA, however, that this should not be regarded as a barrier to proceeding and that 'work to assess the adverse effects and benefits of making information available should begin from a presumption to publish'. We consider that such a line of reasoning applies as much to environmental information under Section 84 as to consumer information under Section 83.

Statement of Policy review

Q.7 Do you think the CAA's proposal to review its Statement of Policy and impacts of the information made available after three years is appropriate, as set out in Section Two of the Statement of Policy?

Yes we are happy with this proposal.

Appendices B, C, D, E and F - general questions

Q.8 In relation to Appendices B, C, D, E and F:

Please note that we restrict our responses to the CAA's proposals in relation to the environment and therefore take no view on Appendices B (flight reliability), C (PRMs), or D (price of optional services).

Q.9 Do you feel that the CAA has correctly identified the potential harm caused by a lack of information?

[See response to Q.11]

Q.10 Do you agree that information in the proposed area would be useful to either consumers or the general public, or any other parties?

[See response to Q.11]

Q.11 Do you have any specific insights regarding either potential benefits or adverse effects (including financial costs) in relation to the proposed area that you feel the CAA should be aware of?

We respond to questions 9-11 collectively in this section.

We recognise that there is considerable concern among the CAA's industry stakeholders about how the CAA will exercise its environmental information duties and powers, perhaps because of a natural desire to challenge any measure that could conceivably have a cost implication. In fact, however, we regard the CAA's proposals as taking a minimalist approach and feel that a great deal more environmental information could usefully be made available at little if any cost to industry.

We consider that there is already considerable 'harm' arising from the lack of reliable and widely available environmental information across a range of areas and urge the CAA to consider helping to fill these gaps. The organisation already provides statistical information about flights that we regard as authoritative and find useful. We hope that the CAA will reconsider the possible utility of offering similarly robust information on a range of areas as outlined below through an environmental information portal designed specifically for the purpose. We envisage information being organised such that it should be possible to call up the required details for any given UK airport above a certain activity threshold.

Noise

Information required

- Guidance on the appropriate use of a range of noise metrics
- Accessible, up-to-date information about flight paths

We agree with the CAA that there would be value in providing information that helps to explain different kinds of noise information to the public. The work of the Airports Commission on noise provides a reasonable basis from which to work. We also feel that there should be better guidance for planning authorities in understanding what kinds of noise metrics and limits may be appropriate in different situations, for example the fact that at small aerodromes, Leq may have little meaning. We will be interested to see the extent to which the CAA's work on noise envelopes will prove relevant in considering how noise limits can be expressed.

We strongly support the CAA's proposal to make flight path information more accessible. As an organisation we regularly receive calls from people trying to identify where a noisy aircraft may have been travelling from and to, and whether there have been flight path changes that could explain perceived changes in the noise environment. We would be happy to support the CAA in its work in this area, for example by helping to find participants to trial any proposed tools. We understand that the CAA already offers a service whereby people can, for a fee, have a noise report prepared by the CAA for a given location (usually a house). It is unclear if this service is still operational, however, and, if so, how to access it.

Harm resulting from lack of information

We agree with the CAA that currently, noise metrics are not well understood by the general public. Maps of flight paths, also, are often not easy for people to find or to interpret, and even with flight path maps there is little or no information on average frequency of movements or days of the year when they are used. As a result, we believe, people often have inadequate information about noise impacts when buying their home, may not have a good understanding of how proposed changes in airport activity or in air traffic management may affect them, and sometimes struggle to work out whether an aircraft that has disturbed them was flying off-course or within the rules. The result is, we believe, a higher number of complaints to airports than would be the case if better information were available, as well as people making decisions they subsequently regret or feeling more disturbed by noise than they would if they were able to anticipate noisy and less noisy periods.

Climate change

Information required

- Flight emissions per airport per annum (as provided periodically in an appendix to the DfT's aviation forecasts document)
- Flight emissions per UK airline (already reported under EU ETS requirements)
- Information about how much of a person's personal carbon footprint is taken up by aviation (if they are part of the 50% of the UK population in a given year who fly)
- information about how much of the UK's annual CO₂ is from aviation and how this is forecast to change in future (with reference only to official forecasts such as from the DfT and Committee on Climate Change, rather than either industry or NGO figures)

Harm resulting from lack of information

Many people are conscious that aviation's climate change impact is an important political consideration that plays a significant part in debate about airport expansion, but lack good information about the nature and scale of the problem.

We agree with the CAA's analysis that carbon calculators often provide "a standalone carbon figure which is actually a fairly abstract measurement for people to understand. For example, is 1000 kg a lot of carbon? Comparing with other forms of transport or domestic energy consumption helps put

air travel carbon emissions into perspective.” The CAA’s current proposal in relation to CO2 information, however, would do nothing to address this problem.

The CAA’s provision of information about CO2 should aim to inform people both in order to guide their own personal behaviour and also to equip them to participate in a more informed way in public debate. We note that Appendix E reports that one finding of the MVA research was that “only 15% of people wanted information on emissions for themselves, although, interestingly, 66% of those surveyed felt that information on CO2 emissions should be made publically available”.

Air pollution

Information required

- Up-to-date figures for the concentration of relevant pollutants including NO2 and PM, together with information about UK target levels and EU legal limits.

We are not aware of any central sources for this information but we understand that it is routinely collected in Local Air Quality Management Areas and possibly in other areas where airports undertake voluntary monitoring.

Harm resulting from lack of information

Air pollution was a significant political issue at the time when a third Heathrow runway was supported by Government. Since the Heathrow area was in breach of EU legal limits, the possibility that both air and road traffic increases could increase NO2 pollution was a significant factor in determining whether or not the runway should go ahead. Since then, however, information about current air pollution associated with Heathrow, and how the area is performing against EU rules, has been patchy to the point where we are not aware of any publicly available source of information on whether the Heathrow area remains in breach of legal limits. In addition, there is no completely safe level of air pollution and even at airports in areas not currently in breach of the EU standard, it is likely that there will be some increased risk to public health as a result of air pollution.

People should have access to high-quality, accurate information about levels of key pollutants such that they are able to monitor changes over time, make informed choices about the risks of living, working or having their children educated in certain locations, and can take part in policy discussion as appropriate.

Public Safety Zones

Information required

- Up-to-date contours for all airports should be available to download from a single location

Harm resulting from lack of information

At present, people may not know that a property they are considering purchasing is near a PSZ and that a change in the airport's activity could therefore result in restrictions being placed on the property. People who from time to time wish to access information about PSZ contours, including the schedule for updates, would currently find it hard to locate such information. AEF was recently contacted by a civil servant at DCLG seeking information about PSZ contour updates who was not aware of the appropriate authority to consult. Members of the general public are even less likely to know where to turn.

Falling objects

Information required

- A description of falling objects from aircraft in the past quarter, preferably with postcode information; information about what to do in terms of reporting if incidents occur

Harm resulting from lack of information

Periodically, local press reporting highlights this as an issue, but people generally have little awareness of how widespread or otherwise the problem is. The fact that objects occasionally fall from aircraft is an externality of the aviation industry that imposes a risk – albeit a small one – on the public and information should be made available about its prevalence, what to do if incidents occur, and what action the CAA may take (to help build up public trust in the organisation). Local authorities have on occasion been publicly critical of the CAA's approach in handling these incidents.

Wake vortices

Information required

- Information about whether incidents need to be reported to the CAA, with details if appropriate of how to do so

Harm resulting from lack of information

Currently there is a poor understanding of whether incidents are required to be reported to the CAA, and it is unclear what action or any will be taken, again potentially undermining public trust in the CAA as an effective regulator.

Q.12 How do you think the CAA should measure the impact of the information it makes available about the proposed area in order to determine whether the intervention has been successful?

It may be several years before it is possible for the CAA to have a clear impression of who is using the information it has provided and for what purpose. Our view is that in introducing duties and powers for the CAA in relation to the environmental impact of aviation, it is not necessary to know clearly in advance the precise purpose for which it will be used. Monitoring of the number of website hits for its various information pages may however provide valuable insight, as would a review, in future, of how this information has been used.

Appendix E - specific questions on carbon emissions

Q.22 Do you agree that Option 3 is the most appropriate way to aid the standardisation of CO₂ information for air travellers? Please provide your reasoning.

Given that, as quoted above, only 15% of those interviewed by MVA for the CAA's research wanted CO₂ information for themselves, but 66% thought better aviation CO₂ information should be available to the general public, it is surprising to us that the CAA has chosen to focus all its effort in relation to climate change information on a Section 83 duty to consumers. As identified in Appendix E, only a very small proportion of passengers currently choose to buy carbon offsets and with policy-level approaches to carbon management now being developed at regional level (the EU ETS) and hopefully globally (with ICAO currently working on a Market Based Mechanism for aviation), it is not obvious that the voluntary carbon offset market for aviation will be a growth area.

As a result of our participation in ICSA, the International Coalition for Sustainable Aviation (an NGO network with observer status at ICAO), AEF's Director Tim Johnson heads the working group that continues to develop the UN's official aviation carbon calculator for flights. And alongside ICAO's work, IATA has guidelines on best practice for carbon calculators. It is not clear to us that guidance from the UK's regulator would add value in this area. We would however be happily to liaise with the CAA in more depth on this proposal should it decide to proceed.