

RESPONSE FROM SASIG TO DFT NPS CONSULTATION

Dear Sir/Madam,

Moving Britain Ahead: Consultation on Draft Airports National Policy Statement - new runway capacity and infrastructure at airports in the South East of England

1.0 Introduction

The following represents the response of the Strategic Aviation Special Interest Group (SASIG) to your consultation on the draft Airports National Policy Statement.

SASIG is the largest of the twenty or so Special Interest Groups formed under the auspices of the Local Government Association. It represents over 30 statutory local authorities from a combination of the shires and cities of England with a direct or indirect interest in the development of airports and, crucially, the communities that elected them. SASIG member authorities represent 11-12 million people within their boundaries and have a wide range of statutory responsibilities directly relevant to the future development and operation of airports and hence the implementation of national policy in this regard. These include:

- land use and transport planning;
- local economic development;
- environmental mitigation and sustainability;
- climate change and air quality targets;
- the provision of health and social infrastructure and
- the overall welfare of the communities they represent.

SASIG members, therefore, have an important voice both when designing and seeking the implementation of national policy. We trust Government recognises this and will therefore ascribe appropriate weight to our views alongside those of other important interest groups such as the aviation industry and business community and statutory agencies, in its consideration of the responses to this consultation.

2.0 The Scope of the National Policy Statement (NPS)

We would like to state at the outset that we are grateful for the opportunity to make representations on the draft consultation on the NPS, and recognise the substantive

body of work undertaken by the Davies Commission which underpins it and to which SASIG contributed its views.

The scrapping of the 2003 Air Transport White Paper and its replacement in 2013 by the Aviation Policy Framework, meant that given the provisions of the Planning Act in 2008 and the importance it attaches to the NPS for major infrastructure schemes, airports have faced substantial difficulties in bringing forward major development proposals and having them dealt with procedurally to an acceptable timetable. Consequently, we support, in principle, the use of the Development Consent Order (DCO) process for nationally significant developments but only if the measures which the Planning Act envisaged in relation to pro-active consultation and negotiation with statutory (and other), consultees, are undertaken in the spirit of the Act as well as its legislative purpose. SASIG's concern is to ensure that the appropriate political oversight is maintained over the way in which the DCO process is enacted as well as its outcome, to ensure that schemes finally given approval reflect the appropriate balance between national economic and commercial interests and local community and environmental effects.

With this in mind, our first and probably most substantive issue is that the NPS does not pass the critically important 'Ronseal' test (i.e. it does not do what it says on the tin) in that it is not a 'National' Policy Statement. Indeed it is not even a South East Capacity Policy Statement. This is because its coverage has been circumscribed solely to the third runway at Heathrow rather than all prospective airport developments (including permitted developments at airports –see S32(2)(c)), that fall within Section 35 of the 2008 Planning Act - in particular airport developments of greater than 10 million passengers or 10,000 freight movements or other associated development that could be considered of national significance (S35(1)(d)).

Since, we are aware that a DCO process is underway at Manston Airport in Kent, and that the Manchester Airport Group (MAG) plans for Stansted would see its capacity expanded to 40-45mppa from its current 24mppa (and S32(2)(c) of the 2008 Act is important in this regard because such expansion cannot be taken to be permitted development), as a minimum these developments should also have been addressed in the draft NPS. So should any other potentially nationally significant surface access schemes associated with major airport development or indeed schemes such as the new +1million sq ft 'European' servicing centre being planned by Boeing at Boscombe Down. In fact, in reality, the consultation relates solely to a third runway at Heathrow and as such should not be described as a 'National' Policy Statement.

Moreover, given that a relatively loose interpretation has been adopted to projects included within the definition of S35(1)(d) (e.g. the new link road from the M1 to Luton Airport), many of which could be considered regionally rather than nationally, significant schemes, it is arguable that many more prospective airport projects over the next 20 to 30 years should equally be addressed in the NPS. This would also be

consistent with the way that strategic guidance was provided by the 2003 Air Transport White Paper on runway extensions and major terminal developments as well as safeguarding for possible new runways outside the South East of England (notably at Birmingham, Edinburgh and Glasgow). The reason why such a narrow definition has been adopted in the draft document is neither clearly explained nor justified and as it currently stands it might be more appropriate to change the title to the NPS on Heathrow - the UK's Global Hub Airport. That would at least pass the 'Ronseal test'.

3.0 Relationship of the NPS to the planned Aviation Strategy

The definitional shortcomings of the NPS are made worse by the absence of any clear explanation of how the NPS will dovetail with the proposed Aviation Strategy document - the prospective content of which has not even been published in draft form, let alone subject to the same research discussion and consultation that was undertaken for the south-east capacity issue. This misalignment of timing and absence of structural policy coherence leaves a prospective short-term vacuum during which a number of major projects could come forward without a suitable national policy framework. SASIG does not accept that the 2013 APF in any way meets this standard (a fact acknowledged in the presentations given by DfT officials at the public events that formed part of this consultation). More importantly, it does not allow consultees to judge whether the NPS is consistent with the Aviation Strategy when it is finally published. If the intention is to make amendments to the NPS based on the final version of the Aviation Strategy thereby ensuring consistency, this may help but also requires a policy-making process that is unnecessarily dislocated and confusing.

The basic notion of a strategic national policy and national guidelines for strategic projects in the same sector consistent with it is sound and coherent. But to develop them independently and to different timescales smacks of clumsy administrative planning or, as a minimum, political exigency. Worse still it risks the development of incompatible long term policy provisions that will not meet the needs of the sector or indeed the local communities and environments that are directly or indirectly affected by airport development across the UK.

4.0 What is Expected of a Coherent National Airports/Aviation Policy

To address these concerns, we ideally would like the NPS to identify other airports where capacity increases of more than 10 million passengers or 10,000 freight movements, are in prospect in the next 25 years. It should also reference other major infrastructure projects such as new runways, runway extensions, major surface access enhancements or large-scale ancillary development, above environmental impact assessment thresholds that should be safeguarded at airports in all parts of the UK.

In the absence of any formal consideration of such projects before the national Aviation Strategy is completed, there should be some clarity introduced into the NPS document as to what is defined as a major airport project and therefore can be dealt with through

the DCO process. As a worst case scenario, a cross-reference should be included in the final NPS indicating that a list of such projects elsewhere in the UK will be included in the Aviation Strategy document when it is published later in the decade.

5.0 Secondary Impacts

SASIG's second substantive concern is the failure of the NPS to adequately address the issue of secondary impacts arising from major airport projects (Runway 3 at Heathrow being a primary example), because these are not required within the scope of current environmental impact legislation. This is an area of legitimate concern and significant pressure on our member authorities and includes:

- Extensive resource requirements to handle DCO and associated planning processes that are nowhere near covered by current planning charges and in the case of the DCO the absence of any opportunities to make charges on the developer at all;
- pressures on social infrastructure towards which there are little or no developer contributions;
- indirect effects of congestion and/or increased traffic on core transport corridors, local road networks and infrastructure that are essential for other purposes, not just accessing the airport;
- environmental effects in the vicinity of airports from unauthorised off-airport car parks, roadside waiting and increased litter, etc;
- inflationary impact on the local housing and commercial property markets, pushing them beyond the means of many indigenous residents and businesses;
- competition pressures within the local labour market, shrinking the pool of potential employees available to non-airport related businesses and essential public services;
- failure to consider pressures arising on public open space, tranquil areas, wildlife corridors, community networks and community cohesion.

In many cases, these issues give rise to unforeseen adverse consequences from airport development to which the local government funding is then expected to find solutions. Some mechanism needs to be built into future airport development consents that ensures these issues are addressed and then carefully monitored, so that pre and post-opening audit can examine whether any further financial provision is required by way of mitigation or compensation from the airport developer. Local authorities also ought to be able to:

- significantly raise planning fees to reflect the scale of work involved in handling large scale developments, even through a DCO process;
- impose CIL provisions that can adequately cater for social as well as transport infrastructure pressure directly associated with the airports expansion;

- benefit from the great majority of business rates arising from the airport or;
- some combination of the above alongside S106 agreement(s)/statutory undertakings.

As an absolute minimum, the NPS should specifically require the airport promoter to undertake a secondary impact assessment, the contents of which should be agreed with relevant statutory authorities and included in the DCO application following appropriate consultation.

6.0 Failure to Consider Airspace Planning

Thirdly, similar criticisms to the foregoing could also be levelled at the absence of any statutory requirement for airspace planning to be encompassed within the DCO application for Heathrow. The third runway will make Heathrow one of the largest and most complex airport operations in the world and some of its most widely felt impacts will arise as a result of the airspace operations and corridor designs that are put in place to serve it. It would appear from the NPS that these matters will be taken forward separately from the Development Consent Order and handled under the Airspace Change provisions that both the Department and CAA have been consulting upon.

Again, SASIG considers this will result in a misalignment of process timetables, which does not allow the full picture of the design and impact of an expanded Heathrow to be fully understood and definitively assessed through the statutory approval process. Given that the noise implications of the approach and departure routes may materially affect the ambience of many hundreds of thousands of households across London and the Home Counties, this seems to us to be a serious prospective problem which the Department ought to intervene to address.

7.0 Regional Air Links to Heathrow

Fourthly, we are concerned that there is an absence of specifics within the draft NPS to ensure that comprehensive and equivalent access is provided from every corner of the UK to the *de-facto* national hub airport, whether by road, rail or air. In particular, this means that there must be an adequate supply of slots set aside in perpetuity for domestic air connections from across the UK to ensure that Heathrow can be reached within three hours from every part of the British Isles - including the devolved areas and Crown Dependencies. In a post-Brexit world, a case might even be made for special access to be permitted from British Overseas Territories in the Mediterranean, Caribbean, South Atlantic and Indian Oceans, with primarily non-military functions and even to Commonwealth countries with whom the UK has strong historic ties and should be looking to trade with more extensively.

Post Brexit, connectivity to global markets will be of even greater importance than hitherto, and the current situation in which only 7 of the UK's regional cities have any kind of air link to Heathrow, let alone adequate frequency, cannot be allowed to manifest itself once a new runway is open.

With this in mind the Government needs to consult closely with regional airports, their representatives and relevant stakeholders to develop an agreed framework for determining slot allocations to ensure these broad principles are delivered. The worst possible scenario is that Government arbitrarily determines the quantum and/or allocation of the slot portfolio reserved for this purpose. Such links are of great strategic importance to many of our member authorities and offer the potential for a sea change in global connectivity in a way that no other single infrastructure project in the UK, past, present or future, will allow. This aspect of the NPS will be a fundamental criterion against which local authorities with airport interests judge the value and status of the National Policy Statement.

8.0 Bridging the North South Divide

Finally, the narrow geographical coverage of the NPS, in our view, sends out a strong political and policy message that only the London airport system is of national interest and that the remaining 40% of capacity elsewhere in the UK does not merit the same consideration from national Government. This despite the fact a substantive body of other Government policy has focused on developing a more joined-up approach in which the regions of the UK are recognised as making a substantial contribution to the national economy. It is strange that the airport NPS alone amongst all other infrastructure NPS' has failed to provide comprehensive national coverage. This again, argues for a different approach or for a much stronger and more coherent link to the Aviation Strategy and its content when this is eventually published.

9.0 Conclusions

In conclusion, although there may be differences amongst our members about the merits of the case for a third runway at Heathrow, SASIG as a group, has long maintained a neutral stance on the specific location of a new South East runway. Our member authorities will address any specific local or corporate concerns they may have about the draft NPS in their local authority responses. Collectively we are, however, very supportive of the concept of a National Policy Statement but feel that its geographical scope, the range of projects covered and the comprehensiveness of the issues it requires to be addressed during the DCO process, should all be expanded. In addition, its intended relationship with the Aviation Strategy document made explicit and, most importantly of all, its recognition that air links from all parts of the UK need to

be provided and protected in perpetuity and that there is equality of access to global markets that needs to be both generous and absolute.

We will be pleased to discuss our responses further with your officials and can be contacted through the Secretariat at this address: secretariat@sasig.org.uk

Yours Sincerely,

A handwritten signature in black ink, reading "Jamie Macrae". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Cllr Jamie Macrae
Chair of SASIG