

1<sup>st</sup> June 2015

The Rt Hon Patrick McLoughlin MP  
Secretary of State for Transport  
Department for Transport  
Great Minster House  
33 Horseferry Road  
London  
SW1P 4DR

Dear Secretary of State

Congratulations on your reappointment.

We are writing to you as representatives of many thousands of people impacted, often profoundly, by noise from aircraft using Gatwick, Heathrow and London City airports.

We believe current airspace management and air traffic control arrangements are unacceptable and undemocratic; in our view they amount to a serious failure of regulation and an abuse of government policy. Our communities are deeply frustrated by what has happened to them; they feel ignored, angry and persecuted. We have collectively lost confidence in the ability or willingness of the aviation sector - both regulators and businesses - to address the issues that impact us.

But we believe these issues can be addressed, using the technology now available, if the parties were brought together and required to discuss, develop and implement solutions. We are not NIMBYs. We fully recognise the benefits that the aviation industry brings but a key theme of this letter is that fairness must be paramount in deciding on flight paths, with proper account being taken of communities' views.

We hope you will work with us to explore and put in place a new set of regulatory and operational arrangements designed to reduce, minimise and fairly distribute aircraft noise (fully dispersed within existing NPRs in the case of departures). This has, we believe, the potential to achieve a major and badly needed step forward in responsible, community friendly, aviation policy. We set out, later in this letter, specific policy and process proposals; we would welcome an opportunity to discuss these with you and your officials.

We emphasise that the issues raised and proposals in this letter relate solely to the current operations of Heathrow, Gatwick and London City airports; we have not sought to address the creation of additional runway capacity being considered by the Airports Commission, which would raise further profound issues for our communities.

### **Current policy and regulation**

Current airspace management policies, and the associated regulatory arrangements, are complex, multi-faceted and highly technical. They are barely penetrable by lay people impacted on the ground, like most of us. To some extent this may be inevitable. But it has contributed to an environment where consultation and communication with communities, where it takes place at all, is not fit for purpose. This was widely acknowledged by Ministers and MPs in the last Parliament, and should be addressed; we return to this fundamental point below.

It is clear that some "airspace changes", such as in the make-up and classification of controlled airspace, require the consent of the CAA and are subject to a change process and consultation. But the CAA has taken the view that other changes, such as the routing of aircraft through blocks of airspace by air traffic controllers, do not require consultation or consent.

These arrangements make no sense to our communities: consultation is required for changes that have little impact on the ground, such as to standard arrival routes to nominated holds all of which are at over 7000 AMSL; but no consultation is apparently required, and the CAA takes no interest, where a permanent vectoring procedure is altered, below 4000ft, however significant the impact on communities, tranquillity, health or property values. The CAA is patently failing to “play an active role” in “balancing the interests of local communities and relevant stakeholders with those of the aviation industry” that your Department’s 2014 Environmental Guidance expects it to. It is particularly failing to implement the aspects of your Guidance which require the noise impact of aircraft and the number of people on the ground significantly affected by it to be the environmental priority from the ground to 4,000 feet (amsl). At Heathrow, for example, communities previously unaffected by aviation noise are now suffering up to 17 hours of unremitting departure noise daily, without consultation, to achieve marginal gains in fuel and emissions.

Airports and air traffic controllers have taken advantage of this position to change vectoring practices and narrow the swathe over which arriving aircraft reach their final approach, using or in preparation for the use of Precision Navigation Technology (PBN). This will clearly benefit the aviation industry. It will enable airlines to save fuel and allow more aircraft to use airports increasing their revenue or, in the case of Heathrow where there is an annual movement cap, help it to operate with more resilience. But they have taken no account, and are not required to take account, of the significant increase in noise for those under the new routes, who suffer numerous consequential effects including on health and asset values.

This is wholly uncontrolled behaviour, by unaccountable monopoly businesses; a clear case of regulatory failure that has led to an unacceptable balance between the commercial interests of the aviation sector and its customers and those of local communities. Gains for the industry, which are frequently marginal and unproven, should not be at the expense of the quality of life of local people. This complete absence of proportionality would be unthinkable in any other part of the economy and should not be tolerated in the aviation sector no matter how distinctive and valuable it is.

We would welcome your lead in addressing this failure. One of our organisations has recently initiated Judicial Review proceedings against the CAA on this point. We hope the JR will establish that the position the CAA has adopted is both illogical and contrary to the purpose and letter of the Directives issued to it. But it should not be necessary for our communities to resort to expensive JR action to force a regulator, and indeed the government, to take proper account of their legitimate interests and reasonable expectations.

More broadly the flight path changes introduced recently by air traffic controllers and airports fly in the face of the Government’s long established policy “*to limit and, where possible, reduce the number of people significantly affected by aircraft noise*”.

There are two issues here. First, the policy itself, while at first glance reasonable, is insufficiently specific and facilitates abuse. It is clearly a good thing to reduce the number of people significantly affected by aircraft noise if that can be done without materially adversely impacting others. It is quite another thing to create persecuted noise ghettos, and no British Government should allow itself to be associated with such a policy no matter how politically attractive. It is simply not consistent with core British values

Secondly, the changes that have been made, in our view, have clearly *increased* the number of people significantly affected by aircraft noise. At Gatwick, for example, aircraft arrivals that were previously dispersed over a 5nm swathe are now concentrated in a 2nm wide corridor. Aircraft now meet the ILS between 10-12nm where previously it was 7-12nm; a reduction of 60%. The consequence is that we have moved from a position where many people were somewhat impacted by aircraft arrival noise (but few were significantly impacted) to one where many are significantly impacted by a constant stream of aircraft,

hour after hour, day after day. A new class of significantly affected people has been created, in the name of the government's policy, with no consultation or redress.

Taken together, these factors have led to a position where there is no trust - and an increasing standoff - between airports and air traffic control organisations on the one hand and overflown communities on the other, with the regulator standing to one side unwilling or unable to act. In the past few months alone the record number of public complaints has forced both Heathrow and Gatwick to cancel trials or defer proposed changes in airspace usage, a position that is likely to be replicated nationwide, unless the policy is changed, as PBN is trialled and introduced. This is clearly not an environment that will support good policy making, let alone deliverable decisions on future airport capacity. The government and its regulator need to step in, review the policy and its implementation and work with communities to, as the Department's 2014 Guidance to the CAA says, "consider new and innovative approaches to regulation and [work with] the industry to innovate in noise management techniques". There is no sign that this is happening currently.

### **Our proposals**

We propose the set of measures described below. Taken together we believe these would send a powerful signal to our communities and others impacted by aircraft noise that the government recognises their concerns and is willing to work with them to find mutually acceptable solutions. This would, in our view, represent a very significant step forward in aviation policy.

1. Announce that the government will seek to ensure, if necessary through new legislation or Directions, that: aircraft noise will be progressively and materially reduced; noise impacts will be dispersed and minimised (within existing NPRs in the case of departures) and meaningful public consultations will be undertaken at all times including in relation to any changes within NPRs that have been introduced since 2011 that impact communities.
2. As a specific component of 1 above, direct the CAA urgently to research and trial the potential for using PBN technology to achieve the maximum dispersal of flight approach paths (up to a joining point of 3 miles from the airport) without using merge points and the maximum dispersal of flight departure paths within Noise Preferential Routes, with the full involvement of impacted communities.
3. Pending the implementation of 1 and 2 above, require the industry to reverse all vectoring and other trials carried out since 2011 and return flight paths to their pre 2011 positions and status and to reverse the arbitrary 10 nautical mile minimum joining point procedure for arrivals.
4. Ensure that the industry uses PBN to achieve the greatest possible safe height with smooth Continual Descent Approach / Continual Ascent Departure at all times, and require the CAA to police this and report on it periodically.
5. Amend your Department's Guidance to the CAA to make clear that noise and noise shadow minimisation is the primary environmental consideration in the design of all arrival and departure routes up to at least 6,000 feet (amsl) (currently 4,000 feet amsl), and require it to report periodically on its implementation of this Guidance.
6. Review regulatory and contractual arrangements in the aviation sector, particularly those involving airports and air traffic control organisations, to ensure that they contain appropriate incentives to reduce and disperse noise on the basis set out above, with meaningful financial and other licence sanctions where this is not achieved.
7. Require airlines immediately to address the debilitating cavity whine caused by the Airbus A320 family of aircraft. This issue is well understood, and there is an easy and

affordable solution already being deployed by other airports and airlines including Lufthansa. The UK should be a leader in this area not one of the last to act.

8. Develop, launch and generously fund a community-oriented programme intended to achieve radical change in the culture of the aviation industry towards the noise (and other environmental damage) it creates and the outcomes it achieves. This could, for example, play a key role in: far more intensive noise monitoring; honest, audited, complaint reporting; the development and dissemination of best practice noise management amongst airlines; and accelerated research into options that would keep aircraft higher for longer, such as steeper ascent and descent paths.

We very much hope you will work with us to achieve the significant change needed properly to balance the interests of impacted communities, the aviation industry and those who use its services, through the actions proposed above. We would welcome the opportunity to discuss our proposals with you.

We have copied this letter to the Prime Minister and the Chair of the CAA.

Yours faithfully

**Gatwick Airport -**

Brendon Sewill  
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Langton Green Village Society

**Heathrow Airport -**

John Stewart - HACAN

Momentum - community organisation based in the Royal Docks

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Aircraft Noise Lightwater [www.aircraftnoiselightwater.co.uk](http://www.aircraftnoiselightwater.co.uk)  
Representing Lightwater, Bagshot and Windlesham in Surrey Heath.

Natasha Fletcher – Teddington Action Group  
TW11, TW12, TW1, TW2

Helen Hansen-Hjul CAIAN  
Communities Against Increased Aircraft Noise  
Representing newly affected areas of West Heathrow inc Berkshire, Surrey, Oxon

Kate Mann PlaneDAFT – Defending Ascot’s Future Today

**City Airport -**

HACAN East - people under the London City Airport flight paths

**Organisers**

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