

# GATWICK MPs ROUNDTABLE MEETING WITH BARONESS SUGG, 11 JULY 2018

## BRIEFING NOTE

### *Key DfT requests from community noise groups*

1. **Historic growth and noise reduction:** In relation to Gatwick's growth since the Aviation Policy Framework was published in 2013 DfT should, as statutory noise regulator for the airport, enforce its noise policies, specifically that the industry "*must **reduce** and mitigate noise as airport capacity grows*". If necessary it should use the extensive powers Parliament has given it. This was the central request in our letter of 11 October 2017 (attached as an appendix, with noise and growth data incorporated).
2. **Future growth and noise reduction:** Gatwick announced in June 2018 that it plans to grow passenger numbers by a further 16% by 2023. DfT should set out the work it will do to ensure that this is compatible with its noise policies in all respects and the steps it will require the airport to take to ensure those policies are fully realized.
3. Please note that **we are not anti-growth per se**. But growth must be achieved in a way that fairly balances the interests of the industry and local communities. This is a core plank of government policy, but one that DfT has failed to deliver since 2013. Government policy also specifies that the benefits of growth should be shared. Since GIP acquired Gatwick in 2009 the airport's value has grown from £1.5bn to some £8-9bn. In the same period the number of people and the area impacted by aircraft noise around Gatwick have increased. There has been no sharing of benefits.

### *Timing*

4. It has been widely reported that GIP, Gatwick's largest shareholder, is seeking to dispose of its shareholding. This is therefore a uniquely effective time to press DfT to enforce its noise policies properly: any concern that regulation might limit Gatwick's growth – and therefore value – would mean the airport immediately took the issues much more seriously.

### *Policy background*

5. The government's core noise policy objective is to limit and where possible reduce the number of people in the UK significantly affected by aircraft noise. The 2013 Aviation Policy Framework goes on to say "*future growth in aviation should ensure that benefits are shared between the aviation industry and local communities. This means that the industry must continue to reduce and mitigate noise as airport capacity grows*".
6. Gatwick has not met this policy requirement in any year since the policy was published. The airport has grown each year and CAA data shows that the number of people and area impacted by high levels of noise have also

grown each year. The government's policy has consistently been ignored by Gatwick, and the Department has taken no steps to enforce its policy.

### ***DfT response to date***

7. The Department has so far not responded directly to the request made in community groups' letter of 11 October 2017. In the correspondence and discussions with officials it has instead made three main points:
  - a. *We are looking at these issues as part of the ongoing Aviation Strategy exercise.* Community groups welcome this and will participate in it, but the Aviation Strategy process is forward looking and so will not address the increase in noise that has already occurred since 2013.
  - b. *These issues can be dealt with through local engagement mechanisms; DfT intervention is not required.* The community groups have been raising growth and noise issues with GAL for 17 months, both directly and via the Noise Management Board (NMB). Negligible progress has been made. Without intervention by DfT there is no incentive on GAL to put forward credible proposals. The community noise group members of the NMB have lost confidence in the board's ability to achieve positive and timely change in the noise environment around Gatwick.
  - c. *The regulatory intervention community groups are asking for is not consistent with the way the Department has historically interpreted its role.* We have no sympathy with this. The Department is the statutory noise regulator for Gatwick and has very extensive powers, most of which have never been used. It should take its responsibilities seriously, past passivity is not an excuse for inaction now. It is not credible for a regulator to publish policies then refuse to take action to implement them.

### ***Future growth***

8. Gatwick announced on 13 June that it plans to grow from 45.6 million passengers in 2017 per annum to 53 million by 2023, more than 16%. Despite a written commitment from the CEO that there should be a fair and balanced relationship between noise and growth the airport are unable to explain how this will be achieved in relation to this level of future growth.

### ***Wider context***

9. The Department is engaging with stakeholders on a new Aviation Strategy, with a view to publishing a Green Paper in the Autumn. One of the points community groups nationally will be making is that aviation noise needs to be properly regulated, by a body that has the expertise to set targets and the powers to enforce them. The Gatwick discussion is important in that context: we want ministers and officials to recognise that the current regulatory set up is ineffective and inadequate and must be reformed.

## **More detail**

### ***The government's role as airport noise regulator***

Gatwick (together with Heathrow and Stansted) is **designated** under section 80 of the Civil Aviation Act 1982. The Secretary of State is therefore the noise regulator for those airports and he has very extensive statutory powers (most of which have never been used). The government's April 2018 Aviation Strategy paper says its role in relation to designated airports is to set noise controls that "*balance the impacts on communities with benefits to the UK economy*".

The government has traditionally used its powers at designated airports to set a small number of noise abatement procedures and to limit the number and noise of night flights. The current noise abatement procedures for Gatwick date from 2004, so are almost 15 years old. The government has not so far used its powers more broadly to constrain noise impacts or to support delivery of its policies. But there is no reason why it should not do so; indeed it is entirely reasonable to expect the government to use powers Parliament has given it to ensure its policies are delivered, particularly if an industry fails to comply with them voluntarily.

### ***Community group and MPs correspondence***

The Gatwick community noise groups wrote to Chris Grayling on 11 October 2017 (copy in the Appendix). We drew attention to the 2013 Aviation Policy Framework policy statement "*future growth in aviation should ensure that benefits are shared between the aviation industry and local communities. This means that the industry must continue to reduce and mitigate noise as airport capacity grows*". We argued that this was inconsistent with a position where, according to CAA data, noise has increased every year since the policy was published, as Gatwick has grown (see data in the appendix). We asked the Secretary of State to require the airport to develop and agree with him and local communities a package of noise impact reduction measures that would deliver his policies in relation to the period since the policy was introduced in 2013.

Seven local MPs wrote to Chris Grayling on 2 November 2017 supporting the community groups' request.

We received a response from Baroness Sugg on 31 November. This did not directly answer our letter to the Secretary of State. Instead it said that the government would be considering the future relationship between growth and noise as it developed a new aviation strategy. It also said that the Government believed existing channels of dialogue between communities and the airport offered a credible means of developing actions to tackle noise in the context of Gatwick's future development plans. It was a largely dismissive letter.

We responded to Baroness Sugg on 19 January 2018, following the Westminster Hall debate. We pointed out that Gatwick is a designated airport and the Secretary of State is its statutory noise regulator. We argued that he has a

responsibility to hold the airport to account in relation to its noise impacts, which the government seems not to acknowledge, or wants to avoid. We said it was not acceptable for a regulator to refuse to regulate. We pointed to Jesse Norman's comment in the Westminster Hall debate that "*with great power comes great responsibility*", and we asked the government to accept that responsibility. We said it was not the job of individual community representatives to hold the airport to account for the achievement of the government's policies. Finally we said we would make one final attempt to address this issue locally, through the NMB.

Our proposals for that final attempt were set out in an NMB resolution tabled in January. The core parts of that resolution have now been agreed after prolonged resistance from its chairman Bo Redeborn and Gatwick. Subsequent progress has been extremely slow. Without DfT intervention, we have no confidence that Gatwick will come forward with credible proposals.

## APPENDIX – LETTER TO CHRIS GRAYLING

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The Rt Hon Chris Grayling MP  
Secretary of State for Transport  
Department for Transport  
33 Horseferry Road  
London, SW1P 4DR

11 October 2017

Dear Secretary of State

We are writing to ask you to intervene to ensure that the government's policy on aviation noise reduction is respected and delivered by Gatwick airport.

The policy is set out in the Aviation Policy Framework (APF), published by your predecessor Patrick McLoughlin in 2013<sup>1</sup>. It says:

*“future growth in aviation should ensure that benefits are shared between the aviation industry and local communities ... This means that the industry should reduce and mitigate noise as airport capacity grows” (APF page 55)*

Since the policy was announced CAA data shows that:

- the number of air traffic movements at Gatwick has grown every year, by over 12% in total;
- the number of passengers using Gatwick has grown every year, by 22% in total;
- the number of people within the 57 dBA day contour<sup>2</sup> has increased every year, by over 27% in total;
- the area covered by the 57 dBA day contour has increased every year, by over 8% in total; and
- night flight impacts have also increased as set out in your recent consultation.

It is absolutely clear that your policy is not being delivered, and has not been in any year since it was promulgated.

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<sup>1</sup> The APF was produced by the 2010-15 coalition government. Ministers in the current and previous Conservative governments have repeatedly confirmed and adopted it as current government policy.

<sup>2</sup> Whilst we do not believe the 57 dBA contour is an appropriate measure of the impact of aviation noise on communities, it is the only long-term data set that we are aware of. More realistic data that also took account of the number of flights, a key factor for communities, would undoubtedly show greater increases in noise impacts over the same period.

Gatwick and its industry partners have enjoyed very substantial benefits from the growth of the past four years. We estimate that cumulative revenue/ earnings benefits to the airport in that period have been in the range £350m - £450m. The increase in GAL's capital value is likely to have been much greater. Airlines and other parts of the industry have also enjoyed substantial benefits. But those benefits are not being shared. Noise impacts have increased year-on-year and continue to increase as flights numbers and the average size of aircraft using Gatwick grow. In recent years complaints have also consistently been many times higher than they were in 2013.

Regrettably, whilst it asserts otherwise, Gatwick does not appear to regard compliance with your policy as being necessary. It has not brought forward credible plans to share the benefits of the airport's growth with local communities. It shows no sign of acknowledging the requirement to reduce noise as its capacity grows. It has recently announced its intention to grow capacity from 45m passengers annually to 50m but has made no commitment to, or proposals for, balancing noise reductions and mitigations.

Efforts to engage with the airport on this subject both directly and through its Noise Management Board over the past six months have made little progress. Gatwick has agreed to review government policy and to consider criteria that could link increased movement rates with noise performance improvements. In our view this is a wholly inadequate response. It falls far short of a commitment to comply with your policy. We have therefore come to the conclusion that there is little possibility that the airport will comply with your policy in any meaningful way of its own accord.

We are aware from discussions with your officials and from the recent call for evidence on a new aviation strategy that the government values the contribution aviation can make to economic growth and is supportive of airports making best use of existing runways. Our objective is not to prevent growth at Gatwick but to ensure it is achieved within the context of the government's policies. We believe that any growth must be fairly and effectively balanced with noise impact reduction, as your recent consultation on airspace policy said many times.

We are also aware that you prefer solutions to these issues to be developed and agreed locally. Regrettably that has not proved possible: neither discussions with the airport nor its Section 106 agreement with local councils offer a credible route forward. It is therefore necessary for you, as policy maker and the noise regulator at Gatwick, to intervene to ensure the government's policy is respected and delivered.

Finally, we are aware that you are in the process of developing new airspace policies and a new strategy for the aviation sector. These may take a different position on the relationship between growth and noise, although we hope and assume that the government will continue to require a fair balance between industry and community interests. But that is beside the point: the policy position set out in 2013 was very clear and is being ignored. That has to be addressed. You will know that announcing policies and then failing to ensure they are delivered undermines the credibility of those policies and of the government in general.

We are asking you, as the owner of the policy:

- to require the airport to develop and agree with you and local communities a package of noise impact reduction measures that deliver your policy fully in relation to the growth of the past four years; and
- to establish oversight and regulatory arrangements to ensure the policy is fully delivered in the future.

We believe there are many ways in which the airport and its partners could achieve noise impact reductions and a fair sharing of benefits if they wished to approach this in a constructive and compliant way. We are very willing to engage with all parties to develop an appropriate package of measures. We suggest the first step in this process would be for the department to chair a meeting between Gatwick and community groups to develop a process and ground rules for agreeing such a package.

We would of course be happy to discuss any aspect of this letter with you and your officials.

Yours sincerely

Brendon Sewill, Gatwick Area Conservation Campaign  
Martin Barraud (GON, Gatwick Obviously Not)  
Ian Hare (APCAG, Association of Parish Councils Aviation Group)  
Dr Irene Fairbairn (TWAANG, Tunbridge Wells Anti-Aircraft Noise Group)  
Atholl Forbes (PAGNE, People against Gatwick Noise and Emissions)  
Dominic Nevill (ESCAAN, East Sussex Communities for the Control of Air Noise)  
Sally Pavey (CAGNE, Communities Against Gatwick Noise and Emissions)  
Richard Streatfeild (HWCAAG, High Weald Councils Aviation Action Group)  
Mike Ward (Plane Wrong)

*The groups listed above are the eight community organisations represented on Gatwick's Noise Management Board together with the Gatwick Area Conservation Campaign.*

cc:

Sir David Higgins, Chairman Gatwick Airport Limited  
Sir Roy McNulty, Deputy Chairman Gatwick Airport Limited  
Stewart Wingate, CEO Gatwick Airport Limited  
Bo Redeborn, Chair Gatwick Noise Management Board  
Graham Lake, Secretary Gatwick Noise Management Board  
Members Gatwick Noise Management Board  
Dame Deidre Hutton, Chair CAA  
Andrew Haines, CEO CAA