

MINUTES OF MEETING NO. 7 OF THE PLANNING, RESOURCES, HOUSING AND COMMERCIAL SCRUTINY COMMITTEE

held in the Council Chamber, District Council Offices, St Peters Street, St Albans, AL1 3JE on Wednesday, 17 May 2017 at 7.00 pm

Present:

Councillors Mills (Chairman), Gardner (Vice-Chairman), Calder, Curthoys, Donald, Farrell, D Heritage, Hudspith, Maynard, Mead and Pawle

In Attendance:

Councillors Bolton, J Churchard, Grant, T Heritage and Read
Councillor D Williams, Harpenden Town Council
Mr N Barton, Chief Executive, London Luton Airport Operations Ltd
Ms S Hollingsworth, Chair, St Albans Quieter Skies (STAQS)
Mr A Lambourne, Luton and District Association for the Control of Aircraft Noise (LADACAN)
Mr N G MacArthur, HarpendenSky
Mr N Thompson, Operations Director, London Luton Airport Operations Ltd

Officers in Attendance:

Amanda Foley, Head of Corporate Services
Tracy Harvey, Head of Planning and Building Control
Mike Lovelady, Head of Legal, Democratic and Regulatory Services
Joanna Woof, Spatial Planning Officer
Paul Warne, Democratic Services Officer

1. **LONDON LUTON AIRPORT - AREA NAVIGATION (RNAV) AND NOISE COMPLAINTS**

In welcoming everyone to the meeting, the Chair explained that the Committee was not empowered to take decisions but that it could make recommendations to Cabinet. Similarly, the District Council had no power to make changes to aircraft flight paths in the local area but it could, if it so wished, make representations to the relevant authorities which decided them.

The Chair also reported that over 20 members of the public had submitted 47 written questions in advance of this meeting. While some of those questions might be answered during the course of the meeting, they would all be published in due course on the Council's website, together with the Airport's responses to each one.

The Spatial Planning Officer summarised the briefing paper and supplemental briefing paper which had been published in advance of the meeting. She confirmed that all night flights now had a limit of 80 dB(A), which was a lower noise level than previously permitted for certain types of aircraft and a higher level for other types.

The Committee then received 3 presentations from local community groups who were concerned about aircraft noise, as described below.

(Note: Copies of each presentation, including a fourth one from London Luton Airport Operations Ltd (LLAOL) may be viewed from the link given below.

<http://stalbans.moderngov.co.uk/ielistDocuments.aspx?CId=518&MId=8367&Ver=4>

St Albans Quieter Skies (STAQS)

In her presentation Ms Hollingsworth focussed on the effects of aircraft noise on people. She maintained that airport expansion meant having more planes airborne. Ms Hollingsworth cited the increasing number of aircraft overflying Sandridge in the last 3 summers, which STAQS considered was a reflection of flights being concentrated in certain areas, especially over north St Albans. She had plotted aircraft noise in her garden in summer 2016 and the results had shown constant spikes in readings as one plane overhead followed another. STAQS recognised that aircraft were noisier when they were at a lower altitude.

Aircraft noise gave rise to health, wellbeing and economic impacts on people. The number of complaints made to the Airport about aircraft noise showed a 296% increase between 2015 and 2016. STAQS considered that RNAV had not delivered as promised and that it had given rise to damaging impacts on people. The Council was recommended to advise the CAA of the impact of RNAV on St Albans residents, and to write similarly to Luton Borough Council, asking them to act. STAQS considered that Luton Borough Council should revoke changes to the Condition 11 noise controls and reconsider the 2008 recommendation from NATS that departures should turn north over Bedfordshire rather than south over Hertfordshire.

HarpendenSky

Mr MacArthur advised that HarpendenSky considered the District Council to have been ineffective in tackling the issue of RNAV and that the current situation had to change. HarpendenSky was concerned that a business (i.e. London Luton Airport) was adversely affecting local residents and that the Airport company was driving an increase in the number of flights which was beyond its capacity to control in terms of aircraft noise. The Rt Hon Sajid Javid, MP, Secretary of State for Communities and Local Government, had advised that aircraft noise problems in the locality had to be resolved at a local level.

The introduction of RNAV had been preceded by consultancy failings, in the view of HarpendenSky. Since RNAV had been introduced the degree of aircraft noise locally had increased dramatically, and the group urged a return to former routings while an alternative solution was devised. The total number of noise complaints made to the Airport since the last quarter of 2015/16 was 4,026 and rising. The group estimated that 10 tons of nitrogen oxides were being emitted every month in the District by aircraft using RNAV, and these pollutants were associated with adverse health impacts. It was considered that the potential noise alleviation actions would take too long to implement. Mr MacArthur alleged that the Airport company had vetoed a response to a question which the Group had raised under the Freedom of Information Act 2000. Finally, HarpendenSky urged the District Council to take 4 separate actions immediately on behalf of its members.

Luton and District Association for the Control of Aircraft Noise (LADACAN)

Mr Lambourne advised that LADACAN had tried to determine whether RNAV had been successful or not by assessing the technical and environmental outcomes against the objectives originally set out. Departure flights from LLA before the imposition of RNAV had been dispersed but they were now concentrated densely on a more constrained track. While

LADACAN considered that the technical objectives of RNAV had largely been met, Childwickbury, Redbournbury and Sandridge were now directly overflown.

In terms of environmental outcomes there had been a 50% increase in the number of flights using the RNAV route from 2013 – 2015, and an increase in the proportion of larger planes. There were more frequent flights over more hours in a day and an apparently increasing proportion of planes flying at lower altitudes. Noise concentration had been increased when compared to the former, more random spread of flights and there was now significantly increased noise impact on people beneath the centre line.

LADACAN considered that the best remedy for the current situation would be for planes to fly at higher altitudes. However, aircraft were often seen flying slower and hence were taking longer to pass over any given point. LADACAN had made a series of strong recommendations for mitigation and hoped that the District Council would join the group in promoting them.

Questions from Members

In response to a question regarding the profits made by LLA, Mr Lambourne advised that from its published accounts the Airport had made a profit of £34 million in 2015/16.

The Head of Legal, Democratic and Regulatory Services advised the Committee that there were no grounds for a private company to refuse a request for information which had been made under the Freedom of Information Act. An exemption to the duty to respond might arise if the answer to the request would have contractual implications. If a group was dissatisfied with a response it could request an internal review. If the group was still not satisfied it could make representations to the Information Commissioner's Office.

In reply to a question, Mr Lambourne advised that neither LADACAN nor Hertfordshire County Council had received invitations to attend the meeting of Luton Borough Council's Development Committee which had agreed to the variation of Condition 11 of the original planning permission for the expansion of the Airport, which related to noise.

Presentation by London Luton Airport Operations Ltd (LLAOL)

Mr Barton thanked the Council for the invitation to attend this meeting and hear at first hand the real concerns of the local community about aircraft noise. He confirmed that the Company was listening to and reflecting upon those concerns.

Mr Thompson referred to the challenge of over 4,500 flights daily in the airspace over Hertfordshire, using a 50 year old airspace design. Aircraft departures from Luton were held at 5,000 feet at Brookmans Park, being the bottom layer of airspace while other aircraft either departing from or approaching Heathrow, London City, Northolt and Stansted flew at higher altitudes. LLA was seeking permission for departing aircraft to climb more quickly to higher altitudes, and discussions about this with Heathrow and Northolt were progressing.

The CAA's Post Implementation Review of RNAV would be a statutory review and LLAOL would provide all relevant complaint data from August 2015 to October 2017. LLAOL was also currently conducting noise monitoring in the same locations as it did before the introduction of RNAV, including Sandridge, in order to understand the differences.

LLAOL was developing a 5 year airspace change programme, including the provision of a new, additional departure route to the west and was committed to working with community

groups and local authorities to develop proposals. The first such meeting would be held on 20 June 2017. LLAOL would continue to lobby the CAA and DfT for urgent airspace modernisation.

Questions to representatives of London Luton Airport Operations Ltd

In response to a question about a possible new, additional route to the west of the Airport, LLAOL advised that the route would take aircraft above the airspace currently allocated to the London Gliding Club based at Dunstable Downs. Changes to flight paths generally took 2-3 years for all consultations to take place and permission to be given by the CAA, which LLAOL considered was too long. The same timescale would apply if LLAOL proposed reverting to the routing used before the introduction of RNAV.

In reply to another question, LLAOL advised that the Company was aiming for departing aircraft to reach 10,000 feet by the time they crossed the railway line between Harpenden and St Albans from the present limit of 5,000 feet.

In answer to a question about the current locations of their noise monitoring equipment, the Committee was advised that the Company had recently purchased 3 new sets and would be pleased to consider installing them in Harpenden and other suggested locations.

Replying to a comment that aircraft did not seem to be getting quieter, the LLAOL representatives advised that significant advances were being made. On 13 June, EasyJet would be taking delivery of its first new NEO aircraft, which would produce half the noise of current models. In addition, Wizz had placed an order for over 400 new Pratt and Whitney engines to replace existing ones within its fleet, which would further reduce noise pollution. The London area was a unique part of the world in terms of demand for flights and passenger numbers. LLAOL had good relations with individual airlines and encouraged them to use quieter aircraft, whenever possible, when their planes used LLA.

Having received a question about improving its consultations with the public, LLAOL advised that the Civil Aviation Authority (CAA) had been content with its most recent consultation process. However, it was confirmed that LLAOL did want to engage more with the public. It was conceded that LLAOL had been surprised by the reaction to RNAV from people living in Harpenden and St Albans.

Member Discussion

The Chair proposed that the Council should respond to the CAA's Post Implementation Review of RNAV, which would begin in October 2017. While the new route might be judged to have been a technical success it had given rise to a huge increase in the number of noise complaints made to LLAOL.

The Committee considered the 4 actions which HarpendenSky had asked the Council to take. In relation to providing a single point of contact to coordinate actions for Luton air traffic noise alleviation and pollution reduction the Chair advised that she was the Council's representative on the LAA Consultative Committee and the Noise and Track Sub-Committee. However, she considered that it would be more effective for a small group of Members and professional officers with appropriate skills from this Council to liaise regularly with LLAOL.

Responding to the question of whether the Council could place an injunction on the volume of air traffic growth at the Airport until RNAV noise and air pollution issues for local residents

were resolved, the Head of Legal, Democratic and Regulatory Services advised that only the Courts could do that. The Council had no evidence of unlawful activity having taken place.

RESOLVED

That Cabinet be recommended:

- (i) To respond to the Civil Aviation Authority's Post Implementation Review of the RNAV flight path in October 2017, citing the considerable concerns of this Council about its effect on local residents, and urging that the flight path revert to the previous route.
- (ii) To establish a working group of Councillors, Planning and Regulatory Services officers, interested stakeholders and local residents, reporting to Cabinet, and liaising with London Luton Airport to raise awareness of aviation issues in the District and to assist LLA with regard to their public consultations.
- (iii) To note the efforts which LLA are making to mitigate the effects of the RNAV flight path, but also to make representations to the Civil Aviation Authority and the Department for Transport to speed up the airspace change programme in the local area.

(Note: At this point the meeting was adjourned at 9.00 pm and resumed at 9.03 pm.)

2. **LONELINESS**

The Chair referred to the decision of Council at its meeting held on 22 February 2017 to ask this Committee to consider how the Council could best:

1. help tackle loneliness in the District, including the impact of Council policy decisions and actions;
2. support the work of the Jo Cox Commission on Loneliness;
3. work with the Commission's partner organisations that already operate in the District to find ways to promote the Commission, its partners, and their work.

A full report had been requested within 6 months, either to the Full Council or Cabinet, as this Committee saw appropriate, including a costed action plan.

The Chair advised Members that she was reluctant to include this item on the Agenda for the next ordinary meeting of the Committee on 19 July 2017. As an alternative she proposed that officers should arrange an informal event for Councillors and voluntary groups to attend in order to assess what was happening currently with regard to tackling loneliness and how services might be improved in the future. In response to a suggestion that the best timing for such an even might be in late June 2017, the Chair advised that she would consult local groups on that basis.

3. **FINAL MEETING OF 2016/17**

The Chair noted that this was the final meeting of the Committee in the 2016/17 Municipal Year and she thanked all members for their support throughout that period.

The Meeting ended at 9.05 pm

(SIGNED)

CHAIRMAN