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Dame Deirdre Hutton
Chair
Civil Aviation Authority

Dear Dame Deirdre

Gatwick Airspace

As you know, GACC is the main environmental body concerned with Gatwick. We have as members nearly 100 councils and environmental groups, covering the whole area around Gatwick.

We are writing to you to make various formal requests:

- The CAA should declare the recent consultation by Gatwick Airport Ltd on Airspace Changes unfit for purpose and therefore void;
- If a formal proposal is made for a new departure route to the south west, you should refuse permission;
- The CAA should revoke their preliminary approval for a new departure route to the north west, outside the existing NPR;
- For the new PBN departure route to the east, the CAA should consider whether two or more parallel routes would provide respite;
- For arrivals the CAA should insist that NATS introduce day-time respite routes from the new merge-points to the glide-slope;
- In relation to all concentrated arrival or departure PBN routes, the CAA should put pressure on Gatwick Airport Ltd and other airport operators to introduce voluntary schemes for compensation on the same basis as the Land Compensation Act;

- ➔ CAA should announce that it will support any legislation introduced in Parliament to extend the Land Compensation Act to properties under concentrated flight paths;
- ➔ That the CAA should require GAL and NATS to issue a new joint consultation, with maps, showing all proposed new flight paths up to 10,000 feet.

These requests are explained in detail below, and in our response to the Airspace consultation by Gatwick Airport Ltd (copy attached).

The Gatwick Airspace Consultation

1. The CAA will have received very many letters complaining that the consultation by Gatwick Airport Ltd was incomprehensible to ordinary people. We ourselves wrote to you to that effect on 2 July.
2. The consultation clearly did not comply with the Airspace Change guidelines which you kindly set out in your letter to us dated 24 June 2014. As you explained, these guidelines reflect the Directions given to the CAA by the Secretaries of State for Transport and Defence under Section 66(12) of the Transport Act 2000, together with the Secretary of State's Guidance to the CAA on its environmental responsibilities.
3. There is no point in the Government and the CAA laying down these guidelines if they can flagrantly be ignored. **We therefore request that you should declare the consultation by GAL unfit for purpose.**

Departure routes to the south-west

4. The main issue in the GAL consultation was the proposal for a new flight path for departures to the south west. **If in due course a formal proposal is made for a new route on the line of one of the Options A, B or C, we will be requesting you to refuse permission.**
5. Partly this is because the consultation was so unsatisfactory but mainly because any of these new routes would bring intense disturbance to a number of attractive and historic villages. Experience of the ADNID trial has shown that the annoyance and anger created by such a new route is out of all proportion to the level of disturbance normally measured by metrics such as Leq contours.
6. The implementation of any such new route is neither necessary nor urgent. The declared purpose is to increase the number of movements per hour. The anticipated movement rate of approximately one per minute would not be achievable in poor weather. If the number of flights is increasing rapidly, the new route would only provide extra capacity for a year or two. At some point when Gatwick is full the excess demand will need to be transferred to

other under-used airports in the South East such as Stansted. There is no reason why that process should not start now.

7. Moreover, if (Heaven forbid) it is decided that a new runway is to be built at Gatwick, and if it is operated as planned in mixed mode, then any of the new routes A, B or C would clearly conflict with the main departure flight path from the new runway. It is thus premature to decide on a new route at this stage.

Departure route to the north-west

8. A concentrated PBN route has been introduced for aircraft taking off to the west and then turning north and then east. Where this route passes over Beare Green and Holmwood it lies outside the previous NPR, and therefore requires permission from the CAA and approval by the Secretary of State. Provisional approval was given in November 2013 and you are due to review it in November this year.
9. That review is required to ‘assess the environmental impact of the changes to see if the anticipated environmental benefits have been delivered.’ In our view there have been no environmental benefits and considerable dis-benefits. The effect of the new route, taking a wider turn, is to bring the flight path nearer to the high ground of the Surrey Hills Area of Outstanding Natural Beauty. It also brings the centre line of the new concentrated route further to the north over Brockham, Betchworth and the southern parts of Reigate and Redhill, thus subjecting thousands of people to new and intense disturbance.
10. The provisional approval was granted after consultation with the Gatwick Airport Consultative Committee (despite concern expressed by the representative of environmental groups). In view of the large number of people seriously affected, we do not consider that consultation with the consultative committee alone was sufficient. If you were minded to make the new route permanent, full public consultation should be undertaken.
11. In fact, however, **we request that you should cancel the preliminary permission and require the new PBN route to keep within the existing NPR.** The result of requiring aircraft to make a tighter turn would be to bring the rest of the route further south, thus substantially reducing the number of people newly overflown.
12. That decision would be in line with the Government Guidance to the CAA paragraph 4.19 which states, in relation to the replication of existing NPRs by new PBN routes: *‘the requirement is to preserve the existing route alignments as far as possible in the vicinity of airports.’*¹

¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/269527/air-navigation-guidance.pdf

13. It is claimed that modern aircraft cannot efficiently turn as tightly as older aircraft: because their speed is higher, it is said they need to take a wider turn. We are not convinced by that reasoning. This is a case where the significant environmental benefit should take precedence over the need to operate aircraft in the most efficient fashion. Government Guidance indicates that noise should have priority below 4,000 feet. The desire to cut airline costs should not be a reason to bring misery to thousands.

New departure route to the east

14. The concentrated PBN departure route to the east (08 DVR/BIG/CLN/LAM) takes a slight bend to the south to avoid Hever Castle, which is of course welcome. But it has the disadvantage of bringing the route immediately over Chiddingstone Castle and Penshurst Place - of similar historic importance. It has led to a very large volume of complaints from the public, and to the creation of several new anti-noise groups.
15. We realise, however, that since this route, at least as far as Penshurst, is within the existing NPR it does not require permission from the CAA. The strong public reaction to the imposition of the new concentrated routes has shown that the new policy is unfair and unjust. Those under the new route have suddenly, without warning, found their peace shattered, and their houses seriously devalued so that they feel imprisoned, unable to move away.
16. **One solution which we request you to consider would be to use the advantage of satellite navigation to provide two or more parallel routes.** These could be used simultaneously, so as to reduce the number of aircraft on each route. Or they could be used on alternate days, or alternate weeks, so as to provide respite. Such a solution is specifically encouraged in the Government Guidance to the CAA.²

New PBN routes

17. New PBN departure routes are being introduced not only at Gatwick but also at Heathrow and Stansted. We recognise that satellite navigation is here to stay. It is, however, not correct to say that the new concentrated routes are necessarily in line with Government policy to reduce the number of people 'significantly affected by aircraft noise'. Under the previous dispersed routes more people were affected but perhaps not 'significantly'.
18. If respite routes are not introduced, the only solution appears to be compensation, although many of our members see this as very much the last resort - they would much prefer their previous peace restored.
19. The case for compensation for people under new concentrated routes is set out in paragraphs 18-27 of our response to the Gatwick consultation. **We**

² https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/269527/air-navigation-guidance.pdf Paragraph 4.17

request the CAA to put pressure on GAL to introduce a voluntary scheme on the same basis as the Land Compensation Act.

20. Obviously the same would need to apply at other airports, in particular Heathrow and Stansted, where new concentrated routes are introduced. Airports and airlines should be required to abide by the normal convention of human society, and pay for the damage or loss that they cause. The cost would be miniscule when shared between the millions of air passengers.
21. **If Gatwick do not agree to introduce a voluntary scheme we hope that the CAA will support any legislation introduced in Parliament to extend the Land Compensation Act to properties affected by concentrated flight paths.**

Arrival routes

22. Recent months have witnessed a wave of protest about the increased disturbance caused by arriving aircraft. This has occurred both in the areas affected by arrivals from the east, and also in the areas affected by arrivals from the west. MPs have been overwhelmed by the large volume of complaints. Large public meetings have been held. Several new local anti-noise groups have been set up.
23. GAL insist that there has been no change in the arrival procedures, and that the only explanation is a reversion to the normal pattern of prevailing westerly wind direction, and the fine weather which has encouraged people to be out-of-doors or to open their windows.
24. Be that as it may, there can be no doubt that public anxiety has been greatly increased by the consultation by NATS earlier this year in which they proposed in general terms the introduction of the point-merge procedure, but did so with no maps showing which locations would be affected. Obviously the disturbance would be very high under the merge-point, and under the concentrated route or routes from the merge-point to the glide-slope. Yet because there are no maps the anxiety disturbs everyone who might possibly be affected.
25. We understand that the reason why NATS are refusing any further consultation is because they consider that wherever the new flight paths are put people will complain, so that no useful purpose would be served by consultation. That attitude is not acceptable. NATS is now a private company with only a minority of its shares owned by the Government: it should realise that it cannot behave in a dictatorial fashion. The public are inclined to be very angry if new flight paths are suddenly imposed without warning.
26. On the east these concentrated arrival routes are likely to be over the High Weald Area of Outstanding Natural Beauty, and therefore proper consultation with maps is all the more essential. The argument that

consultation is not required because the new routes would be over 4,000 feet is not valid because these routes would be over high ground and over an area where Government Guidance to the CAA indicates that tranquillity should have a high priority.³

27. Moreover, there needs to be proper debate - with maps - about the best method of providing respite on the routes from the merge-point to the glide-slope. Respite only at night has little to commend it. We repeat our suggestion made in our response to the previous consultation that a seven day respite system should be used for the routes from the new merge-points to the glide-slope, each route joining at a separate point on a different day of the week. That would be in line with the Government Guidance to the CAA: *'The Government would therefore like to encourage airports, along with NATS and the CAA, to consider how PBN could be used to introduce an element of alternation, for example for a day or a week, which could result in some noise benefits for parts of the local community.'*⁴
28. If that request is not accepted, and if NATS intend to introduce single concentrated approach paths, then we request the CAA to insist that a scheme of compensation, similar to the Land Compensation Act, must be provided, as with PBN departure routes.
29. We formally request the CAA to instruct NATS that before the point-merge system is introduced, a new consultation must be issued, jointly with GAL, with maps showing the proposed merge points and the proposed flight paths from the merge-points to the glide-slope. It would be sensible if this new consultation included any new route to the south west and the exact line of all PBN departure routes.

Conclusion

30. The situation has changed over the past few years. Gatwick is now owned by a foreign company whose main motive is to expand the airport and to increase their profits. Heathrow and Stansted are also privately owned. The main owners of NATS are now the airlines (and NATS staff) whose main motive is to increase efficiency of aircraft operations.
31. Only the CAA has the duty to protect the public. We rely on you.

Yours sincerely

Brendon Sewill

Brendon Sewill CBE
Chairman GACC

³ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/269527/air-navigation-guidance.pdf paragraphs 8.1 – 8.4

⁴ Paragraph 7.10