

Gatwick Area Conservation Campaign

GACC

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London Airspace Change

Gatwick Local Area Consultation

**Response to Gatwick Airport Ltd
from GACC**

August 2014

Gatwick Airspace consultation

1. GACC is the main environmental group concerned with Gatwick. Founded in 1968, we have as members nearly 100 councils and local environmental groups. Our membership covers the whole area from Tunbridge Wells to Cranleigh, from Reigate to Haywards Heath. The number of local anti-noise groups affiliated to GACC, and the number of our individual members and supporters, are increasing rapidly as a result of the severe disturbance caused by new flight paths.
2. We have shown this response in draft to all our members, and have received universal support. So far as possible consistent with keeping this response concise, the comments made by our members have been incorporated.

The consultation

3. **We request that this consultation should be withdrawn, and that the new flight paths proposed in it should be cancelled.**
4. Our reasons for making this robust demand are that:
 - the consultation is incomprehensible to many members of the public and is therefore not fit for purpose;
 - there is no urgent need for many of the proposed routes;
 - new concentrated flight paths should not be introduced without the promise of compensation for those most affected;
 - the consultation gives only half the picture because it excludes the new proposed point-merge system for arriving aircraft, and is therefore misleading; and
 - there is no evidence that concentrated routes have any environmental advantage compared to dispersed routes: research is needed so that policy can be evidence based.

Incomprehensible

5. Many, many members of the public have complained to us that the consultation document is excessively difficult to understand. We asked the Chief Executive of Gatwick Airport Ltd to produce a simplified version: he refused. Little attempt has been made to explain the issues to the public: when Gatwick Airport wished to attract public support for their runway proposal they organised 17 exhibitions but no such exhibitions or road-shows have been held to explain the flight path changes. We have taken this up with the Chair of the Civil Aviation Authority, Dame Deirdre Hutton.
6. She has told us that 'Once the proposal has been formally submitted, the CAA will assess it for regulatory compliance in respect of safety, consultation, environmental impact and operational justification. As part of the assessment, we

will consider the issues that were raised during the consultation and the way in which the sponsor has responded to them.’¹

7. She also drew our attention to the CAA guidelines for consultations which, inter alia, state that:
 - **Accessibility of consultation exercises**
Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.
 - **The burden of consultation**
Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees’ buy-in to the process is to be obtained.
8. **We do not believe that the consultation by Gatwick Airport Ltd measures up to these guidelines. We are therefore sending a copy of this response to the CAA and asking them to declare the consultation void.**

The Warnham trial

9. The trial of a new route over Warnham and neighbouring villages has caused intense anger.
10. The previous peace of these attractive and historic villages was suddenly shattered without warning. We have seen many agonised letters from people who are woken early in the morning and find an incessant stream of aircraft overhead throughout the day. Their houses are seriously devalued, with the result that they feel imprisoned and unable to move away. This situation has resulted in a powerful protest and the creation of a dynamic new local group CAGNE (Communities Against Gatwick Noise and Emissions).
11. It has brought home to all that the traditional measures of noise annoyance - Leq, Lden etc - are meaningless in situations where noise is imposed on a previously peaceful area.
12. **The trial should be buried and not resurrected.** In this we have the support of Rt Hon Francis Maude MP.
13. The consultation, however, suggests that it might be permanently replaced by one of three routes, A, B or C. We do not intend to comment on the rival merits and demerits of these routes. They would merely transfer the misery from one set of villages to another.
14. None of these changes are necessary or urgent. They are only being proposed in order to enable Gatwick Airport Ltd to get a few more aircraft off the runway. But if Gatwick is full, and if demand continues to grow, then the surplus demand will inevitably be transferred to Stansted or other under-used airports. There is no reason why that process should not start now.

¹ Email from Dame Deirdre Hutton to GACC 6 June 2014

15. Whatever the trial may have proved in terms of the technical ability of aircraft to fly the new route, it has proved one thing above all else - that any of these three new routes would be environmentally unacceptable. **We conclude that the case for making any change in the existing flight paths to the west has not been made. None of the proposed new routes should be adopted, and all flights should remain on the existing NPR.**

New concentrated routes

16. New concentrated (PBN) flight paths have been introduced for departures - with no public consultation. They are causing great distress and annoyance to the people who are unfortunate enough to find themselves under, or in the vicinity of, a new route.
17. In most cases the concentrated routes are confined within the previous Noise Preferential Routes (NPRs) and therefore do not require approval by the CAA. In one instance, however, the new route (over Holmwood, south of Dorking) is outside the NPR. This has been provisionally approved by the CAA but is subject to review. The new route takes aircraft over the Surrey Hills Area of Outstanding Natural Beauty. Many people cannot understand why it is stated in the consultation that modern technically advanced aircraft are less capable of flying a designated route than previous types of aircraft. **We will be asking the CAA to insist that the route be redesigned to remain within the NPR. If this is not accepted, then Gatwick Airport Ltd (GAL) should provide compensation, as suggested below.**
18. Because aircraft previously took dispersed tracks (within the NPR) people were disturbed by comparatively few aircraft an hour. Many were prepared to accept that. But now satellite navigation has created an entirely new situation. People under the concentrated route suffer an almost continuous stream of aircraft. As in the case of the Warnham trial, their peace is destroyed, they suffer a fall in the value of their houses, and feel helpless to escape the misery inflicted on them.
19. These changes come on top of a gradual extension over the past decade or so of the glide path for arriving aircraft which brought arriving aircraft over new areas of west Kent, and has caused, and is causing, great anger among residents, especially in the area from Lingfield to Tunbridge Wells, and in the High Weald Area of Outstanding Natural Beauty.
20. We realise that the new satellite navigation system for aircraft makes it almost inevitable that aircraft will accurately follow a single track. We recognise also that concentrated flight paths are said to be in line with the Aviation Policy Framework White Paper which stated that: *Our overall objective on noise is to limit and where possible reduce the number of people in the UK significantly affected by aircraft noise.*
21. That objective is commendable if it means reducing aircraft noise. There has, however, been no research to establish whether continuous annoyance of the few is better or worse than occasional annoyance for many. The intense anger caused by the introduction of the concentrated routes around Gatwick suggests that in this respect the policy may have been misconceived.²

² It also depends on the definition of the word 'significantly': it is possible that dispersal may actually mean fewer people significantly affected.

22. We have requested local MPs to seek an amendment to the Land Compensation Act 1973. That Act provides full compensation for people whose houses are devalued by the building of a new motorway or other new road. It is necessary for the householder to prove, with a surveyor's report, that their house has lost value compared to other similar, but unaffected, properties. The Act is well tried and has worked well. It applies to the building of new runways but does not apply to new flight paths based on existing runways.
23. **The Land Compensation Act should now be amended to apply to 'new super-highways in the sky'**. Any amendment should be retrospective to an appropriate date.
24. Under the Act, compensation is paid by the body responsible for the development: in the case of new roads by the Highways Agency. If the Act were amended to include new flight paths, as implemented by GAL, the compensation would be paid by the airport. That would be in line with standard economic theory that where many benefit (in the case of Gatwick some 36 million air passengers a year) but a few suffer, the many should compensate the few.
25. It would also be in line with the Aviation Policy Framework White Paper which states (paragraph 3.39): *Where airport operators are considering developments which result in an increase in noise, they should review their compensation schemes to ensure that they offer appropriate compensation to those potentially affected.*
26. In their massive publicity campaign to seek permission to build a new runway, Gatwick airport have been quick to offer financial compensation to some of those likely to be affected. Indeed they have claimed that this shows that they are more public spirited, and care more about the local community, than other airports. The same should apply to new flight paths.
27. **We call on Gatwick Airport Ltd to introduce on a voluntary basis a scheme to provide compensation on the same basis as the Land Compensation Act for all those whose houses are devalued as a result of concentrated flight paths.**

Respite

28. We consider the benefits of respite over-rated. The procedure of using alternate routes may be welcome to some people but not to others. Too often it appears to be promoted by the aviation industry as a cure-all for the extra noise cause by airport expansion plans. In the current consultation the only respite routes offered are on arrival routes and would see one route being used every day and another every night. We feel that those who would suffer every night flight would regard that as a funny sort of respite.
29. Because of the disproportionate annoyance and anger caused by new flight paths over areas at present peaceful, most of our committee feel that in no cases should the new respite routes be introduced over such areas; some, however, feel that it would be fair to share the disturbance between more areas.

The point-merge system

30. The previous consultation, which ended in January 2014, was conducted jointly by GAL and NATS, and outlined in general terms a new 'point-merge' procedure for arriving aircraft. We protested strongly that this consultation was almost meaningless without maps showing where the new arrival flight paths would be, and asked that a further consultation, with maps, should be carried out when provisional plans had been made.
31. The current consultation by GAL does not cover the point-merge procedure - on the grounds that flight paths above 4,000 feet are the responsibility of NATS. It therefore covers only half the picture and is seriously misleading.
32. We understand that NATS are not intending any further consultation on the new point-merge system. That is disgraceful. People living under the merge point where all arriving aircraft will congregate will suddenly find themselves suffering intense annoyance. So will those living under the new 'arc' and under the new concentrated route or routes from the merge-point to the glidepath. NATS is now a private company owned by the airlines. It is not acceptable for it to behave in such a dictatorial fashion.
33. The excuse that aircraft will be above 4,000 feet and therefore the disturbance small is not valid. These new routes are likely to be above peaceful rural areas of Sussex where the aircraft will be extremely annoying. Indeed many routes will be over high ground in the High Weald Area of Outstanding Natural Beauty where peace and tranquillity should have a high priority.
34. **We are therefore asking the CAA to require GAL and NATS to issue a new joint consultation, with maps, showing ALL proposed flight paths at Gatwick for arrivals and departures up to 10,000 feet.**

Premature before runway decision

35. The plans for a second runway currently being promoted vigorously by Gatwick Airport Ltd would, if implemented, require a complete recasting of the flight paths around Gatwick. Since it is proposed that both runways would be used in mixed mode, there would need to be parallel approach paths one kilometre apart. There would also obviously need to be parallel departure routes, with the new routes one kilometre south of the existing routes. That would immediately rule out any of the new flight paths to the west of Gatwick as outlined in this consultation.
36. Since there is no urgency (see paragraph 16 above), it is obvious common sense to wait to see whether Gatwick is recommended for a new runway before implementing any flight path changes.
37. Recently the Secretary of State for Transport decided that there should be no changes to the night flight regime for three years, until a decision had been reached on the recommendations of the Airports Commission. Exactly the same logic surely applies to changes in flight paths.

The Government

38. All flight paths changes outside existing NPRs need approval from the Secretary of State for Transport. Government guidance to the CAA also states that where an airspace change is likely to have a net significant detrimental impact on the environment, his approval is required.

39. We will therefore be sending this response to the Secretary of State, asking him to veto any changes to existing flight paths. We will also ask him to consider making a Direction under the Civil Aviation Act 1982 section 78 (6) requiring Gatwick Airport Ltd to introduce a scheme on the same basis as the Land Compensation Act to compensate any person whose house is devalued by the creation of a new concentrated flight path.

Summary

We ask Gatwick Airport Ltd to

- Not implement any of the proposed new take-off routes to the west.
- Introduce a voluntary scheme to provide compensation on the same basis as the Land Compensation Act for all those whose houses are devalued as a result of concentrated flight paths.

We ask the CAA to

- Declare this consultation void.
- Require GAL and NATS to issue a new joint consultation, with maps, showing all proposed flight paths at Gatwick for arrivals and departures up to 10,000 feet.
- Refuse permission for any new route outside existing NPRs until Gatwick Airport Ltd agree to a scheme for compensation.

We ask the Government to

- Refuse permission for any new flight paths outside existing NPRs.
- Commission research into the factors that cause annoyance so as to enable airspace design to be done intelligently and with an evidence base.
- Make a Direction under the Civil Aviation Act requiring Gatwick Airport Ltd (and other Designated Airports) to compensate any person whose house is devalued by the creation of a new concentrated flight path.
- Amend the Land Compensation Act to apply to new 'super-highways in the sky'.