

Community Contract

The writing of this paper has been a collaborative effort coordinated by John Stewart. A dozen community campaign groups from airports across the UK have endorsed it.

It is intended to form the basis of a contract between each airport and its community.

We hope to discuss it with the Department for Transport (DfT) with a view to its ideas being included in the forthcoming Aviation White Paper.

It builds on discussions a number of community groups already have had with the Department. It also develops some of the proposals community representatives made to DfT officials in a paper to ANEG (Airspace & Noise Engagement Board) on 19 June 2019.

This paper has been endorsed by the following community campaign groups:

ANAG (Newcastle)
aXo (Southampton)
Belfast City AirportWatch (Belfast City)
CAGNE (Gatwick)
GACC (Gatwick)
HACAN (Heathrow)
HACAN East (London City)
HarpendenSky.com (Luton)
LADACAN (Luton)
Melbourne Civic Society (Nottingham East Midlands)
Southampton Friends of the Earth (Southampton)
W.AN.A. (Glasgow)

“The industry didn’t look after us in the good times, why should we be nice to it now?”
airport community campaigner

“I am happy. I feel happiness. And it is because I am productive & my body is without stress due to relentless aircraft noise. It is so peaceful”.
tweet from a resident after three weeks in lockdown

These two statements sum up the feeling of many residents impacted by aircraft noise. Anger at the way they have been treated by their airports over the years and a feeling that it has taken the coronavirus crisis to give them some of the peace and quiet they have been yearning for.

Communities understand that flying will resume but dread going back to the days of old. We are looking for a better, fairer deal. The Government has a real opportunity to ensure this happens in its forthcoming Aviation White Paper.

A Community Contract

What is needed is a new enforceable contract between airports and their residents.

A contract where:

- best practice is not just the norm but is mandatory;
- the noise burden is genuinely reduced over time;
- first-class consultation is not just a nice-to-have, but is compulsory;
- if residents want respite or dispersal, the airport needs to provide it;
- the provision of sound insulation is no longer a post-code lottery;
- residents help shape the airport’s noise policy through early engagement and are not merely consulted from time to time;
- there are meaningful sanctions to ensure compliance by the airport and airlines reinforced by ICCAN with regulatory powers.

The contract would include **any new communities** which might be impacted by flight path changes. The contract would also include **freight** as well as passenger aircraft.

We are suggesting the contract becomes a key feature of the forthcoming Aviation White Paper, building on some of the proposals in the Green Paper.

The contract would sit within a **new national noise indicator** to track the long-term performance of the aviation industry, with clearly defined standards and methods for noise monitoring and reporting, and noise trend monitoring which shows how changes are improving the noise experiences in different areas, taking account of the noise from all airports whose flights affect that area.

It is critical for the performance of each airport to be measured and monitored in concrete and scientifically reliable ways so that it can be properly held to account. All the standards we are suggesting an airport might adhere should be:

- *Measurable* – quantify or at least suggest an indicator of progress.
- *Assignable* – specify who will do it.
- *Realistic* – state what results can realistically be achieved, given available resources.
- *Time-related* – specify when the result(s) can be achieved.

The contract would include:

Noise envelopes to become mandatory at airports, with community representatives involved in designing them, along the lines Heathrow was developing in its planning for a third runway. A noise envelope would set an overall noise framework within which growth would be allowed. The framework would be intended to give local communities some certainty about future noise levels while incentivising the industry to use quieter planes and improved operational practices. The noise envelope would take into account key local factors such as background noise levels which can be lower in rural areas.

Noise caps to be route specific. Residents are most concerned about the noise – and particularly the number of aircraft – over their own community. Residents to be involved in drawing up the noise caps.

Noise envelopes and noise caps should be agreed by all local stakeholders or, if not agreed, referred to an independent regulator (such as an empowered ICCAN) for determination.

Respite or other forms of fair and equitable dispersal will be an option offered by each airport when redesigning its flight paths using the CAA's CAP1616 process to enable the noise burden to be shared as equally as possible. The airport will be required to provide a clear definition of the respite proposed, including the implication for new areas which may be overflowed.

Five year noise reduction plans to be drawn up by the airport, with input from all stakeholders, including communities, and either agreed by those parties or, if not agreed, referred to an independent regulator (such as an empowered ICCAN) for determination. Noise reduction plans should set out the amount by which noise exposure and impacts are required to be reduced in each five year period, together with the time profile of that reduction. The key principles behind each noise reduction plan would be:

(1) an obligation for the airport and airlines to implement measures to reduce noise to the level determined by the airport's noise envelope and to implement all other reasonably practical measures to reduce noise where the tests of what is 'reasonably practical' should be the same as those applied in safety regulation matters.

(2) the achievement of a fair balance between the interests of the airport and people adversely affected by its operations including by ensuring that noise reduction is at least proportionate to proposed growth.

(3) Where (2) is not achievable, including potentially where planning approval for an increase in capacity has been granted, the contract should set out an appropriate agreed range of alternative noise and other compensatory measures. A process to be put in place by which the airport is required to deliver against these plans including independent auditing on an annual basis, either carried out or overseen by ICCAN, to include the devolved territories as well as England, with airports paying for the cost of the audit.

Generous noise insulation and improved compensation schemes – with each airport required to meet minimum standard requirements. The insulation schemes could be graduated with those living within the highest contour areas receiving the most help. Some level of insulation should be offered to every household within the 51LAeq contour. The criteria for compensation should additionally take account of flight path changes and in certain circumstances to be offered at levels below 51LAeq.

The noise insulation should be extended to homes which are built under or close to existing flight paths though in those cases it should be the responsibility of the developer to provide the insulation as part of planning legislation.

Compensation: airports would be required to provide full compensation for all adverse impacts of its operations and the operations of traffic using it including appropriate payments to property owners for diminution of value of their assets caused by any aviation activity.

Airports should be required to use a range of **metrics** when assessing noise annoyance. These should include ‘averaging’ metrics and ‘numbers’ metrics. They also should include ‘single-mode’ metrics, social metrics and an indication of the number of planes passing over in a typical hour. Airports should be required to produce contours down to 45dbLAeq (the level at which the WHO guidance argues 10% of the population can become annoyed).

Guidelines on how **Airport Consultative Committees** should operate should be tightened to ensure they have teeth and are independently chaired and facilitated so that all of them become effective in holding the airport to account. An alternative option is for Community Engagement Boards to replace Consultative Committees. There are lessons to be learnt from Heathrow’s Community Engagement Board: the requirement on the airport to provide an agreed amount of funding to be used as the Board sees fit; an ability of the Board to commission research; the requirement on the Board to do outreach to the local communities, meet local businesses etc; community representatives to be involved in the appointment of the Board’s officers.

Complaints about noise only give a partial and indeed at times a distorted picture of public concern. In addition to collecting complaints, airports should be obliged to engage ICCAN to carry out surveys on a rolling basis of the experience of noise from aircraft covering households, say, a mile and half either side of the centreline of all flight paths.

An independent **Noise Expert Panel** to be established at all airports reporting into an enhanced ICCAN. Again, there are lessons to be learnt from Heathrow. The Noise Expert Panel which Heathrow appointed contained experienced and independent experts. The value to Heathrow, but also to local communities and local authorities, was that if expert professionals endorsed things like its noise modelling and noise assessments, people could have confidence that they were accurate. However, for this to work, local communities would need to have confidence that the panel was independent and that its work was transparent. The existence of the Panel should not preclude all data being made available to local communities in an accessible form.

The Department for Transport to be responsible for setting **night flight** limits at all airports, not just the designated ones. The *default* position to be no night flights at an airport. Any airport wanting night flights would need to make a case to the Department for Transport. The case would need to include an assessment of the health impacts of its proposals. The DfT would be required to consult on any proposals put forward. Where airports have existing limits on the numbers and timing of night flights, mostly through Section 106 obligations, they should at least be maintained and preferably improved, with a view to night flights being phased out.

Effective sanctions to be put in place for airports and airlines that fail to meet the required regulations, with ICCAN making the assessment. The most meaningful sanction would be a requirement that an airport reduces flight numbers by a given percentage in the year following any breach of the contract or reduces its noise cap for that year.

ICCAN to be given an enhanced role as a statutory body and air traffic noise regulator, with the enhanced enforcement powers, possibly including associated powers to fine and, if necessary, prevent operators and airports from permitting aircraft that breach noise and environmental related rules.

Non-noise impacts

Although the contract is primarily about noise, we want to ensure:

The legal **air pollution** limits are not exceeded at the airport or on the surrounding roads;

A growing percentage of people arrive/leave the airport using **public transport**;

Carbon emissions to be a factor to be considered in any expansion proposals.

There should be a requirement on airports to be clear and transparent when reporting on carbon. In particular, the airport needs to be clear whether it is excluding emissions from aircraft during any phase of flight including run-up and taxiing in its assessment. In reporting on the total CO₂ emissions from the aircraft, it should include the emissions from the entire flight. Carbon emissions must be held to within the Greenhouse Gas Protocol [GHG Protocol] Stage 3 limits.