

APPENDIX B

DRAFT: Kent County Council's Response to the Draft Aviation Policy Framework

Kent County Council (KCC) welcomes the opportunity to respond to the Department for Transport (DfT)'s consultation on the 'Draft Aviation Policy Framework'. Below are KCC's responses to the consultation questions. We would be pleased to supply further detail on any aspect either in writing or as oral evidence if required.

General Comments

It is noted that the majority of the proposals put forward in this consultation will do one of two things:

1. Increase aviation capacity in the UK thus relieving the pressure currently experienced at Heathrow and other key UK airports; and
2. Create aviation growth in the UK and demand for services.

KCC urges Government to clearly specify the likely outcome of each measure and prioritise, particularly in the short term, those measures likely to increase capacity. It would seem entirely counterproductive to increase demand in the short term without simultaneously providing the additional capacity to facilitate this demand. The Government needs to ensure this increasing demand should occur at the airports most able to accommodate it. In the longer term, overall capacity needs to be addressed. The risk of not appropriately prioritising measures for implementation could lead to loss of hub status and diminished UK connectivity.

Chapter 2: The benefits of aviation

Connectivity:

Do you agree with our analysis of the meaning and value of connectivity set out in Chapter 2?

Connectivity is vital to the UK economy and therefore its value is of utmost importance, especially in terms of keeping the UK ahead of its European competitors through being the best connected to both the established and the emerging markets of the world economy. The draft policy framework sets out connectivity as being the number of destinations served as well as the frequency of flights to those destinations¹.

KCC agrees in principle with these factors, however feels that in applying this definition, an additional element should be taken into consideration: that of weighting based on a relative value of the connection to the UK economy.

¹ In this regard, it would be helpful to have more international benchmarking information based on the metric of airline seat kilometres.

This is particularly important in the short term when slots to Heathrow are under extreme pressure. KCC would also make the following comments regarding connectivity.

Paragraph 2.19 states that London is an exceptionally well connected capital city with its five airports together serving more routes than any other European city. However, when considering the UK's only hub airport on its own, the 183 routes served directly from Heathrow in 2011 are far exceeded by its European competitors, e.g. Paris Charles De Gaulle (258), Frankfurt am Main (296) and Amsterdam Schiphol (301)². Heathrow is severely constrained in its ability to service new and emerging markets of the BRIC countries (Brazil, Russia, India and China) and next generation emerging economies.

KCC acknowledges the role of Heathrow as the UK's only international hub airport and the unique role it plays in supporting London's and the UK's connectivity as described in paragraph 2.20. However KCC believes that this may be a short to medium term position. The latest technological advances in the aviation industry point to the fact that the shape of aviation operations could change in the future. The traditional hub and spoke aviation model may become less dominant with more point to point long haul services being provided by other airports. Such a scenario could operate to ensure UK connectivity remains amongst the highest in the world but without reliance on only one airport to provide this.

It is the development of the next generation aircraft, such as the Boeing 787, a smaller plane (200-250 passengers) capable of operating on long range routes, which means that regional airports will be able to start to offer a full range of destinations that could enable international connectivity to be provided across the country.

Paragraph 2.23 describes how Heathrow compares favourably with its main EU competitors in terms of destinations served in the BRIC countries. Whilst this is the case now, with the capacity constraints at Heathrow, it will become increasingly difficult to compete with Paris, Frankfurt and Amsterdam, all of which will increase the number of destinations served and frequency of flights as demand to these emerging markets continues to grow.

We support the objective of ensuring that the UK's air links continue to make it one of the best connected countries in the world, including increasing links to emerging markets so that the UK can compete successfully for economic growth opportunities. Kent County Council welcomes that this objective will be achieved through both maintaining the UK's aviation hub capability and developing links from airports which provide point to point services.

KCC believes that these twin goals can be achieved by encouraging better utilisation of existing under used regional airports; and through improved surface connections, particularly high speed rail links, between Heathrow and

² Parsons Brinckerhoff (2012) *Greater South East Airport Capacity* research study for the South East Local Enterprise Partnership

Gatwick airports to link them operationally and create a “virtual hub” airport with scope to increase long haul routes, and regional linkages. KCC urges that there is a full evaluation in the short term of a new rail link between Heathrow and Gatwick to enable the complementary operation of Heathrow and Gatwick as an expanded “virtual hub” before any decision on new runway capacity is taken.

KCC welcomed the opportunity outlined in the Draft Aviation Policy Framework to contribute to the Call for Evidence on maintaining the UK’s aviation hub status. While the announcement in September 2012 that the Government will set up an independent cross-party commission to address this issue puts into question whether a Call for Evidence will now take place, KCC would still welcome an opportunity to contribute to the commission in order to help inform the debate. It is essential that the correct conditions for the most sustainable solution are firmly established in the high level policies set out in this Aviation Policy Framework.

Kent County Council welcomes the emphasis not just on hub airports, but also on the important role that regional airports play in UK connectivity. Good air connectivity is frequently cited as an important factor in business location decisions and companies’ ability to attract highly skilled labour from abroad. The growth of regional airport services across Europe has helped to attract inward investment and, together with complementary road and rail improvements, has enabled the integration of many previously peripheral cities and regions into the global economy. The ongoing expansion of these services in the UK can play a significant role in rebalancing regional economies in favour of the private sector.

Regional airports within the South East that are not considered part of the London multi-airport system, e.g. Manston and Lydd airports, should also be considered alongside other regional airports in England. Expansion of air services in East Kent will bring both regional economic benefits and play a role in improving air connectivity for the South East and the UK as a whole.

Fifth freedoms:

Do you support the proposal to extend the UK’s fifth freedom policy to Gatwick, Stansted and Luton? Please provide reasons if possible.

Kent County Council supports in principle the proposal to extend the UK’s fifth freedom policy to Gatwick, Stansted and Luton. We agree that allowing an airline from one country to land at these airports to pick up passengers and then carry them onto a third country will improve international connectivity and help make better use of existing infrastructure at London’s congested airports, however it will do little to address overall capacity issues.

Stansted currently has spare capacity and it seems sensible that a policy which was intended to encourage growth at regional airports outside of the London system should also be extended to these London airports so that they are better able to assist in accommodating demand, make better use of the existing capacity and contribute towards improved international connectivity.

Wider application of the fifth freedom policy should attract new services and encourage long haul flights and possibly hub operations at these airports, the market for which has, thus far, remained dominated by Heathrow which is near to full capacity. It should facilitate increased competition between Heathrow and Gatwick, Stansted and Luton, and encourage airlines to transfer operations from Heathrow to those other London and regional airports, thus freeing up capacity at the most congested airport.

Are there any other conditions that ought to be applied to any extension of the UK's fifth freedom policy to Gatwick, Stansted and Luton?

In addition to the conditions outlined in the Draft Aviation Policy Framework, the operation of routes by airlines under the Fifth Freedom policy should also have conditions on the rights to arrival/departure slots. This should eliminate any “grandfather” rights to the slots which would then prevent the airline from switching the slots to more lucrative routes at some future date.

Airports outside the South East:

Do you agree that the Government should offer bilateral partners unilateral open access to UK airports outside the South East on a case-by-case basis?

Kent County Council while agreeing with the wider principle of offering bilateral partners unilateral open access to UK airports, disagrees that this should only be applicable to airports outside the South East. Kent County Council strongly urges the Government to revise this to cover all airports “outside the London system” namely all airports excluding Heathrow, Gatwick, Stansted, Luton and London City.

There are many “regional” airports within the South East, such as Manston and Lydd, which are not part of the London system that can have a significant role to play in supporting both the London multi-airport system and UK aviation as a whole. This has been recently demonstrated by the significant growth of Southend Airport. We also believe that this would send a strong positive signal to incentivise the launch of new services and increase airline competition with airports less likely to be reliant on UK airlines to provide connectivity to international destinations. This would also help facilitate inward investment in regional economies.

Any other comments:

Do you have any other comments on the approach and evidence set out in Chapter 2?

Making Best Use of Existing Capacity

The Government’s suggestion of supporting airports outside the South East is welcomed as there is potential for regional airports to expand and relieve the pressure on London’s main airports, especially Birmingham with the advent of HS2 (31 minutes to Oakwood and Crossrail connections and 38 minutes to Euston). Heathrow, Stansted and Luton, through a combination of their location and destinations served, draw on a catchment beyond the South East

which could be served by other regional airports. The Government's support should, however, also extend to smaller airports within the South East as airports such as Southampton, Manston, Southend, Lydd all have, to different degrees, a potential role to play in meeting the demand for aviation in the South East.

Slot Allocations

Kent County Council supports the Government's work building on the recommendations of the European Commission's *Better Airports Package* (2011) to ensure that slots at our congested airports are used in the most economically beneficial way for the UK.

The issue of slot allocations, particularly at Heathrow airport, is a key issue that has played a role in the reduction in domestic services at London's main airports and the in the case of Heathrow the reduction in the number of destinations served. This is alluded to in the Draft Framework although in the context of EU slot regulation (para 2.50 to 2.52). What is evident is that the commercial interest of airlines cannot be relied on to produce a better, more effective use of arrival and departure slots particularly when an airport is reaching capacity. There is a 3-way interest in slot allocations: airlines/airport/government. The Government's role is to balance public interest with the commercial interests of the airlines and airports.

With regards to the scarcity of slots at Heathrow, if airlines had to pay the market value, rather than the current system of "grandfather" rights and secondary trading, some airlines may be encouraged to operate from alternative airports, therefore spreading demand around whilst freeing up capacity at Heathrow. KCC therefore urges that the Government explores options for a transparent market based approach to encourage the more efficient use of scarce capacity at Heathrow.

Start-up Aid

Kent County Council supports the Government to continue to push the European Commission for more flexibility in the application of start-up aid (Route Development Funds) that will help with the establishment of new services at regional airports. Although this should also include South East "regional" airports, i.e. those outside of the London airport system, so that connectivity and economic benefits can be brought to the most peripheral and often economically disadvantaged parts of the South East, for example East Kent.

Planning Process

Kent County Council welcomes the support for the growth of regional airports and fully endorses the Government's intention to see best use of existing airport capacity but also the recognition that the development of airports can have negative, as well as positive, local impacts including on noise levels. We agree that proposals for expansion at these airports should be judged on their individual merits, taking careful account of all relevant considerations, particularly economic and environmental impacts. Local planning decisions on airport development must be underpinned by the principles in this Aviation

Policy Framework to ensure that decisions are made for the greater benefit of the local area, county, region and country as a whole.

Role of Local Enterprise Partnerships

KCC welcomes the Government's support for Local Enterprise Partnerships (LEPs) to develop local strategies to maximise the catalytic effects of airports to attract businesses and support growth as described in paragraph 2.71; although again, the definition of other airports 'outside the South East' should be changed to "outside of the London system". The South East LEP can help support businesses in the vicinity of Stansted, Southend, Manston and Lydd airports and in partnership with the local authorities of Essex, Southend and Kent, can feed into those airports' plans for improved surface access, especially by public transport. The South East LEP is fully supportive of airport and airport related growth within its area.

Rail Access to Airports and Role of High Speed Rail

KCC welcomes the Draft Aviation Policy Framework's emphasis on rail access to airports, especially the commitment in paragraph 2.86, which states that improving rail access to airports is an important part of the Government's offer in encouraging airlines to use airports which are less capacity constrained. KCC is particularly pleased to note Government's commitment to work with the rail industry and the largest UK airports to identify further opportunities to improve rail access. In this respect KCC would like to see a direct connection between Ashford International and Gatwick Airport. This proposal is endorsed by Gatwick Airport, the Gatwick Airport Consultative Committee (GATCOM) and the train operator and is a key objective of the Rail Action Plan for Kent.

It is important that there are fast rail connections between airports, as well as to city centres, so that airports can work better as a system rather than in a bespoke way. London has developed a multi-airport system with five main airports. If these multiple airports could work better as a system, through both segmentation of the market that each airport serves, and through interconnectivity between them by high speed rail connections allowing passengers to transfer from one airport to another, there is adequate capacity in the system as a whole to meet the UK's aviation needs.

The development of high speed rail presents opportunities for airports that were once deemed too far away from the generators of demand to be included in the London multi-airport system. For example, with HS2 Birmingham Airport will be within 40 minutes of central London which is comparable with the current journey times to Stansted and Gatwick today. Similarly, a HS2 connection to Manchester airports (70 mins to London) will also provide the potential for international passengers to access London thus supporting the introduction of new routes benefiting the regions they serve. The proposed spur on HS2 to Heathrow will also connect Birmingham Airport to Heathrow, thus facilitating the potential for these airports to work in a coordinated way as part of a systems approach.

KCC therefore welcomes the Government's intention to ensure that its national strategies for aviation and high speed rail are aligned so that the two modes can complement each other; and specifically the commitment to work with Birmingham Airport as described in paragraph 2.94.

Rail connections between centres of population and airports, and between airports, should also be expanded to take advantage of the available capacity at secondary and regional airports in the South East. This will then help to alleviate the capacity constraints within the existing London airport system. There is evidence of this already being a successful approach with the growth of Southend Airport, now described as London's 6th International Airport. There is also the potential for Kent's two airports, Manston and Lydd, to act in a similar way, facilitated by HS1 to Ashford, bringing these airports within about an hour of central London.

Kent County Council has worked hard to secure funds for the first phase of the Ashford to Ramsgate rail line speed enhancement programme through a successful second round bid to the Regional Growth Fund (RGF) to reduce journey times by rail to Manston Airport, as mentioned in paragraph 2.81. It is vital that funding is secured for the second phase of this project either through Network Rail's budget for infrastructure improvements, or through other central Government funding sources, so that the full benefits of reducing journey times to the airport can be realised. This journey time improvement scheme, in combination with a new Thanet Parkway Station to serve Manston Airport, for which investment is still being sought, would be a step change in access to the airport.

Sustainable Surface Access

Investment in sustainable surface access infrastructure would help make regional airports more attractive to airlines and passengers and help support the growth of those airports. This has been demonstrated by the investment in Southend Airport with its new integrated rail station and terminal providing direct rail access to London which has helped attract airlines. The airport and the regional economy are now reaping the rewards with growing passenger numbers. This type of investment also helps to minimise the negative consequences of growth, i.e. road congestion and pollution caused by passengers and staff travelling by car to the airport.

As set out in the Draft Aviation Policy Framework, specific schemes to address the airport capacity challenge were to be invited in the Call for Evidence later in the year and Kent County Council planned to submit evidence for the proposals outlined in its own discussion document *Bold Steps for Aviation*. Following the announcement in September 2012 that the Government will now set up an independent cross-party commission to address the hub issue, KCC would still welcome an opportunity to contribute evidence to the commission to help inform the debate.

Implementation Prioritisation

It is noted that the measures identified and supported through this section, if implemented, would operate to do one of two things, namely: increase

aviation capacity in the UK or create new demand for services. The biggest issue for aviation in the short term will be to ensure the UK's hub status is retained and its level of connectivity is not diminished. Therefore it would be prudent to allocate some form of prioritisation to implementation measures to ensure those measures creating new demand are put in place where they can be adequately catered for, rather than increasing pressure on already congested airports; and are implemented in conjunction with the vital measures to create additional capacity.

Chapter 3: Climate change impacts

Do you have any further ideas on how the Government could incentivise the aviation and aerospace sectors to improve the performance of aircraft with the aim of reducing emissions?

Kent County Council fully supports all Government initiatives to incentivise the aviation and aerospace sectors to improve the performance of aircraft with the aim of reducing emissions as it is innovation and improvement in aircraft design and technology which can deliver savings of up to 1.5% improvements in fuel efficiency per annum, but not without investment. We support providing tax relief for research and development (R&D) activities relating to the development of cleaner engines as stated in paragraph 3.33.

These initiatives should be further incentivised and linked with developing these types of R&D industries in the recently established Enterprise Zones. This would encourage green technologies to be developed to help reduce greenhouse gas emissions from aviation, whilst at the same time encouraging economic growth and facilitating high-skilled job creation in areas of economic disadvantage. The Discovery Park Enterprise Zone near Sandwich in Kent, the former site of a multinational pharmaceutical R&D facility would welcome further incentives for companies to locate and grow businesses that develop low emission aviation engines.

KCC strongly advocates the better use of airspace in the London system to reduce stacking. We would encourage the investigation of an environmental tax for stacking linked to both time in stack and aircraft emission levels. This could help incentivise maximum efficiency in air traffic control and improved aircraft technology as well as encouraging airlines to fly to airports other than the busiest London airports.

Any other comments:

Do you have any other comments on the approach and evidence set out in Chapter 3?

Tackling Emissions and APD

Kent County Council supports all initiatives that will reduce greenhouse gas emissions from aviation and therefore allow growth in the aviation sector whilst also allowing the UK to meet its commitments on climate change. We support the Government's objective to ensure that the aviation sector makes a significant and cost effective contribution towards reducing global emissions.

In the current absence of a global agreement to tackle aviation emissions inclusion of aviation in the European Emissions Trading System (EU ETS) seems the most effective way for transnational action, at least within Europe, and a potential step towards wider international agreement. However, as airlines are expected to be the net purchasers of emissions allowances, at least in the short to the medium term, it is inevitable that costs will be passed onto passengers in the form of higher airline ticket prices. Whilst this is likely to be fairly uniform across all airlines operating within the EU, if not the world, in combination with the UK's Air Passenger Duty (APD), it does put UK aviation at a competitive disadvantage. APD in the UK is the highest in the world and is estimated to be costing the UK economy some 91,000 job losses a year and removing ADP could result in £4.2billion added to the economy in 12 months³.

We therefore urge that APD is fully reviewed as to how it will work in combination with the EU-ETS to ensure that UK passengers are not unfairly penalised whilst ensuring airlines are incentivised to reduce emissions. This also needs to be considered in relation to the disproportionate financial burden the APD currently imposes on smaller regional airports trying to establish new routes and directly impacts on their ability to provide a greater role in meeting the demand for aviation.

This will ensure that the aviation sector makes a significant contribution towards reducing emissions with the 'polluter pays' principle across all EU countries; whilst not disadvantaging the UK aviation sector's ability to compete or unfairly penalising the smaller regional airports.

The role of Air Traffic Management

There is a gap in this chapter highlighting the links between better air traffic management and reduction in emissions. Aircraft circling prior to landing in the UK are responsible for around 2% of emissions (¾ of which are from Heathrow which is operating at 99% capacity) and so improved management of air traffic, airport capacity and resources can also play a role in the reduction of emissions in the UK. In this respect, KCC advocates the investigation of a potential environmental tax on stacking as outlined earlier in this response.

Emission Reduction Targets

The UK's position with respect to the targets set in the Climate Change Act (2008) and how aviation is included within this is yet to be defined. This will need form a part of any framework and so the timings are not ideal with a statement from Government on the Committee on Climate Change recommendations expected post-consultation. We would seek re-assurances that any position on this would be balanced so as to send a strong message to incentivise a reduction in emissions whilst not adding a further layer of complexity.

³ Parsons Brinckerhoff (2012) *Greater South East Airport Capacity* research study for the South East Local Enterprise Partnership

Climate Change Adaptation

We note that climate change adaptation is not fully evidenced within this chapter and further research is needed. We would urge that this is strengthened with a greater understanding of risks to the sector including the impacts from increases in severe weather events and the significant economic implications for individual airports and across the UK. There needs to be a stronger link to the national adaptation programme, national climate change risk assessment (CCRA) and, importantly, how the reporting power will continue to be implemented to ensure actions are progressing to build resilience across the sector.

Chapter 4: Noise and other local environmental impacts

Do you agree that the Government should continue to designate the three largest London airports for noise management purposes? If not, please provide reasons.

The Government argues that noise and other environmental impacts (other than climate change) are local issues that should be determined through engagement between the airport and the local community. This is spelt out in more detail in Chapter 5. KCC however believes that given the significant community issues generated by aircraft noise, that in some instances, independent oversight is required. In this respect, KCC supports continuing to designate the largest London airports for noise management purposes. However, KCC believes that this designation is somewhat inconsistent, for example, Stansted has fewer passenger and air transport movements than Manchester and is also in a less urbanised area yet Manchester is not designated.

The European Environmental Noise Directive 2002/49 (END) requires airports to prepare strategic Noise Action Plans and applies to civil airports with over 50,000 annual air transport movements. Based on the CAA statistics for 2011 this would cover 12 airports across the UK including Heathrow, Gatwick and Stansted. KCC advocates that it would seem more appropriate for the Government to determine designated airports on the basis of the END and stipulate the environmental framework within which these airports would need to operate.

Do you agree with the Government's overall objective on aviation noise?

Kent County Council fully supports the Government's overall objective to limit and, where possible, reduce the number of people in the UK significantly affected by aircraft noise. Clearly this indicates that it would not be acceptable for new populations to be exposed to significant levels of aircraft noise that would arise from building a new nationally significant hub airport.

Do you agree that the Government should retain the 57 dB LAeq,16h contour as the average level of daytime aircraft noise marking the approximate onset of significant community annoyance?

Retaining the 57 dB LAeq,16h contour as the average level of daytime aircraft noise marking the approximate onset of significant community annoyance is the logical decision given that 'there is no conclusive evidence on which to base a new level' as stated in paragraph 4.27. However, given that research studies do show that people are becoming more sensitive to aircraft noise and that the Government acknowledges that the balance of probability is that people are now relatively more sensitive to aircraft noise than in the past; KCC urges that conclusive evidence, either way, is sought before policy decisions are made and set in this Aviation Policy Framework.

The complexity of this is highlighted in paragraph 4.26, where there is recognition that that people living outside of the 57 dB LAeq,16h contour are also affected by aircraft noise, and for some, the annoyance may be significant, as demonstrated by complaints from outside the 57 dB LAeq,16h contour. This reflects the fact that frequency of movements can be a source of annoyance for some people living in areas exposed to lower than average levels of noise across the whole day.

Paragraph 4.56 states that aircraft noise in the countryside is relatively more annoying than in urban areas, due to lower background noise levels. For example, KCC is aware of many complaints from residents to the east of Gatwick, outside of the 57 dB LAeq,16h contour, who are affected by aircraft noise. Single Event Noise exposure, and the frequency of that exposure, can cause significant community annoyance even if does not exceed the 'average level of daytime aircraft noise' due to the tranquillity of this rural area.

It is important that the Aviation Policy Framework gives adequate consideration of noise impacts on sensitive receptors or areas designated for high environmental value. Over-flying is likely to reduce the tranquillity of the countryside and coast, notably in the South East in AONB and designated Heritage Coastline, which are important for recreation. Although this is acknowledged in paragraphs 4.56 to 4.59, and states that the CAA has legal duties to have regard to the purposes of National Parks and AONB; it is surprising that this overarching Aviation Policy Framework makes no clear position on protecting rural areas from aircraft noise. Instead, a final policy on airspace, respite and rural areas is postponed until a later separate consultation on new guidance to the CAA on environmental objectives relating to its air navigation functions in the regulation of National Air Traffic Services (NATS). KCC looks forward to the consultation on this new guidance as it essential that rural areas are given adequate protection from aircraft noise arising from existing and future airport development.

Do you think that the Government should map noise exposure around the noise designated airports to a lower level than 57 dBA? If so, which level would be appropriate?

Kent County Council agrees that the Government should map noise exposure around the noise designated airports to a lower level than 57 dB(A) because of the reasons expressed in the response to the previous consultation question, i.e. that people living outside of the 57 dB LAeq,16h contour are also affected by aircraft noise. Although as already stated, the Government is not planning to lower this level that defines the 'onset of significant community annoyance'; information about the extent of exposure to lower levels of noise would be useful in addressing community concerns.

We believe that the most appropriate option is to map noise contours to the 54 dB LAeq,16h contour with concurrent production of night noise contours (LAeq,8h). Although airports are required to use the alternative metric of 55 dB(A) Lden for five yearly mapping of noise under the obligations of the EU Environmental Noise Directive (END), we feel that it is important for consistency that the currently used LAeq,16h system used to map the 57 dB contour should be extended to map the lower 54 dB level; rather than switch to a different metric to show lower levels of noise exposure.

Maintaining the use of the LAeq,16h metric also ensures that there is no dilution of noise impact over the year by averaging out annual data as is the case with the alternative Lden method. LAeq,16h is based on summer day movements which is when most airports experience their busiest period. Also it does not average out noise over 24 hours and artificially dilute the impact in the way that the alternative Lden system does, albeit with a system of weightings to take account of evening and night noise to reflect the way people are affected by noise at different times of the day. In contrast, the preferred LAeq,16h metric is a direct measure of average daytime noise over a 16 hour summer day (0700-2300), with separate LAeq,8h noise contours produced to map night time noise (2300-0700). This allows a more accurate picture of the extent of noise exposure for both the day and night, which varies depending on airports' hours of operation.

Continuing with the use of the LAeq system also allows retrospective noise contours to be plotted much further back in time to allow analysis of the extent of the noise contour changes over time. In terms of cost, even with additional night noise contours, maintaining the use of the LAeq metric to map the additional 54 dB contour, the extra costs are negligible compared to switching to the 55 dB(A) Lden system which is currently only required for five yearly mapping of noise under EU law.

KCC believes that continuing the use of the LAeq measure provides a more consistent approach to map noise contours to a lower level than 57 dB(A); and with both day and night noise contour maps produced at the 54 dB LAeq level provides a more sensitive measure than using the average 55 dB(A) Lden measure that is required for the EU noise directive.

Do you agree with the proposed principles to which the Government would have regard when setting a noise envelope at any new national hub airport or any other airport development which is a nationally significant infrastructure project?

Kent County Council welcomes the proposed principles to which the Government would have regard when setting a noise envelope at any new national hub airport or any other airport development which is a nationally significant infrastructure project. This could be incorporated within the environmental framework for any airport in the UK that is designated under the END.

The key factor in determining the noise envelope in the National Policy Statement (NPS) is 'the Government's overall noise policy to limit and, where possible, reduce the number of people significantly affected by aircraft noise' as stated in paragraph 4.41. This infers that new populations will not be brought within noise contours by building a new nationally significant airport or airport development where they would be significantly affected by aircraft noise. This is strongly welcomed by KCC.

Clearly paragraphs 4.35 to 4.40 indicate that further evidence is required on how exactly a noise envelope is to be defined. A simple cap on movements or passenger numbers is a blunt instrument and does not really reflect the level of exposure to noise. By contrast measuring the area of exposure will create a dividing line between those regarded as being affected and those who are not, which in practice would seem arbitrary. It would seem, therefore, that defining a noise envelope requires a combination of metrics involving the level of exposure, based on whatever new noise threshold is adopted, and air transport movements probably based on a form of quotient count. This would allow airports to expand but with an incentive to encourage airlines to use quieter aircraft and should reassure local communities that the impact of the airport would remain within a set limit.

Do you agree that noise should be given particular weight when balanced against other environmental factors affecting communities living near airports?

Kent County Council does not agree that noise should be given particular weight when balanced against other environmental factors affecting communities living near airports as described in paragraph 4.48. While noise is often the most significant annoyance to local communities in the vicinity of airports, it is arguable that emissions can have a more severe and longer lasting impact, particularly in terms of pollutants impacting on the health of local residents. However, we agree with the Government that where there is no conflict with obligations to meet mandatory EU air quality targets, at the local level, individual airports working with air traffic service providers, could give particular weight to the management and mitigation of noise.

We agree that any resulting airspace changes should still include a thorough assessment of all environmental impacts, although any negative impacts on greenhouse gas emissions that result, e.g. changes to Noise Preferential

Routes (NPRs) or the use of continuous climb approaches; should be tackled as part of the overall emissions reduction strategy through the EU ETS.

What factors should the Government consider when deciding how to balance the benefits of respite with other environmental benefits?

The issue of respite is complex and difficult to resolve. The merits of either concentrating noise along a few specified routes, or spreading the burden to give respite to those most affected but in doing so exposing more people to noise and so conflicting with the overall policy objective to limit, or if possible reduce, the number of people affected by aircraft noise, are difficult to balance.

The KCC view is that noise impacts should be dealt with by each airport in consultation with the local community. This will inevitably mean a trade-off between communities around the airport, for example, the provision of respite to an urban area that would result in noise impacts on a rural area instead would have specific local issues as the perception of the noise impact could be significantly different between the two communities. Respite is, in essence, an operational issue for airports that could be incorporated within the concept of establishing noise envelopes and balancing the wider environmental issues.

KCC welcomes the second initiative described in paragraph 4.53. This is concerned with varying the point where aircraft join final approach before landing, because as stated, this could address the problem of approach noise for which there are no preferential routes (unlike with departures) and where the problem is as much about frequency as it is about overall noise levels.

Do you agree with the Government's proposals in paragraph 4.68 on noise limits, monitoring and penalties?

Kent County Council agrees with the Government's proposals in paragraph 4.68 on noise limits, monitoring and penalties. We agree that there should be a review of departure noise limits and that approach noise should also be included in this review as outlined in paragraph 4.73, with a penalty scheme considered where there are no clear overriding safety limits for failure to comply with Continuous Decent Approach (CDA) requirements; and the requirement to maintain a minimum height when joining the final approach.

Significantly higher penalties for a breach of limits are needed. While we agree with the principle that these should be set to reflect the cost to local communities of the noise disturbance from breaching the limits, it is difficult to envisage how this value will be determined in reality. Guidelines on this should be provided by the independent monitoring body. The Draft Framework suggests that the proposals would apply to all airports regardless of the scale of the airport. This could have a severe impact on smaller regional airports and the Government needs to consider how many of the proposals put forward by the Draft Framework should be applied in a manner

proportionate to the scale of the airport. The fines should be spent on local community benefits and not retained by the airport operator.

We also agree that more transparency and independence is needed in the enforcement of noise limits as described in paragraph 4.72, as there is a clear conflict of interest when an airport is responsible for enforcing the regime which affects its own customers.

There is a need for an independent body and we support the proposed new role of the Civil Aviation Authority (CAA) in providing independent oversight of airports' noise management as described later in this consultation response. We also agree that more comprehensive monitoring data should be publically available. We would also advocate that the approach taken in this matter is clearly consistent nationally in order to provide the communities affected with some reassurance that they are being treated fairly and equitably. We would want assurance that reviews would be carried out and monitored regularly by the appointed independent body.

In what circumstances would it be appropriate for the Government to direct noise designated airports to establish and maintain a penalty scheme?

Kent County Council's view is that a penalty scheme should be mandatory for all noise designated airports. Without this, these airports are in effect self regulating in terms of noise with little incentive to impose penalty fines on their own customers. We support the intention to ensure that the airport cannot retain the money raised by the penalty scheme and that money raised should benefit the local community. We support the Government's intention to consider a penalty scheme for approach noise in addition to departure noise as described in the previous question's response.

In what circumstances would it be appropriate for the Government to make an order requiring designated airports to maintain and operate noise monitors and produce noise measurement reports?

It would be appropriate for the Government to make an order requiring designated airports to maintain and operate noise monitors and produce noise monitoring reports if there is not sufficient evidence of the designated airports already doing this satisfactorily. The Airport Consultative Committee (ACC) should ensure that noise monitoring reports are being produced and are publically available.

If ACCs are independent of the airport operator, as supported in the response to subsequent consultation questions, this may require less direct Government intervention. The proposed new role for the CAA in providing independent oversight of airports' noise management strategies, should also include oversight of compliance with noise monitoring and measurement reports by the airport operator.

How could differential landing fees be better utilised to improve the noise environment around airports, particularly at night?

Kent County Council fully supports the use of differential landing fees to improve the noise environment around airports, particularly at night. Although it requires further refinement, in principle, use of the Quota Count (QC) system used to classify aircraft by their noise level for the purpose of the night flight regime at designated, and some non-designated airports, seems most appropriate.

With differential landing fees, airlines will have a financial incentive to operate quieter, albeit smaller, aircraft and the noisiest aircraft will be the most expensive to land. This will complement the existing QC system of restricting the noisiest aircraft at night by means of the quota and the outright ban of the highest QC rated aircraft during the night time period. In addition, there should be a stipulation that landing fees during the night-time period (23:00hrs to 07:00hrs) should not be less than the lowest daytime landing charge. This would prevent airports actively encouraging airlines to use their airport at night when noise disturbance to the local community would have a significantly greater impact.

Do you think airport compensation schemes are reasonable and proportionate?

KCC has no reason to disagree that the current airport compensation schemes are reasonable and proportionate. There is however, further scope to improve these with the Government's proposal to reconsider the threshold that is set as the recognised level at which aviation noise has a disturbance affect particularly if this is accompanied by further research as previously suggested. We also agree with the Government that there is scope for ACCs to have a greater role in this area and for the CAA to share good practice and act as an independent body in relation to the question of what is reasonable and proportionate compensation.

Do you agree with the approach to the management of noise from general aviation and helicopters, in particular to the use of the section 5 power?

No comment.

What other measures might be considered that would improve the management of noise from these sources?

Many of the proposals that have been put forward for airports could equally apply to aerodromes/airfields that handle solely general aviation and/or helicopters. However, in practical terms there is significantly less ability to establish the level of monitoring or air traffic control that would be needed to manage such measures. The basic requirement of any such aerodrome/airfield should be to engage with the local community so that it is aware of the impacts its operations have and the community understands what can be practically done to mitigate these impacts.

Do you have any further ideas on how the Government could incentivise the aviation and aerospace sector to deliver quieter planes?

Similar to the response for incentivising aircraft to be more efficient in terms of lower emissions, the Government could incentivise by providing tax relief for research and development (R&D) of quieter aircraft.

Do you believe that the regime for the regulation of other local environmental impacts at airports is effective?

Kent County Council supports the existing regulation of air quality at airports as this is dependent on meeting existing legal obligations including satisfying EU legislation that sets legally binding air quality limits. The existing legal obligations are an effective tool in local planning decisions concerning airport development proposals. Planning obligations for sustainable surface access provision help to mitigate the increase in air pollutants from increased demand for surface access transport; and air transport movement caps limit the increase in air pollutants (and noise) direct from aviation; thus deeming expansion of existing airports acceptable. We welcome the expansion of existing airports provided that relevant standards are met and the existing legal obligations for air quality are supported for the sustainable development of aviation within this policy framework.

Understandably, noise is given significant attention in the Draft Aviation Policy Framework; however it is disappointing that the impact of aviation on the natural environment is given little more than a passing reference under paragraphs 4.102 to 4.104 and appears almost as a footnote within the environmental impacts chapter.

The Draft Aviation Policy Framework made it clear that a subsequent Call for Evidence would address maintaining the UK's international aviation connectivity, and we welcomed that environmental sustainability, including protection of habitats, wildlife species, landscape and built heritage are factors among those on which airport capacity options will be assessed. KCC strongly advocates that the new independent cross-party commission considering the hub issue, as announced in September 2012, will still include consideration of all of these factors before arriving at its preferred solution. KCC supports the policy aim of looking for the least environmentally damaging solutions to maintaining sufficient airport capacity.

However, given this policy framework will underpin any decisions made about future airport capacity, it is imperative that the protection of the natural environment is adequately catered for. In the subsequent Call for Evidence KCC had intended to demonstrate that there are practical and feasible alternatives to a new hub airport that will still meet the economic and aviation objectives of a hub airport; and urges that it still has this opportunity through the independent cross-party commission.

Any expansion of capacity is likely to require some land take and suitable protection must be afforded to ensure that this land is not of significant value ecologically, on a national, European or international level. The loose statements under 4.103 that loss of habitats and significant impacts would only be advocated where no feasible alternatives exist and benefits outweigh impacts does not sufficiently define how this would be determined.

It also states that any unavoidable impacts would be mitigated or compensated for, but does not define what would happen should mitigation or compensation not be feasible. If truly advocating sustainable development, any such airport development should not be allowed to progress and the framework should make this clear. More attention to protection of the natural environment from airport expansion and/or development is required within this framework.

Do you think that noise regulation should be integrated into a broader regulatory framework which tackles the local environmental impacts from airports?

Given that the other environmental impacts from airports are already satisfied by their own individual regulatory frameworks, it would be logical that noise from airports has its own regulatory framework, through the wider role of the CAA, as given support in the responses to subsequent consultation questions.

Chapter 5: Working together

Do you think Airport Consultative Committees should play a stronger role and if so, how could this be achieved?

Kent County Council fully supports a stronger role for Airport Consultative Committees (ACCs) in a way that allows local residents to be engaged and consulted with on issues that affect them the most, which is usually the issue of noise. ACCs should be completely independent of the airport operators, and should constitute a separate body consisting of elected members of local planning authorities; representatives of the LEP; parish councils representing local communities; users of the airport; local interest groups and representatives from business; along with the airport operator in an equal partnership.

We agree that the chairmanship should be advertised externally and appointments should be for a fixed term in accordance with good practice of public appointments. ACCs should therefore be able to challenge airport operators on issues of noise monitoring and mitigation and any environmental impacts, so as to work jointly with the community and the operator in the decision making process and improve the quality of life for people who are affected by the airport. Clear defined Terms of Reference are required to ensure that Consultative Committees did not act in a manner that would impact directly on the commercial activities of the airport (e.g. it could not determine landing fees) or infringe any statutory duties that are the responsibility of local authorities or Government agencies. To be fully effective

however, ACCs will also need to be given the appropriate powers to hold airport operators to account.

Is there a case for changing the list of airports currently designated to provide consultative facilities?

Kent County Council believes that there is a case for changing the list of airports currently designated to provide consultative facilities to airports over a certain threshold of air traffic movements. This ensures that the busy airports do have consultative committees whilst relieving the burden on very small airports and aerodromes that have no ambition to significantly grow their aviation activity. There are currently some designated airports and aerodromes that are very small and low in activity (e.g Biggin Hill, Rochester and Headcorn) on the same list as some of the largest airports in the country and indeed the world. This does not seem appropriate. There are also some notable exceptions such as Newquay, Doncaster/Sheffield and Dundee.

However, a new system would need to ensure that a growing airport, once it reaches a certain threshold of air traffic movements, would be required to put in place a consultative committee. The threshold needs to be set at an appropriate level so that at the onset of an airport's growth, community engagement is possible and airports' decision making processes can be influenced.

Do you agree that the Civil Aviation Authority should have a role in providing independent oversight of airports' noise management?

We agree that the Civil Aviation Authority (CAA) should have a role in providing independent oversight of airports' noise management. Local communities often feel aggrieved about noise and argue that airports effectively monitor themselves; therefore independent and consistent oversight of airports' noise management by the CAA would be welcomed.

We agree with all of the suggestions that independent oversight by the CAA could include, as described in paragraph 5.22, i.e. liaising with ACCs to share good practice and advising Ministers on the extent to which an airport has complied with good practice; publishing noise data to inform the public; assisting ACCs in monitoring and implementation of commitments made under Noise Action Plans (NAPs); and assessing the implementation of noise penalty schemes and acting as arbiter in the case of disputes. This would improve airports' accountability on noise management and provide transparency for local communities aggrieved by noise impacts as well as giving some reassurance that they are being treated reasonably and fairly.

It also makes sense for this new role of the CAA to include acting as the competent authority under the proposed EU noise regulation, responsible for assessing the process to be followed when operating restrictions may be required to address the noise problem at UK airports within the scope of EU regulation.

It is important that this new role for the CAA is in addition to its current role, not in place of it. It is also important that any additional role does not come at a cost to the public purse; therefore the cost of regulating noise generated by the aviation industry should be borne by the industry. KCC therefore urges that the Government does introduce legislation to give the CAA powers to charge industry for its work.

Do you agree with the Government's overall objective on working together?

Kent County Council does agree with the Government's overall objective on working together and to strengthen and streamline the way in which this is done. Aviation is important at the national and local level in terms of its economic benefit, but most of its negative effects are felt by local communities, therefore collaboration and transparency are important at every level. However, this must be done in an effective way so as not to increase the burden on all concerned.

The Draft Framework puts forward proposals for strengthening airport consultative committees, combining consultative committees with airport transport forums, involving the LEP's and greater involvement of the CAA. There hardly seems to be any sense of streamlining and there is a danger that in strengthening the working relations between local stakeholders and the aviation sector a complex bureaucratic system could result.

The Government assumes that all airport committees work in a structured manor but experience shows that this is not necessarily the case. In order for the Government's objective to be achieved it will need to set out in clear terms the expected role of these joint working partnerships. At the local level this would cover the airport consultative committees (including the incorporation of airport transport forums). At a regional level the LEP's could establish broader aviation working groups that would set the economic framework within which the airports in its region would develop and include representation from the ACC's. The LEP aviation working groups would be established within the context of the Government's aviation policy framework.

Is the high-level guidance provided in Annex E sufficient to allow airports to develop local solutions with local partners?

We agree that the high-level guidance provided in Annex E is sufficient to allow airports to develop local solutions with local partners in as far as it goes. Annex E gives enough guidance to provide a skeletal structure and provides recommendations of best practice for master plans, airport transport forums and airport surface access strategies, without being too prescriptive and therefore allowing them to be tailored to local circumstances.

KCC does advocate however that for master plans the guidance is clear that they must be fully aligned to the aviation policy framework and that for air transport forums a clear objective and terms of reference, again fully aligned to the aviation policy framework, needs to be included. It is essential, that while interpreting aviation policy at the local level, master plans and airport

surface access strategies developed through the air transport forums adhere to strategic aviation objectives aimed at regional and national objectives rather than being solely focused on local matters.

The guidance also does not cover the role of Airport Consultative Committees which, according to the Draft Framework, would be a fundamental part of the process. What are the expected roles of the ATF's and ACC's? Is one to be subordinate to the other or are they both to be independent? The logical assumption to meet the Government's objective is that ATF's should be subordinate to the ACC's as transport is only one element of the management of an airport's impacts. This should be clarified in the guidance.

Do you agree that master plans should incorporate airport surface access strategies?

Yes. Master plans need to incorporate surface access strategies as the future development plans of the airport need to be clearly supported by adequate provision for surface access to enable those plans to be realised. For example, a planned increase in air passengers needs to be accompanied by a strategy to deal with the increase in surface transport trips to and from the airport that will occur as a result of the increased passenger throughput. The surface access strategy must mitigate for the increased surface trips so that increased congestion, reduced local air quality and increased greenhouse gas emissions do not result as a consequence of the airports' growth. They must set clear and challenging targets, including mode split targets, for these measures with a system of monitoring progress.

Therefore, master plans, alongside outlining their development plans for aviation growth, must also outline how the corresponding growth in demand for surface access will be accommodated within the existing transport system through modal shift to public transport; the improvements needed to public transport services to accommodate the growth; and the investment required for both improved public transport systems and highway infrastructure. It should also be recognised that the level of detail that can be provided through the master plan is dependent on the timescale for growth and that planned improvements to surface access beyond the short term (5 years) will need to be subject to review as the circumstances at the airport and its surrounding area are likely to change.

Ways of funding the required schemes also need to be addressed. It is therefore essential that master plans and airport surface access strategies are aligned, although a master plan should be a streamlined high level document supported by technical appendices, of which a detailed surface access strategy should be one of those component documents. The surface access strategy is therefore both part of the master plan's suite of supporting technical documents, with high level outputs clearly stated in the overview master plan document, and a separate strategy document in its own right.

Do you agree that, where appropriate, the periods covered by master plans and noise action plans should be aligned?

We agree that it makes sense that, where appropriate, the periods covered by master plans, airport surface access strategies and noise action plans should be aligned. Where possible, these airport planning documents should also be aligned with Local Transport Plans (LTPs) and Local Development Frameworks (LDFs) / Local Plans, or at least take account of these statutory planning documents.

Chapter 6: Planning

General comments on safeguarding:

Paragraph 6.6 states that the National Planning Policy Framework (NPPF) makes it clear that local planning authorities should 'identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen choice' and that this could apply to airport infrastructure. This is effectively a reminder to local planning authorities to safeguard potential sites for new or expanded airports. KCC would like to point out that this could lead to very considerable property blight and in turn further stagnation in the property sector transactions, and that it is not realistic for this to be applied until the Government has decided where new runway capacity will be provided.

General comments on surface access:

Paragraph 6.10 states that the general position is that developers, i.e. airport operators, pay for the cost of upgrading transport networks to cope with additional passengers travelling to or from expanded or growing airports; although where a scheme has a wider range of beneficiaries, the Government will consider, along with other relevant stakeholders, the need for additional public funding on a case by case basis.

KCC welcomes this and urges that there is consideration of public funding for a Thanet Parkway rail station to connect Manston Airport to the rail network for high speed services to London. This scheme would connect an underused regional airport with adequate capacity to the rail network and therefore enhance its case for being part of the solution to runway capacity constraints in the South East, whilst also having wider economic benefits in terms of rail connectivity for this economically disadvantaged area of East Kent.

I trust that the views expressed in this submission will be given full consideration as the Government finalises its new Aviation Policy Framework. In light of the Government's recent announcement to set up an independent cross-party commission, Kent County Council trusts there will be an opportunity to input evidence on the issue of maintaining the UK's aviation hub connectivity. Kent County Council strongly welcomes the opportunity to have an ongoing and open dialogue with Government on this critical issue.