

# HIGH WEALD COUNCILS AVIATION ACTION GROUP (HWCAAG)

HWCAAG consists of the constitutionally elected representatives of resident and business communities within the defined area boundaries of Bidborough, Borough Green, Chiddingstone, Dormansland, Edenbridge, Hever, Leigh, Penshurst, Rusthall, Sevenoaks Weald, Southborough, Speldhurst and Sundridge with Ide Hill Town and Worth Parish Councils. The group represents a population of 59,902, and an electorate of 42,822 across the thirteen towns and parishes.

This represents the agreed response to the consultation. The response sets out the reasons why we believe that an additional runway at Gatwick should not be the preferred option and in the event that it is chosen a number of requirements that should be laid upon GAL in order to mitigate the impact of an additional runway.

## **Airports Commission Consultation Response Air Quality**

**Executive Summary.** We are grateful for a process that allows us to make the case for those we represent. We welcome the methodical, detailed and rational approach adopted by the Commission.

At full capacity a two-runway Gatwick is forecast to handle 96 million passengers a year, compared to 38 million at present. In terms of the number of passengers it would be substantially bigger than Heathrow at present – 72 million. Heathrow is in a better position to absorb the catalytic impact of the addition of capacity growth with greater long term benefit to the country. In regard to air quality while the commission notes that the Gatwick proposal will not break EU limits it fails to register that the government has a duty to maintain or improve air quality in any location. From that perspective the option at Gatwick represents a considerably worse option than those at Heathrow. Insufficient assessment has been done on the effect of the concentration of flight paths. The Commission's analysis is set against a scenario that is not in the GAL business case and woefully insufficient time has been given for this consultation on an important aspect of the Commission's work given the impact on public health and the wider environmental impact.

## **Gatwick Second Runway proposal - Air Quality Assessment.**

We are glad that the Commission reports that at Gatwick there would be no breach of the EU legal standards.<sup>2</sup> Nevertheless doubling the number of aircraft using Gatwick, plus the pollution from the extra traffic, would undoubtedly result in a reduction in air quality for the communities around the airport.

The Airports Commission have concluded that one extra runway in the South East would be consistent with the Climate Change Act although this is disputed by the RSPB, Greenpeace, Friends of the Earth, WWF and other environmental organisations.<sup>3</sup>

The conclusion that a new runway would be compatible with the Act is dependent on two crucial assumptions: first, that any substantial expansion at other UK airports is ruled out; and second, that scientists confirm that the non-CO2 pollution from aircraft emissions at high altitude do not have any additional damaging effect.

The calculations of future pollution levels in the consultation paper suffer from three flaws. They relate to 2030 when a second runway at Gatwick would only be at half its full capacity; they are based on estimates of future road traffic which are roughly half what can be predicted; and thirdly on the scenario that “low cost is king” rather than on the GAL business case. All the forecasts of future pollution levels at Gatwick in the consultation paper relate to the year 2030. Even on the most optimistic schedule, Gatwick Airport Ltd (GAL) do not expect to have a new runway open until 2025. The pollution forecasts also ignore the extra road traffic created by induced employment. The increased number of workers at the airport, or indirectly employed (e.g. in local hotels), plus the extra workers in the new firms attracted to the area, will all spend a proportion of their incomes locally.

Already Gatwick has recorded higher maximum annual mean NO<sub>2</sub> concentrations at one of its receptors than at Heathrow (38.6 ug/m<sup>3</sup> at Gatwick vs 34.7 ug/m<sup>3</sup> at Heathrow). Gatwick Airport Ltd have put forward various suggestions for mitigation, but the independent consultants employed by the Commission conclude that they are grossly overstated and inaccurate.

On 30 April and 1 May the Supreme Court delivered judgement to the effect that the Government is legally bound to take action to implement Article 13 of the EU Air Quality Directive – the Article which places limits on the maximum annual level of pollution. In the High Weald we are fortunate that at present over most areas our air quality is comparatively good. We have the right not to have it made worse.

We are concerned to read in the current consultation that 51,328 people would be affected by higher annual NO<sub>2</sub> concentrations. We are more concerned that is the number within the ‘Study Area’ of a 2km radius around the new airport boundary: many more might well be affected outside that area, specifically for us in the High Weald, as a result of the concentration of flight paths. The new concentrated flight paths will increase pollution levels for those people unfortunate to live beneath them, we have serious concerns that the commission has not tested the polluting effects of the requirements of concentration required by the effect of expansion at Gatwick both in the High Weald and on London. The geography of the High Weald, its high valleys, and the protection it has had for many years will make it particularly vulnerable to any increase in pollution. Councils are concerned that the expansion at Gatwick will cause greater pollution in central London due to the prevailing wind.

The analysis of the commission appears to be inconsistent with the stated objective of the Airports Commission’s Appraisal Framework: to improve air quality consistent with EU standards and local planning policy requirements. Nor would it comply with EU Air Quality Directive, the Preamble to which states that: Air quality status should be maintained where it is already good, or improved.

Article 1 states that the Directive lays down measures aimed at the following: ..... maintaining air quality where it is good and improving it in other cases. This is spelt out in Article 12:

*In zones and agglomerations where the levels of sulphur dioxide, nitrogen dioxide, PM<sub>10</sub>, PM<sub>2.5</sub>, lead, benzene and carbon monoxide in ambient air are below the respective limit values specified in Annexes XI and XIV, Member States shall maintain the levels of those pollutants below the limit values and shall endeavour to preserve the best ambient air quality, compatible with sustainable development.*

In view of the Supreme Court decision that the Directive must be implemented by the UK Government, it would appear that a decision to go ahead with plans for a second runway which did not ‘preserve the best ambient air quality’ might well also be found to be illegal.

The commission also asked for feedback on the following areas in light of this consultation:

Q5: Do you have any comments on how the Commission has carried out its appraisal of specific topics (as defined by the Commission's 16 appraisal modules), including methodology and results? The air quality analysis is deficient both in scope and accuracy; and most of all the length of time given for the consultation precludes a really detailed analysis and further research. The following is an extract from government guidance on consultation<sup>4</sup>:

*Timing of consultation Engagement should begin early in policy development when the policy is still under consideration and views can genuinely be taken into account. There are several stages of policy development, and it may be appropriate to engage in different ways at different stages. As part of this, there can be different reasons for, and types of consultation, some radically different from simply inviting response to a document. Every effort should be made 1 "Where it is appropriate, and enables meaningful engagement, conduct 12-week formal written consultations, with clear explanations and rationale for shorter time-frames or a more informal approach." The Compact (Cabinet Office 2010) para 2.4) 2 to make available the Government's evidence base at an early stage to enable contestability and challenge. Timeframes for consultation should be proportionate and realistic to allow stakeholders sufficient time to provide a considered response and where the consultation spans all or part of a holiday period 2 policy makers should consider what if any impact there may be and take appropriate mitigating action. The amount of time required will depend on the nature and impact of the proposal (for example, the diversity of interested parties or the complexity of the issue, or even external events), and might typically vary between two and 12 weeks. The timing and length of a consultation should be decided on a case-by-case basis; there is no set formula for establishing the right length. In some cases there will be no requirement for consultation, depending on the issue and whether interested groups have already been engaged in the policy making process. For a new and contentious policy, 12 weeks or more may still be appropriate. When deciding on the timescale for a given consultation the capacity of the groups being consulted to respond should be taken into consideration.*

The commission will be more than aware of how contentious this subject is and therefore we submit that a 12 week consultation would be the minimum required.

Q6: Do you have any comments on the Commission's sustainability assessments, including methodology and results? We have no further comment than the points made above.

Q7: Do you have any comments on the Commission's business cases, including methodology and results? No further comment

**High Weald Councils Aviation Action Group**  
**29 May 2015**

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Website: [www.hwcaag.org](http://www.hwcaag.org)

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<sup>2</sup> See <http://www.gacc.org.uk/resources/NGO%20September%202014.pdf>

<sup>3</sup> <http://www.gacc.org.uk/resources/NGO%20manifesto%20September%202014.pdf>

<sup>4</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/255180/Consultation-Principles-Oct-2013.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/255180/Consultation-Principles-Oct-2013.pdf)