

Committee: Cabinet

Agenda Item

Date: 25th October 2012

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Title: Consultation on DfT's Draft Aviation Policy Framework

Portfolio Holder: Councillor Cheetham

Key decision: **No**

Summary

1. In July, the DfT published a draft Aviation Policy Framework for consultation. The consultation period expires on 31st October 2012. The Council's response is appended to this report. The report also gives details of the independent commission on options for maintaining the UK's status as an international hub for aviation, which is to be chaired by Sir Howard Davies.

Recommendations

2. That the Cabinet agrees the Council's response to the draft Aviation Policy Framework.
3. That the Cabinet notes that it will be imperative for the Council to make submissions to the Independent Commission.

Financial Implications

4. There are no financial implications associated with responding to the draft Framework.

Background Papers

5. None

Impact

- 6.

Communication/Consultation	The consultation period expires on 31 st October 2012
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None

Sustainability	Sustainability is a key issue for the new policy framework
Ward-specific impacts	There are district wide effects from the operation of Stansted Airport
Workforce/Workplace	None

Situation

7. In July, the DfT published a draft Aviation Policy Framework for consultation. The consultation period expires on 31st October 2012. The consultation requests that respondents answer a series of questions under chapter headings entitled i) *The benefits of aviation*, ii) *Climate change impacts*, iii) *Noise and other local environmental impacts*, and iv) *Working together*.
8. When the draft framework was published, the then Secretary of State for Transport (Justine Greening) indicated that one of the Government's top priorities was to maintain the UK's aviation hub status as set out in the National Infrastructure Plan. Accordingly, she said that the Government intended to issue a Call for Evidence on maintaining the UK's international connectivity later in the year.
9. Following the recent Cabinet reshuffle, the new Secretary of State for Transport (Patrick McLoughlin) has announced that the Government has asked Sir Howard Davies to chair an independent Commission tasked with identifying and recommending to the Government options for maintaining the UK's status as an international hub for aviation. This Commission replaces the Call for Evidence.
10. The Commission will:
 - i) examine the scale and timing of any requirement for additional capacity to maintain the UK's position as Europe's most important aviation hub, and
 - ii) identify and evaluate how any need for additional capacity should be met in the short, medium and long term.
11. The Commission will provide an interim report to the Government no later than the end of 2013 setting out:
 - i) its assessment of the evidence on the nature, scale and timing of the steps needed to maintain the UK's global hub status, and
 - ii) the recommendation(s) for immediate actions to improve the use of existing runway capacity in the next five years - consistent with credible long term options.
12. The Commission will then publish by the summer of 2015 a final report for consideration by the Government and opposition containing:

- i) its assessment of the options for meeting the UK's international connectivity needs, including their economic, social and environmental impact,
- ii) its recommendation(s) for the optimum approach to meeting any need,
- iii) its recommendation(s) for ensuring that the need is met as expeditiously as practicable within the required timescale, and
- iv) materials to support the Government in preparing a National Policy Statement (on aviation) to accelerate the resolution of any future planning application(s).

13. A decision on whether to support any of the final report's recommendations will be made by the next Government. Further details on the Commission's membership and terms of reference will be provided shortly. The Government intends that the Commission's work will be fair and open, taking into account the views of passengers and residents as well as the aviation industry, business, local and devolved government and environmental groups.

14. In due course, the Council will need to decide whether it needs to contribute to the Commission's work. It will also need to decide how that should be done, either individually or perhaps through the consortium of local authorities that worked on the Stansted Generation 2 planning application. It is not thought that the interim report should have any major implications for Stansted because in 5 years time it will still have unused capacity.

15. The Council's response refers to two terms which need explanation:

Fifth freedom rights (formulated at the 1944 Chicago Convention)

These are the rights of an airline from one country to fly to another, disembark passengers, pick up other passengers and then fly onto a third country. This is one of nine freedoms of the air which apply to commercial aviation.

Section 5 of the Civil Aviation Act 1982

This places a duty on the CAA "in exercising its aerodrome licensing functions to have regard to the need to minimise as far as is reasonably practicable any adverse effects on the environment and any disturbance to the public from (amongst other things) noise attributable to the use of aircraft at the aerodrome".

Risk Analysis

16.

Risk	Likelihood	Impact	Mitigating actions
That the Council's views will not be	1. All responses will be considered by Government and a	2. A decision contrary to the council's	Respond to the draft Aviation Policy Framework

considered by the DfT and /or new Commission	reasoned justification given. The council has engaged with the LGA SASIG to ensure that the SASIG response is informed by the council's experience of Stansted.	comments could have a harmful impact on the area.	consultation within the agreed timescale. Consider how to contribute to the work of the Commission when further details are known.
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1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.