

ENVIRONMENT AND TRANSPORT COMMITTEE held at COUNCIL OFFICES GREAT DUNMOW at 7.30 pm on 13 NOVEMBER 2001

Present: Councillor Mrs J F Cheetham – Chairman
Councillors W F Bowker, Mrs C A Cant, Mrs C D Down,
Mrs E J Godwin, D M Jones, R C Smith and A R Thawley.

Also present at the invitation of the Chairman: Councillors Mrs M A Caton,
R P Chambers, R A E Clifford, A Dean, D M Miller, Mrs S Flack
and R B Tyler.

Officers in attendance: F Chandley, Mrs M Cox, J B Dickson, A Forrow,
J Mitchell and B D Perkins.

ET16 **STATEMENTS BY MEMBERS OF THE PUBLIC**

Before the commencement of the meeting, statements were made by the following persons.

Mrs J Durkin representing the Association of Independent Residents (Air Group)
Mr J Stent – Managing Director of Stansted Airport Limited.

Copies of the statements are attached to these minutes.

ET17 **APOLOGIES**

An apology for absence was received from Councillor P A Wilcock

ET18 **MINUTES**

The minutes of the meeting held on 18 September 2001 were received, confirmed and signed by the Chairman as a correct record.

ET19 **CREATION OF STAND-BY RUNWAY – STANSTED AIRPORT LIMITED (UTT/0894/01/FUL)**

This application had been referred to this Committee from the Development Control and Licensing Committee (DC&L) meeting on 15 October, when Members were minded to defer a decision pending the outcome of the South East and East of England Air Service Study (SERAS).

The Head of Planning and Building Surveying presented a detailed report, which described the application and the decision process to date. It assessed the ability of the Council to determine the planning application and it concluded that it should do so. It then provided information on the SERAS report and concluded that it was not relevant to this proposal for a stand-by

runway. It also referred to other matters raised by Members at the previous meetings. Counsel's opinion and independent technical advice had been sought and these had supported officers' recommendations. Details were given of the conditions proposed to be attached to the permission. The report examined the consequences of refusal, deferment or approval of the application and concluded that planning permission should be granted subject to six conditions.

The Chairman reminded Members that this was a planning application and should be determined in the normal way.

It was moved by Councillor R B Tyler and seconded by Councillor D M Jones that the application be approved, subject to conditions and that a recorded vote be taken. Councillor Tyler said that the application had been dealt with properly and constitutionally and should be approved unless there were sustainable reasons for refusal, otherwise the Council would risk serious costs. He said that the stand-by runway was an operational necessity and a safety feature. The CAA had confirmed that this runway could not be used for parallel working and the conditions imposed would ensure this. The independent advice had concurred with the Officers' recommendations and the application should now be determined on its merits.

Councillor R A E Clifford enquired whether there had been any developments since the matter had been referred to the Local Government Ombudsman. Officers replied that, to their knowledge, no letter had been received. Councillor Clifford considered that the application should have gone to the full Council. He considered it premature until after the SERAS report had been published.

Councillor Smith commented on the nature of the infrastructure associated with the standby runway, in particular the Instrument Landing System (ILS), which would make it more attractive to operators. There was concern that approving this application could enhance the case for a second runway at the airport in the future.

Councillor Mrs Godwin expressed similar concerns to Councillor Smith. She had had no concerns regarding the originally approved standby runway arrangements but urged that the current application should be deferred.

Councillor A Dean queried why the existing approved emergency runway was not adequate when a similar one was considered good enough at Gatwick. He sought an Environmental Impact Assessment, a legal agreement with the Airport and consultation with DTLR. He concluded that the application should be referred back to the Development Control and Licensing Committee. Councillor Mrs Caton said it was time to take a decision. No good planning reason for refusal had been put forward. The application should now be approved.

Councillor Thawley said that the additional information provided by the technical experts and independent Counsel had answered his concerns and he now felt able to approve the application. He was concerned that this information had not been available at the outset.

Councillor Thawley, seconded by Councillor Mrs Godwin, then moved an amendment that the application be referred back to the Development Control and Licensing Committee for determination. Councillor Mrs Cant stressed the public perception of the importance of a legal agreement.

Councillor Smith raised the issue of any impact on the public safety zone. The Head of Planning and Building Surveying was asked to comment on the questions by the Chairman. He said the application had gone through the proper processes and concluded that an Environmental Impact Assessment was not required. The Regional Government Office had all the information about the application and the officers' report but had not requested a call-in. Safety zones were a matter for Government and the CAA. Other points he considered were adequately covered in the report and the suggested conditions if the application were approved.

Members thought that the Development Control and Licensing Committee was the appropriate committee to determine the application. After further discussion, the amendment was then put to the vote and was carried by six votes to two. It was therefore

RESOLVED that the application be referred back to the Development Control and Licensing Committee on 26 November 2001 for determination with no recommendation from this Committee.

ET20

BUSINESS ARISING

(i) Minute ET4(i) Planning Policy Guidance Revised Consultation Paper – Development and Flood Risk

It was reported that two meetings were to be held at Saffron Walden and Great Dunmow, with representatives of Town and Parish Councils, to discuss the handling of recent flooding incidents and to consider future action. All District Council Members had been invited to these meetings.

(ii) Minute ET5(ii) Locally Determined Budget Programme 2001/02 – 2003/04

Members were informed that Paul Hardy from Essex County Council, Transportation and Operational Services would be attending the next meeting to present issues relating to the Locally Determined Budget Programme.

(iii) Minute ET5(iii) Local Transport Plan Programme 2001/02

The Director of Community Services explained that there were two Multi Modal Studies. One was looking at the London to Ipswich corridor and a workshop on this for local authority Members would be held at Margaretting, Chelmsford on 3 December. Members were asked to inform the Director of Community Services if they would like to attend. The second study was that from London to South Midlands which covered the M11 area and had a more direct effect on this District. A public consultation document should be available in January and Officers might be in a position to report to the next meeting.

(iv) Minute ET6(ii) Future Parking Arrangements in Great Dunmow

Officers were not yet in a position to provide information about possible different measures for season tickets.

(v) Minute ET9 Countywide Waste Strategy Options

Councillor Thawley reported on his visit to the high diversion trials at East Mersea and Witham. The day had been very informative and he reported that both sites had now achieved 50% recycling rates.

(vi) Minute ET13 Greater Cambridge Partnership

A reply had not yet been received from the Greater Cambridge Partnership.

ET21

CLOSE GARDENS SAFFRON WALDEN

Following the decision at the last meeting, the Chairman, together with an Officer, had met local residents regarding the work required to improve the Gardens. They had confirmed that the most pressing need was for repairs to the built structures of the Gardens and also appropriate pruning. The provision of lights and railings was considered unnecessary. The list of the works proposed was outlined in the report and totalled £8,500. A meeting had been arranged with the Town Council to discuss the future of the Gardens. The Town Council wished to see the improvement works completed before it would consider taking on the future maintenance of the Gardens. There was an expectation that ownership would also then rest with the Town Council. The Chairman said that this was a charming little garden and an important part of Saffron Walden. The proposed works seemed to be the best way forward.

RESOLVED that

- 1 subject to a letter of intent being obtained from Saffron Walden Town Council regarding the future ownership and maintenance of the Gardens, the works of £8,500 as set out in the report be funded in 2001/02, if practicable, as a one-off growth item from reserves.
- 2 the Gardens be transferred to the Saffron Walden Town Council subject to suitable terms being negotiated and approved by the Chief Executive in consultation with the Committee Chairman.

ET22

RESIDENT'S QUESTION REGARDING KYOTO PROTOCOL ON GLOBAL WARMING

Members recalled that at the Council meeting on 2 July 2001, Ms Sophie Crouch, a local resident, had asked the Council to comment on Esso's attitude towards the Kyoto protocol on global warming. She had requested the Council not to buy Esso (Exxon Mobil) products until a clear commitment

was given by Esso that they would stop undermining the Kyoto protocol on global warming. The Committee was advised that the Council's policy was to purchase the cheapest fuel available but it currently had no formal contracts with Esso.

Members discussed their commitment to the principles of the protocol and the action that the Council could take in support. Officers added that this question had given a timely reminder for them to look again at whether the Council was corporately reflecting the principles of the protocol throughout the delivery of its services.

RESOLVED that the Committee respond to Ms Sophie Crouch in the following terms:

- 1 The Committee expresses its support for the principles of the Kyoto agreement.
- 2 Where there are no financial implications, the Council will endeavour, wherever possible, to use suppliers with the greenest credentials.

ET23

DRAFT BUDGETS 2002/03

The Director of Resources presented the initial draft revised estimates of direct costs and income for 2001/02 and estimates for 2002/03. The figures were presented in the context of target committee cash limits and policy priorities approved by the Council on 16 October. The report included details of savings proposed by the Administration, which were part of a package intended to achieve the target savings identified.

Members were advised that unavoidable external pressures meant that the financial position was now more serious than at first thought and the Administration had accepted the prudent use of reserves to achieve the target figure. In particular, insurance premiums had risen sharply and pension fund employer contributions were expected to rise. Interest rates had also fallen more sharply than anticipated following events on 11 September. The Leader of the Council said that further options for savings and extra income would need to be considered at the next cycle of meetings.

The Administration had now submitted its list of detailed savings which, in the case of this Committee, amounted to £220,000. Councillor Bowker was concerned at the proposal to discontinue the Travel Token Scheme. He said these tokens were flexible and could be used for taxis, trains and buses. He believed that if they were discontinued it would disadvantage elderly and disabled people in rural areas who were not on a bus route.

Councillor Bowker declared an interest in this matter as he sometimes used these tokens.

Councillor Bowker proposed, and Councillor Thawley seconded, the deletion of this item from the list of proposed savings. After further discussion

Members asked for further information about this scheme before a final decision would be made and on this basis the proposal was withdrawn.

Councillor Thawley said that the problem of flooding was an important issue for a number of communities in the District and proposed an additional growth item of up to £30,000 for possible measures to minimise flood risk. The Leader of the Council asked Members to think very seriously about approving any extra growth items, given the Council's difficult financial position. Any additional growth item would require corresponding savings. He stressed that the budgetary situation was worse than a few months ago and that even more savings would be required. Members agreed that this item be shown as a possible growth item at the next meeting, together with an appropriate report.

RESOLVED that

- 1 the Administration's proposals for target savings, and the draft net direct cost budgets, as presented to the meeting, be approved,
- 2 Officers provide further information on the proposal to cut the budget for Travel Tokens for the next meeting,
- 3 consideration be given to an additional growth item of up to £30,000 for possible measures to minimise flood risk and a report on this be requested for the next meeting,
- 4 Officers be directed to prepare service plans and full budgets for 2002/03 for consideration during the next cycle of meetings.

ET24

LAND AT ASHDON

A request had been received from Ashdon Parish Council to lease an area of Council owned land opposite Guildhall Way in Ashdon. The Parish Council was proposing to erect a bus shelter on this land.

RESOLVED that the area of land be leased to Ashdon Parish Council at a nominal rent of £1 per year subject to any necessary terms and conditions specified by the Chief Executive.

ET25

ESSEX COUNTY COUNCIL PSA BID DOCUMENT TO GOVERNMENT

The Chairman agreed to the consideration of this item on the grounds of urgency as action was needed before the next meeting of this Committee.

Councillor Thawley reported on his attendance at a meeting of the Essex Waste Management Advisory Board. The meeting had discussed the Essex County Council's Public Sector Agreement (PSA) bid document to the Government for a grant of £1 per head of population to be used to promote recycling initiatives. Changes were required to the text of the bid document. There was a very short period of time before the bid had to be submitted and a revised text was awaited from the County Council.

RESOLVED that changes be made in relation to recycling in the draft bid document to safeguard the interest of the Council and this be delegated to the Director of Community Services in consultation with the Committee Chairman.

The meeting ended at 10.30 pm.

REMARKS TO MEMBERS BY JOHN STENT MANAGING DIRECTOR STAL

- Planning Permission was granted for a standby runway or emergency runway, they are one and the same in terms of their use, in June 1985 in outline and was confirmed in 1999.
- **The need** was and still is, for use when the main runway is closed or unavailable for use.
- The original proposal would have only permitted operations in good weather, when the runway was visible to the pilot – using “visual approach”.
- In order that the standby runway can be safely used in a wide range of weather conditions, it is essential that it be provided with an instrument landing system (ILS).
- An ILS could not be provided and used on the original alignment, using the Hotel taxiway, because safety clearances from existing buildings are inadequate.
- The alignment that is now proposed is slightly closer to the main runway than the original proposal.
- We made an honest mistake in not realising this realignment generated the need for a new application. There was no intention to ‘buck the system’ and I apologise for the false start on the project.
- The CAA, which is the regulatory body for operations in the UK, has stated in writing that there are no foreseeable circumstances in which the standby runway could be used simultaneously with the main runway.
- Regulations, which may apply in some other countries, are not relevant. The CAA has the final say in the UK.
- The need and intended use of the standby remain, as they always have been – for use only when the main runway is unavailable.
- The standby runway was always part of the 15-mppa development. We want to proceed with it irrespective of any further development of the airport’s capacity.
- The provision of the standby runway does not pre-empt or prejudice SERAS. The standby on its own cannot and will not provide the Government with a viable SERAS option.
- After all, we would need to provide a further new main runway together with all the associated terminal, satellite and apron works, not to mention car parking and surface access infrastructure before a two-runway operation would be possible at Stansted.
- Obviously there is no planning permission for such an additional runway – it could not be built without further consent.
- We need to get on with the standby runway because of the level of activity now at the airport and because we will soon need to fully resurface the main runway, last done in 1990. Very few airports of our size do not have runway back up.

- We are willing to accept the binding planning condition suggested by the Council to reinforce the control on the use of the standby. This condition is powerful and unequivocal. I understand the value of such reassurance and offer it readily. In addition, we would be quite prepared to have officers audit the records of usage and even make arrangements to notify the Council in advance of any pre-planned periods when the standby runway would be brought into use.
- We are a long-term part of this community. We are acting in good faith and hope very much you will feel able to approve this application today. We have a good record as responsible developers. I very much want to keep the relationship with you constructive and open.

**STATEMENT BY MRS J DURKIN ASSOCIATION OF INDEPENDENT RESIDENTS
(AIR GROUP)**

In May of this year, AIR Group discovered that BAA had begun building at Stansted a fully operational second runway for which they had no planning permission. We alerted Uttlesford officers, who were not aware of BAA's actions. They then required BAA to stop building and submit the application now under consideration tonight.

Some facts and many uncertainties surround this application:-

In 1985, the Secretaries of State were quite specific as to what BAA could and could not do. They required that all plans submitted by BAA to the local authority should be in accordance with document BAA130c submitted by BAA at the 1981/83 public inquiry. The application now before you is outside the terms of that document.

In accordance with Document BAA130c, outline permission was granted for an emergency runway at Stansted. There is no quarrel with this. It is universally accepted that an airport the size of Stansted needs some facility for when the main runway is out of action.

The Secretaries of State were quite specific on how the emergency runway was to be achieved, by widening a taxiway.

They were specific on its width: 15 metres narrower than the present main runway. They were specific on its category; emergency use only with no blind landing facilities. They also made a direct comparison; that it was to be the same as the emergency runway at Gatwick.

All these conditions were required because the Secretaries of State agreed that there should be no expansion at all at Stansted, if there was any possibility of a second fully operational runway ever being built there.

BAA already have permission for the emergency runway, which the Secretaries of State approved. You gave them permission for that in 1999. BAA could begin building this tomorrow, but have chosen not to do so.

Instead, they now want a fully operational runway as good as any main runway at any airport anywhere in the world. It is the same width as the present main runway, not 15 metres narrower as required by the 1985 permission; it has full Category 3b lighting when visual approaches only were required, and it is to be constructed between the taxiway HOTEL and the existing main runway, not as an extension to HOTEL as required in 1985.

All these factors are variations on the conditions imposed in 1985.

BAA have assured us that if they get permission for this fully operational runway they will not use it for fully operational purposes. Why build it then?

BAA have claimed that they want to build this runway for safety reasons. We cannot accept this. BAA are not the arbiters on safety. That is the job of the CAA who had no problem with the runway, which you approved in 1999 and have no problem with the emergency runway to that same specification which operates successfully at Gatwick today.

We also share residents' widespread concern that BAA may seek to use this runway to increase airport capacity at some future date.

For all these reasons, we urge you not to accept this application, but to refer it instead to the DTLR who are the experts and the ultimate authority regarding developments at London airports. This is a very serious issue, which strikes at the heart of the democratic planning process, which is the only protection, which residents have against the might of BAA.

We have already instructed solicitors and counsel and will be considering with them what further actions they advise to protect our position.