

**STANSTED AIRPORT ADVISORY PANEL held at COUNCIL OFFICES
LONDON ROAD SAFFRON WALDEN at 7pm on 13 FEBRUARY 2017**

Present: Councillor K Artus (Chairman)
Councillors J Davey, T Farthing, M Foley and H Ryles

Officers in attendance: R Dobson (Principal Democratic and Electoral Services Officer), J Pine (Planning Policy/DM Liaison Officer).

SP10 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Lodge and Oliver.

Councillor Artus declared a non-pecuniary interest as a member of SASIG and STACC.

Councillor Foley declared a non-pecuniary interest as a member of SSE.

SP11 MINUTES OF THE MEETING HELD ON 10 MAY 2016

The minutes were received and signed by the Chairman as a correct record.

The Planning Policy/DM Liaison Officer said in relation to the consultation by the Civil Aviation Authority, that he would attend a stakeholder workshop on 17 February 2017 and would report to the Panel on that event.

SP12 DEPARTMENT FOR TRANSPORT (DfT) CONSULTATION ON PROPOSED NIGHT FLIGHT RESTRICTIONS AT HEATHROW, STANSTED AND GATWICK

The Panel considered a report on the DfT consultation on proposed night flight restrictions at Heathrow, Stansted and Gatwick.

The Planning Policy/DM Liaison Officer presented the report. He explained the consultation period was from 12 January 2017 with a closing date of 28 February 2017. In order to respond, it was therefore necessary that the recommendations of the Panel should be presented to Cabinet on 16 February 2017.

The Planning Policy/DM Liaison Officer said the Government's stated intention was to continue to balance the economic benefits of night flights with the effect they had on communities. The Government wanted the new restrictions to maintain the status quo in terms of the number of flights, but also to give the industry incentives to continue improvements in noise performance which were already taking place. The consultation set out the Government's new environmental objective, and how it intended to achieve it through proposed new limits on the number of night flights and noise quotas. The consultation

also explained the adjustments to the structure of the regulations required in order to ensure that changes in aircraft technology were taken into account.

Members were invited to consider how they wished to respond to the consultation questions in so far as they affected operations at Stansted.

AGREED to recommend to Cabinet that the Planning Policy/DM Liaison Officer submit responses to the consultation as set out in the report, but with the following emphases and additions:

Q3a – Strong support for introduction of a new QC/0.125 category.

Q9a – The consultation makes no mention of the use of alternative metrics such as “Number Above” contours. These should be used in addition to the LAeq 6.5hr night contour as they reflect the growing body of evidence that residents are more annoyed from the number of noise events they are exposed to rather than the total noise load. This is a point that comes out of the recently published CAA survey of noise attitudes (SoNA).

Q9b – In its response to the Stage 2 consultation in 2013 on the current regime (October 2014 – October 2017) the Council supported the stepped reduction in the noise quota limit at Stansted that occurred from 2006/7, but which stalled in 2012. From winter 2006/7 – winter 2011/12, the limit reduced from 3,510 to 3,310. From summer 2007 to summer 2012, the limit reduced from 4,900 to 4,650. Extrapolating forward, the Panel recommended a starting point for winter 2017/18 of **3,070**, and for summer 2018 a starting point of **4,350**.

Strong support for the phasing out of QC/4 and QC/2 aircraft.

Q10 – Support the phasing out of the overrun and carry-over procedures, but unsure what penalties exist should airport operators exceed a 20% overrun in any season. This does not appear to be set out anywhere.

SP13

IMPLEMENTATION OF THE 35MPPA (GENERATION 1) PLANNING PERMISSION

Members considered a report by the Planning Policy/DM Liaison Officer regarding the current status of the 35mppa (Generation 1) planning permission for the expansion of Stansted Airport. The current position was that the Generation 1 permission had not yet been implemented. The report referred to the Secretary of State’s imposition of conditions on the planning permission, in particular Conditions MPPA1 and 2 which imposed a 35mppa annual cap and a passenger throughput monthly reporting requirement and Conditions ATM1-5 which imposed a 264,000 ATM annual cap.

In June and July 2016, MAG had submitted a reserved matters application for works at the fuel farm and a further application for discharge of the relevant parts of the pre-commencement conditions, within the 8-year limit which had been given for submission of any reserved matters. Both were approved. MAG had advised that the works had not yet started on site, but they would be in the coming weeks to ensure lawful implementation of the Generation 1 permission. In December 2016 MAG had submitted a full application for planning permission for a new arrivals building located to the north east of the terminal and south west of the Radisson hotel. This application was under consideration and would be reported to the Planning Committee in due course. If planning permission were granted, the arrivals building would replace the unimplemented terminal extension permitted in Generation 1.

The latest monitoring figures submitted by MAG (December 2016) indicated that throughput had reached 24.3mppa and the number of ATMs as defined in Conditions ATM1-4 had reached about 166,000. No breach of Condition AN1 had occurred, the latest reported contour area (for 2015) being 24.8sqkm. The contour for 2016 was awaited.

The planning permission had also included two unilateral undertakings signed by the applicants on 26th September 2008. One was in favour of the District Council and Essex County Council relating to a number of matters. The other was in favour of Hertfordshire County Council relating to contributions towards local road schemes and public transport.

The Planning Policy/DM Liaison Officer referred the Panel to the unilateral undertaking which had included a definition of "implementation", which was

"Implementation shall mean the implementation of the Planning Permission for the development by the annual passenger throughput at Stansted Airport exceeding 25mppa over any period of 12 calendar months or the annual number of ATMs exceeding 241,000 over any period of 12 calendar months or the carrying out of any material operation (as defined by S.56 of the 1990 Act) pursuant to the Development which is permitted by the Planning Permission, whichever is the earlier".

The Planning Policy/DM Liaison Officer explained that towards the end of the public inquiry, throughput at the airport had reached just on 24mppa and it was anticipated that implementation of the Generation 1 permission would take place very soon. The trigger points in the unilateral undertaking reflected an anticipated sequential progression through to implementation, and not the decline to 17.3mppa (October 2012) that actually took place as a result of the economic downturn. Since the airport had been acquired by Manchester Airports Group (MAG) throughput had returned to 2007 levels, meaning that recovery had taken about 8-9 years. The main effect had been to delay implementation of the Generation 1 permission with some of the trigger points in the unilateral undertaking which were specific dates now appearing "out of sync".

The report attached the latest monitoring update for the unilateral undertaking obligations and trigger points. The Planning Policy/DM Liaison Officer confirmed that “implementation” as defined had not yet taken place.

Councillor Artus asked whether financial obligations were due. The Planning Policy/DM Liaison Officer said there was an obligation to make some money available regarding on-street parking and off-airport parking, otherwise funding was confined to that made available for Highway improvements.

Councillor Artus asked whether the fuel area permission negated the new terminal trigger.

The Planning Policy/DM Liaison Officer said no, because the trigger point in the condition that imposed the 264,000 ATM limit was the first public use of the terminal extension that would not now be built. The Development Management team were aware of this now redundant trigger point and would need to consider whether it should be rolled forward into a new condition on any planning permission granted for the new arrivals building. Legal advice might be needed on this point, as the Council needed to look at any risk that the applicant could otherwise end up with a planning permission that was unrestricted in terms of ATMs by default. .

Councillor Artus said it would be important that the Council should seek legal advice.

SP14

CHAIRMAN’S ITEMS: CLACTON ROUTE CHANGES REVIEW AND ALTERNATIVE METRICS FOR NOISE MEASUREMENT

The Chairman said this time last year Stansted Airport Limited and NATS had implemented a daytime change from use of the Dover departure route to the Clacton route. A year on, a post-implementation review is now due. Councillor Artus invited comments.

Various representations had been made from residents to the east of Stansted Airport complaining that peaceful enjoyment of homes had been disrupted. Councillor Artus said representations indicated there had been an increase in volume of noise in the area generally. The Council should respond that it was still premature to adopt these changes, and that the effects were as anticipated. The Council should maintain a consistent position and therefore should make representations that these changes should be reversed.

AGREED the Planning Policy/DM Liaison Officer would respond to the review in accordance with the above minute.

Councillor Artus said regarding alternative noise metrics, that STAAC would write to the Council informing it of the availability of alternative metrics. He requested that the planners be made aware that future planning applications should take these contours into account.

Councillor Artus declared an interest as the member for Hatfield Broad Oak, Great and Little Hallingbury and Great Canfield. He drew the Panel's attention to instances where the airport operator could make representations on residential planning applications on grounds of the effect of air noise and which could prevent development. The planning department needed to be cognisant of the Airport's potential objection to development on these grounds.

Councillor Farthing said new guidance had been issued regarding noise, which meant planning could avoid the most affected areas.

Councillor Artus said the whole of his ward was affected and that if the Airport's objections took precedence over the wider social need then no developments would progress.

Councillor Foley agreed. He said the objections were beyond the remit of the Airport's needs.

AGREED the Chairman would write to the Chairman of the Planning Committee on this matter expressing concern and that any objection by the airport should not take precedence where the sustainability of local communities was at stake.

The Planning Policy/DM Liaison Officer said a further meeting of the Panel was needed in early May to consider the DfT aviation consultations due to close on 25 May 2017.

The meeting ended at 8pm.