

Question 1: The Government believes there is the need for additional airport capacity in the South East of England by 2030. Please tell us your views.

We do not believe the case has been made for additional airport capacity in the UK. The cost of air travel is artificially depressed as it does not include externalities such as its impact on climate, air and noise pollution and attendant health and social impacts. Aviation fuel is not taxed as compared with fuel used in other modes of transport.

It is not surprising therefore that provision of more aviation capacity at artificially low costs could result in consumer demand for flying. However, without realistic pricing there is nothing in the system to signal when to stop building more runways. Recent calls by the Institute of Directors and British Chambers of Commerce for even more runways, over and above a third runway at Heathrow, demonstrate that the South East could be subjected to yet more concretisation and environmental degradation if demands for more low cost air travel are met.

Providing additional capacity in the South East would exaggerate the current regional inequalities in the UK and limit the growth of direct flights overseas from regional airports with the resulting benefits to their local economies. The need for a single UK Hub airport in London is declining as air travel moves to point to point routes which can be met by regional airports.

This further concentration of aviation activity in the hands of one, largely foreign-owned company, Heathrow Airports Limited, would be enabled by a Government subsidy with regard to transport system enhancement. This is anti competitive and likely to produce worse results for other businesses and consumers.

There is some support for Heathrow expansion from UK regions outside of South East England but much of this appears to be based on the inflated benefits figures provided by the Davies Commission, including regional jobs. These in turn appear to have been based on some work done for Heathrow itself which produced figures of 179,000 jobs across the regions and £147 billion gross benefits across the UK over 60 years. However, once officials recalculated the figures using Treasury guidelines (see *Further Review and Airport Capacity in the South East, Department for Transport October 2016*) the figures were reduced by a factor of over 3. For example, £147 billion gross benefits over 60 years became a maximum figure of £61 billion gross benefits over 60 years ie around £1bn

a year. Not only is £1bn a year this an insignificant sum in terms of the UK's GDP, but also, given the nature of an exercise such as this, necessarily based on estimates and assumptions, it is within the margin of error and therefore cannot be said to represent a positive benefit figure.

There are further problems with the business case for expanding Heathrow.

First, a benefits case is normally represented by a net rather than gross benefit figure and also by specifying range figures where they exist, rather than just quoting only the figure at the high end of the range. The Net Present Value of a Heathrow Northwest runway is £0.2 to £6.1bn (Table 7.1 of the consultation document). The contrast with Gatwick showing an NPV in the range of £3.1 to £4.5bn is striking. As the document says:

“There is little difference in the NPV's of the schemes when considered over a 60 year appraisal period. The revised analysis suggests that the NPVs of the Heathrow schemes are subject to more uncertainty than the LGW Second Runway Scheme, with the LHR Northwest Runway delivering the highest NPV at the upper end of the central range, and the LGW Second Runway delivering a higher NPV at the lower end.”

On its own evidence then the Government's preferred scheme does not emerge from this evidence as the best scheme. These important facts were glossed over in the public exhibition stands which formed part of the consultation. This amounts to misleading the public as it is reasonable to assume they have not studied the detailed work on the business case, much less the Department for Transport's reworking of the figures which is explained in technical language.

Second, it would be surprising if many members of the public realised that the aspects of the business case presented to them in fact included benefits to non-residents. Most people would be astonished to learn (Appendix A of *Further Review and Airport Capacity in the South East* referenced above) that when only UK residents are included in the calculation of benefits, the NPV range for Gatwick becomes £8.9bn to £10.3bn whereas the Heathrow Northwest Runway schemes comparable range is £5.8 to £9.9bn.

Third, the Government's belief in the need for an additional runway in the South East is not based on an analysis of the original evidence by the Davies Commission. The Commission's terms of reference included

expansion in the South East as a given. As a result the Commission did not adequately explore the “do nothing business case” ie what would happen if no additional runway capacity was provided in the South East.

A properly conducted do nothing business case would explore all international freight, about which much is made in the consultation. Just to take one example, the Davies Commission did not adequately consider the expansion in capacity being increasingly provided by the DPP Gateway Port in the Thames Estuary which has, for example, recently inaugurated a freight train line with China.

In conclusion, the biased presentation of the case for an additional runway in the South East at the consultation events misled the public. The case for Heathrow does not stack up in comparative or absolute terms.

Question 2: Please give us your views on how best to address the issue of airport capacity in the South East of England by 2030. This could be through the Heathrow Northwest Runway scheme (the Government’s preferred scheme), the Gatwick Second Runway scheme, the Heathrow Extended Northern Runway scheme, or any other scheme.

Even ignoring the absence of a convincing business case, the Heathrow Northwest Runway option is ruled out as an option on several other grounds:

- According to the European Commission, at least 725,000 people live under the Heathrow flight paths; that is, 28% of all people impacted by **aircraft noise** across Europe. A new runway would bring a considerable number of new people under a flight path for a first time. Additionally, those communities which currently enjoy a half day’s break from the noise are likely to find that reduced (in order to ensure people under the new runway also get respite). A third runway is expected to increase the number of planes using Heathrow by around 250,000 a year. Quieter planes and improved operation practices cannot wish that number away.
- Air Pollution levels already exceed the official safe levels in areas around Heathrow. With another quarter of a million or so planes using the airport if a third runway is built, is it really feasible that **air pollution** levels will fall even if quieter and cleaner planes come on-stream? Vehicle traffic is the big problem. It is likely to require radical

measures – such as scrapping/reducing diesel vehicles, a congestion charge scheme around Heathrow - to enable air pollution targets to be met. Can they be guaranteed?

- At least 783 **homes will need to be demolished** to make way for a third runway. And many more people might need to leave their homes if the noise proves intolerable. Heathrow has offered to buy nearly 4,000 homes in total. Of course these people are being offered compensation but will it be enough to enable them to buy a new home in the area of their choice? West London and surrounding areas in the Home Counties already suffer from a severe housing shortage, high housing density and expensive housing, an issue which also affects accommodating people in any new jobs created by Heathrow (see the Hammersmith & Fulham Commission on Airport Expansion at https://www.lbhf.gov.uk/sites/default/files/section_attachments/20150128_hfcae_response_to_the_airports_commission_consultation_tcm21-193509.pdf).

Question 3: The Secretary of State will use a range of assessment principles when considering any application for a Northwest Runway at Heathrow Airport. Please tell us your views.

It is not clear what relative weight will be given to the various assessment principles so the basis of any decision is not transparent (a point also raised by the Hammersmith & Fulham Commission on Airport Expansion, as referenced above).

It is also concerning that an additional assessment criterion has been added to those included in the Davies Commission Report, viz paragraph 3.10 of the draft Airports National Policy Statement it says:

“The UK's decision to leave the European Union adds further weight to the need for additional airport capacity. As our business and trading relationships change, it is very likely that we will need to look to emerging markets around the world, particularly in the Far East.”

This is bare assertion without any underlying analysis or quantification, and it is opaque what weight is being given to this. This statement is not underpinned by any evidence from the Davies Commission as that work predated the Brexit decision. The Government needs to undertake fresh analysis if they are to use this as an assessment criterion. It is far from clear that such an analysis would strengthen the case for additional

airport capacity. Projections of demand for air travel to and from the UK post Brexit tend to indicate a fall in demand.

Moreover, the reference in the above quotation is to business travel. Heathrow, of course, carries a large preponderance of leisure over business travel. It is not clear – and never has been – why it cannot serve a greater proportion of business travel, ceding some leisure travellers to airports which have spare capacity such as Stansted.

Question 4: The Government has set out its approach to surface access for a Heathrow Northwest Runway scheme. Please tell us your views.

The requirement on Heathrow ‘to implement measures to deliver on its commitment of no increase in airport related road traffic, with more than half of passengers using public transport’ is hollow because the NPS does not make clear how this will happen.

The NPS needs to start with a baseline measurement of the amount of airport-related road traffic now, to publish it and to commit to publishing it on a regular basis in the interests of transparency. However, we understand that Heathrow have not undertaken any measurement of the amount of traffic attributable to its activities. This is convenient for them as they can hide behind the bland statement that much of the traffic is not attributable to Heathrow, which may be true but serves to obscure rather than clarify the facts. The Government should either undertake this measurement itself or require Heathrow to do so. Otherwise it will be impossible to monitor whether the requirement not to increase traffic is adhered to.

The Hammersmith & Fulham Commission on Airport Expansion referenced above found that, based on evidence from Transport for London, the modal shift to public transport on which Heathrow’s plans for a third runway were predicated was not credible being of a scale which had never been seen before.

There has been considerable debate on what surface access might be required and who will pay for it. The NPS has not resolved this. The Airports Commission put the cost of the road and rail improvements required at £5-£6bn. Transport for London has put it as high as £18.4bn. Heathrow Airport told the Environmental Audit Committee that it would only pay £1.1bn. None of this has been satisfactorily resolved. This leaves

the inference of a heavy public subsidy and the need to consider State Aid, given the near monopoly position which Heathrow would enjoy post expansion. The level of road traffic will determine levels of congestion and pollution around the airport.

The target the Government is proposing of “no increase in airport related road traffic” should specifically include freight traffic, given the significant expansion Heathrow envisages to its freight operations. It is not clear it does at present.

Question 5: The draft Airports National Policy Statement sets out a package of supporting measures to mitigate negative impacts of a Heathrow Northwest Runway scheme. Please tell us your views. Are there any other supporting measures that should be set out? In particular, please tell us your views on: 5.1. Air quality supporting measures 5.2. Noise supporting measures 5.3 Carbon emissions supporting measures 5.4. Compensation for local communities

This is back to front. The Government needs to start with a set of minimum quality of life measures and then identify options consistent with that. Even with considerably more mitigation measures than are currently being proposed, the negative impacts of a third runway at Heathrow on many residents in London and the South East would remain too severe. Minimum quality of life standards could never be maintained for vast swathes of the population with a 3rd runway.

Just one example is the question of night flights where restrictions are being dangled as a partial solution to noise. First, it ignores the substantial problem of daytime flights. Second, Heathrow is on record as saying this is not commercially viable. Third, IAG have said this is not acceptable to the airlines. Fourth, a night flight “ban” would apparently still allow some flights through although it is difficult to get to the bottom of this for the average member of the public trying to respond to this consultation.

Beyond those considerations, even on its own terms a night flight ban of 6 and a half hours is unacceptable. Public Health England, in advice to the public, states that “most of us need around eight hours of good-quality sleep a night to function properly” and that regular, poor quality sleep can put people at risk of developing serious medical conditions, such as heart disease, diabetes, shortened life expectancy, anxiety and depression (*One You – Sleep, Public Health England, current*). It is extraordinary that in the

face of this a ban of only 6 and a half hours is being put forward as a measure people are expected to welcome.

If Heathrow, and the Government under its influence, were acting in good faith, several of the mitigations being proposed would have already been implemented. Instead, Heathrow is cynically using them as a bargaining chip to secure a third runway.

Ultimately any compensation should apply to all those affected by an increase in noise and pollution, rather than only those immediately adjacent to the airport. The consultation does not address this issue.

Question 6: The Government has set out a number of planning requirements that a Heathrow Northwest Runway scheme must meet in order to operate. Please tell us your views. Are there any other requirements the Government should set out?

We have no comment to make here.

Question 7: The Appraisal of Sustainability sets out the Government's assessment of the Heathrow Northwest Runway scheme, and considers alternatives. Please tell us your views.

We have no comment to make here.

Question 8: Do you have any additional comments on the draft Airports National Policy Statement or other supporting documents?

The consultation is inaccessible to most members of the public. The questions require the public to read the underlying documentation which is in technical and complex language. Many people wrote to our new local group, handfnothirdrunway, saying that they had great difficulty with this. The questionnaire read like a difficult exam question. The difficulty was compounded by the one-sided nature of the presentations in the public exhibitions.

In our view there have been at least three failures of process which invalidate this consultation. We have written to Sir Jeremy Sullivan about this and received inadequate answers. The correspondence is reproduced below for convenience:

From independentadviser@runwayconsultation.gsi.gov.uk Tue May 23 10:24:53 2017

To: "'Christina Smyth'" <christina@d-and-c-smyth.co.uk>

Subject: RE: Election purdah and the consultation process

Dear Madam,

Thank you for your email.

I note your views on the lack of information on flight paths and the effects of Purdah but I do not think that I can usefully add to my earlier response.

In answer to the new point that you raise about the Conservative party manifesto, it seems to me that it is implicit in any promise in a party manifesto to continue with a programme of national investment that the programme will be continued in accordance with the law.

If the new Government does decide to proceed with the draft NPS, it will have to complete the procedures in a way that is both fair and in compliance with the provisions of the 2008 Planning Act.

Kind regards,

Sir Jeremy Sullivan

-----Original Message-----

From: Christina Smyth [mailto:christina@d-and-c-smyth.co.uk]=20

Sent: 19 May 2017 15:37

To: independentadviser

Subject: Re: Election purdah and the consultation process

Dear Sir Jeremy

Thank you for your response of 16th May.

LACK OF INFORMATION ABOUT FLIGHT PATHS

The chicken and egg problem you refer to is one of the Government's own making. If work had been done at the proper time on the use of airspace over London and what the realistic options are, both with and without a third runway at Heathrow, then we would have a clearer basis on which to judge the policy. The fact remains that the effects of the policy can't be judged by the public who have not have clear flightpaths set before them with maps front and centre of the public display boards.

THE EFFECT OF PURDAH ON THE CONSULTATION

On the implications of the announcement of a General Election on the NPS consultation, I note the points you intend to make after the Election but these do not seem to commit you to clear advice on the fairness or otherwise of the consultation. Above all, I am surprised that you say this is for the Department for Transport to consider. I would have thought that this question, if anything, is central to the process of consultation and therefore squarely within your remit. It is hard not to conclude that your appointment to safeguard the fairness of the consultation process is anything other than token in nature.

A development has increased the force of, and brought a new dimension to, the question of purdah overlapping the consultation. Yesterday - with the consultation having a week to run before closing on 25th May - the Conservative Party manifesto was published, including a pledge to proceed with a third runway at Heathrow. Given that they are the previous party of Government, and if they are elected to be the next Government, this act fatally undermines the consultation which seeks the public's views on, amongst other things, the question of a third runway at Heathrow. It sends the message that the Government (if it is the Government to be) has already made up its mind on this question, and does not really seek the public's views at all. A pledge to deliver the third runway is a much stronger statement than a preference for it, which was what was announced in October 2016.

It is a well understood phenomenon that a large proportion of consultation responses are submitted in the last few days before the the closing date. With just a week left of the consultation when the pledge was published, many people who were intending to respond are likely to be deterred on the basis that the Government has already made its mind up finally and that there is no point in responding. This will therefore significantly reduce both the number and the balance of consultation responses, thus invalidating the process.

Were your views sought on the question of including the pledge in the manifesto given the existence of the consultation, and, if they were, what was your advice, please?

Best wishes

Christina Smyth

On Tuesday, 16 May 2017 11:01:49 BST you wrote:
Dear Madam,

Thank you for your email to Sir Jeremy Sullivan. He has asked that I respond with the below;

I note your comment with regards to the lack of information in relation to possible future flight paths. My view is that while I understand a consultees wish to have detailed information on flight paths, it seems to me that we have a 'chicken and egg' situation; a decision on detailed flight paths will not be made by the Civil Aviation Authority until it has been decided (a) whether there should be an additional runway in the south east and (b) if so, whether this should be a new runway at Heathrow.

Once the planning position is clarified it will be possible to determine detailed flight paths in accordance with whatever process that may be adopted following the Government's Airspace Consultation.

In my view it is still possible to have a fair and meaningful consultation upon the basis of indicative flight paths, provided it is made clear that they are only indicative.

Secondly, the implications of the announcement that there will be a General Election on 8th June are for the Department for Transport to consider.

My own view is that it is sensible to allow the 16 week period for consultation to continue until it expires on 25th May. After 8th June

there will be a new Parliament and a new Government. The new Government will presumably have to decide whether it wishes to proceed with the designation of the draft NPS in its present form and if so what further procedural steps will be necessary.

If the new Government does decide to proceed with the draft NPS then the new Parliament will have to appoint a new Select Committee to scrutinise the draft NPS and the new Government will have to consider whether the consultation should be re-opened, for example to enable consultees to consider the revised passenger traffic forecasts and the modified Air Quality plan, or to make up for any loss of time during the Purdah period, or for any other reason.

I feel that extending the consultation period now would be unwise because it will not be clear until after the General Election what length of extension would be appropriate.

I will be making these points in my final report which I will submit to the Secretary of State once the consultation has concluded and a new Government is in place.

Kind Regards,

Sir Jeremy Sullivan

-----Original Message-----

From: Christina Smyth

Sent: 12 May 2017 16:50

To: independentadviser=20

Subject: Election purdah and the consultation process

Dear Sir Jeremy

We met at a meeting in Hammersmith at the beginning of the consultation process. I have two issues to raise.

IMPACTS OF POLICY NOT DESCRIBED OR QUANTIFIED

You may remember that I made the point to you when we met that it is an empty gesture to consult the public on a policy without information about the main policy impacts on large numbers of members of the public. The consultation does not carry information about where the new flightpaths associated with a new runway at Heathrow would be. Therefore people in large swathes of London do not know whether they will be affected by noise. Without details of the numbers of people affected, where they live and what noise (as measured by the recommended basket of noise measures) they will experience, it is not possible to comment on the policy itself.

To the response that this will not be known till later, the only rejoinder can be that once the details are known the consultation needs to be re-run.

GENERAL ELECTION PURDAH: EFFECTS

The other issue has arisen since the General Election was called. National and local government are interpreting the convention of purdah more and more strictly (too strictly in some cases, as was seen in the recent judgement on whether the Government should publish its air quality plan during General Election purdah). The effect of purdah in the present instance will be to dampen awareness of the consultation. This is likely to result in a lower number of

responses than would otherwise be the case. To the extent that Government wishes to proceed it can argue that it has received few objections and infer a greater degree of public acquiescence. To the extent that the public are not aware of what might hit them they have been disabled from participating.

A small local example illustrates the point. The evidence on the ground is that residents of Hammersmith and Fulham are in the main not aware that a third runway is likely to give rise to a new flightpath or new flightpaths over them. We at handfnothirdrunway have been trying to raise awareness of the consultation generally and this issue in particular. We have held a number of information stalls locally, explaining amongst other things about the current consultation (which few know about) and the importance of responding if they have points to make (before or against). The Council publicised our first two events in advance in their e newsletter and on their website. However, they said they could not publicise our third and most important event (on 13th May) owing to election purdah. In common with other local authorities they interpret election purdah restrictively. This is a serious blow since as a voluntary organisation we do not have the resources to pay for advance publicity.

Our submission is that this consultation has been damaged by its partial coincidence with the run up to the general election. Government needs to compensate by either extending the consultation by the same period of time as the overlap, or by restarting the consultation after the election or to restart it after the election.

Christina Smyth
Co-Chair handfnothirdrunway

Question 9: The Government has a public sector equality duty to ensure protected groups have the opportunity to respond to consultations. Please tell us your views on how this consultation has achieved this.

We have no comment to make here.