

Notice of Non-key Executive Decision

NOTE – red text (including this note) is for guidance and should be deleted from the actual decision

Subject Heading:	Heathrow Airport Expansion Consultation
Cabinet Member:	Councillor Damian White – Leader of the Council
SLT Lead:	Sue Harper – Interim Director of Neighbourhoods
Report Author and contact details:	Daniel Douglas Team Leader Transport Planning Spatial Planning Group 01708 433220 Daniel.douglas@havering.gov.uk
Policy context:	Local Implementation Plan (LIP3) Mayor's Transport Strategy (2018) London Plan (2017) Havering Vision Submission Havering Local Plan (2018)
Financial summary:	There are no financial implications as a result of this decision
Relevant OSC:	Environment
Is this decision exempt from being called-in?	No

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The subject matter of this report deals with the following Council Objectives

Communities making Havering	[x]
Places making Havering	[x]
Opportunities making Havering	[x]
Connections making Havering	[x]

Place an X in the [] as appropriate

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

That the London Borough of Havering response to the Heathrow Airport Expansion consultation (as set out in Appendix 1) be approved and submitted to Heathrow Airport.

AUTHORITY UNDER WHICH DECISION IS MADE

The following elements of the Council's Constitution apply.

Council's Constitution November 2010 Part 3 – Responsibility for Functions

2 Executive Functions – Functions

2.5 (b) Where there are implications for policies of the Council, to agree members of staff's responses to consultation papers from:

(i) the Government (including White and Green papers)

(ii) the London Councils, the Greater London Authority, the Local Government Association and all other bodies where those papers affect the services allocated.

STATEMENT OF THE REASONS FOR THE DECISION

Background

1. In July 2015, the independent Airports Commission reported the conclusions of its three-year study examining the need for additional capacity to maintain the UK's position as Europe's most important aviation hub. It found that there is a need for additional runway capacity in the South East of England, and unanimously concluded that a new north- west runway at Heathrow, combined with a package of measures to address environmental and community effects, presented the strongest case for meeting that need and offered the greatest strategic and economic benefits.
2. In October 2016, following further review, the Government announced that it endorsed the Airports Commission's recommendation, and backed a new north- west runway at Heathrow.
3. Heathrow's existing two runways are operating at capacity. The Government announced policy support for a third runway at Heathrow Airport in 2016, and

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subsequently produced a draft Airports National Policy Statement (ANPS). Following a successful parliamentary vote, the ANPS was designated in 2018.

4. The ANPS confirms support for a third runway at Heathrow, and establishes the primary policy framework for deciding whether the proposals put forward for expanding Heathrow Airport should be granted development consent.
5. Heathrow have developed proposals to respond to this policy, taking account of feedback that they have received in response to consultations and engagement with stakeholders.

Current Consultation

6. This statutory **Airport Expansion Consultation** is the third consultation held by Heathrow in recent years, and refers to the latest proposals for an expanded Heathrow Airport.
7. The key proposals within this consultation focus on the following areas:
 - **The Preferred Masterplan for expansion:** proposals for the future layout of the airport including the runway and other airport infrastructure such as terminals and road access. Future phasing for airport growth to achieve the Preferred Masterplan is also set out – from the runway opening in around 2026, to the end masterplan in approximately 2050;
 - **Plans to operate the future airport:** how the future three runway airport will be operated, including important elements such as night flights and alternation arrangements, as well as how potential additional flights before the new runway opens could be operated on the existing two runways;
 - **An assessment of the effects of the airport's growth:** a preliminary assessment of the likely effects of expansion on the environment and local communities;
 - **Plans to manage the effects of expansion:** proposals for mitigating the effects of expansion, including property compensation, Noise Insulation Policy, a Community Fund, and measures to mitigate against air pollution, carbon and other environmental effects.
8. The proposed expansion would be carried out in four phases which would be delivered up to the year 2050. The proposed expansion would deliver the following outcomes:
 - An increase in the number of air passengers by at least 10 million per year;
 - A new runway, 3,500 metres long to the northwest of the existing airport and supporting aircraft taxiway network;

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- A new terminal and related 'apron' capacity to enable processing of the additional flights and passengers associated with the expansion of the airport;
- Provision and relocation of critical airport related infrastructure such as fuel depots and pipelines and security control posts;
- Realignment of the M25 motorway and alterations to its Junctions 14 and 14a ;
- Diversion of local roads including the A4, the A3044 and the Southern Perimeter Road, including works to existing junctions;
- Diversion of local rivers, works to existing watercourses, provision of flood storage areas and ecological mitigation around the airport;
- Provision of new hotels, offices, cargo sheds, car parking, flight catering facilities and other airport-related facilities (e.g. aircraft maintenance) to enable operation of the expanded airport;
- Measures for avoiding, minimising and/or mitigating adverse environmental effects likely to arise in connection with the construction and operation of the project;
- Other associated works, for example, utility diversions, temporary access roads, highway works, temporary works compounds, work sites and ancillary works;
- Compulsory acquisition of land, including interests in land, and rights over land, over-riding easements and other rights and the temporary use of land;
- Changes to the existing operation regime at Heathrow Airport including: changes to the runway alternation arrangements; changes to the directional preference for aircraft landing and taking off from Heathrow Airport; and the introduction of the new and revised operating restrictions.
- Changes to the "Night time ban" arrangements including proposing a 6.5 hour ban on scheduled night flights between 23:00 and 05:30.

The Wider Planning Process

9. Following the current statutory consultation (developing and operating an expanded Heathrow), responses to the consultation will be reviewed to help Heathrow further refine their proposals. Once finalised, Heathrow will submit their Development Consent Order (DCO) application to the Planning Inspectorate in 2020, with an anticipated decision by the Secretary of State in 2021. If granted, the DCO would contain the required permissions for building and operating an expanded Heathrow.
10. It should be noted that following the appointment of a new Prime Minister and Secretary of State for Transport in recent months, the government has announced a review into the funding of an expanded Heathrow.

Potential Impacts on the London Borough of Havering

11. Heathrow arrivals are already flying over the borough specifically circling over Havering waiting for a landing slot. This has already raised concerns from local residents and key stakeholders within the borough.
12. The expansion of the airport through the introduction of a third runway may lead to additional aircraft flying over the borough. Additional flights (and therefore arrivals), have the potential to increase noise levels and create disturbance to local residents particularly when waiting to land in the early hours of the morning.
13. There is potential for more arrivals to 'stack' over Havering waiting for the Heathrow runways to open if the proposed changes to the scheduled night flight ban are implemented. This could lead to adverse noise and air quality impacts.

Implications for Havering

14. Whilst the benefits for businesses and individuals of air travel are recognised, Havering is committed to ensuring that the borough remains an attractive place to live and for businesses to invest. It is considered that the Council should respond to the consultation to set out its concerns that Heathrow expansion will result in adverse impacts on the borough in regard to noise and disturbance and other environmental dis-benefits such as vibration and air pollution.
15. Submitting a formal response evidences the Council's concern to protect the amenity of Havering and is consistent with the approach taken to a number of earlier aviation themed consultations centred on individual airports and airspace management.

Suggested Response

16. It is recommended the following comments be included within Havering's formal response to this consultation:
 - Havering is committed to maintaining the borough as an attractive place for people to live and where businesses will wish to invest
 - Havering strongly rejects the proposed expansion of London Heathrow Airport because of the likely adverse environmental implications
 - Havering already experiences Heathrow arrivals flying over the borough (the Heathrow Stack located in Lambourne)
 - Havering experiences noise from London City Airport so the effects of aircraft

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flying over the borough from multiple London Airports compounds the impact for local residents.

- Additional flights associated with the expansion of the airport will have an adverse impact on the London borough of Havering, particularly in relation to residents quality of life, noise levels and disturbance, and local air quality;
- Havering has an adopted Air Quality Action Plan (AQAP) as a measure of its commitment to improving air quality in Havering, however the adverse impact on local air quality from increased flight movements over the borough will be detrimental to the work that Havering is doing trying to improve local air quality.
- Additional flights alongside the introduction of the new and revised operating restrictions will increase noise levels and disturbance to local residents;
- Additional flights are also expected to have a detrimental impact on local air quality, and invalidate the effect of the schemes already undertaken to mitigate against local air pollution;

Next Steps

17. Following approval of this Executive Decision, the response will be submitted to Heathrow Airport.

OTHER OPTIONS CONSIDERED AND REJECTED

18. The option for not responding was rejected because it is important that the views of London Borough of Havering are taken into account as part of the consultation process and because it evidences the Council's commitment to safeguarding the environment of the borough.

PRE-DECISION CONSULTATION

19. The Leader of the Council and Cabinet Member for Environment were consulted ahead of the Decision being taken.

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Daniel Douglas

Designation: Team Leader Transport Planning

Signature:

Date:

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

20. Parts 1 to 8 of the Planning Act 2008 (as amended) (“the Act”) introduced a system of development consent for nationally significant infrastructure projects (“NSIP”). The proposed Heathrow Airport expansion was confirmed as National Infrastructure Project by the Secretary of State for Transport.
21. Heathrow Airport Limited will apply for a DCO via the Planning Inspectorate as Examining Authority (“PIN’s”) who have six months in which to hear the application. A three month period is then set aside for PIN’s to make a recommendation to the Secretary of State for Transport who then has a further three month period to confirm or refuse the order with or without amendments.
22. The process includes a very tight strict statutory period of consultation under the Act. The intention of the process is to enable all parties affected by the DCO application to make submissions through written representations.
23. This Executive Decision concerns the Council’s intended response to the statutory consultation is to be made and sets out topics and issues at paragraph 16 recommended for inclusion in the response.
24. The response will be submitted to Heathrow Airport Ltd as part of the S42 Statutory consultation process.

FINANCIAL IMPLICATIONS AND RISKS

25. There are no financial Implications as a result of this decision to respond to the consultation.

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

26. There are no human resource implications as a result of this decision.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

27. The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:
 - (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;

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(iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

28. The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

29. It is both Council policy and recently renewed SLT direction/expectation that EqHIAs (Equality and Health Impact Assessments) are carried out when appropriate and in sufficient time to enable informed decision-making. As a basic rule, one should be undertaken whenever staff, service users, or the wider public are impacted by decisions or the intended or planned activity. The relevant template with guidance is available from diversity@haverling.gov.uk and the intranet and its purpose is to ensure a systematic approach to the task and to evidence that due regard is paid to any adverse impact on affected parties with protected characteristics. In addition to the nine protected characteristics, the assessment also looks at matters pertaining to health and socio-economics, respectively.

30. Because this is an external consultation an EQHIA has not been carried out by Havering. As part of the DCO requirements the scheme promotor, Heathrow Airport Ltd would have to carry out an EQHIA ahead of their Planning Application submission, which Havering Council will review once published.

BACKGROUND PAPERS

None

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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

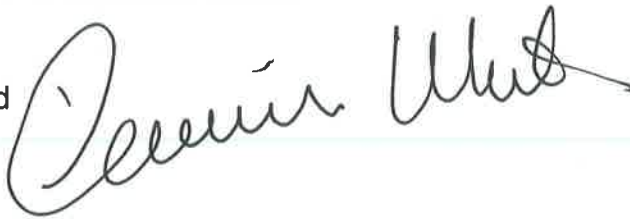
Proposal agreed

Delete as applicable

Proposal NOT agreed because

Details of decision maker

Signed



Name:

Cabinet Portfolio held:

CMT Member title:

Head of Service title

Other manager title:

Date: 7/10/2019

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Democratic Services Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on 7/10/2019

Signed 

Appendix 1

Dear Heathrow Airport Limited,

Heathrow Airport Expansion Statutory Consultation - response from the London Borough of Havering

Thank you for consulting the London Borough of Havering on the Heathrow Airport Expansion - Statutory Consultation.

This response has been informed and prepared with regards to the documents available for public consultation, including:

- Consultation letter to the Chief Executive;
- Consultation information available online at <https://aec.heathrowconsultation.com>; and
- Documents and other information associated with this consultation available online at <https://aec.heathrowconsultation.com/documents/>.

The Council has reviewed the consultation material and wishes to submit the following comments:

Overview

The Council strongly objects to the proposed expansion of Heathrow Airport. Additional flights associated with the expansion of the airport will have a significant adverse impact on the London Borough of Havering, in particular to resident's quality of life, noise levels and disturbance, and local air quality. This is discussed in further detail below.

Potential Impacts on the London Borough of Havering

Noise from low flying aircraft is already a significant issue for Havering residents.

Over a number of years many Havering residents have reported increased inconvenience and disturbance as a result of an increased number of flights departing London City Airport and arriving into London Heathrow airport, flying over the borough.

Havering already experiences a large number of Heathrow arrivals flying over the borough (the Heathrow Lambourne Stack where aircraft circle over Havering waiting for a landing slot). In some cases there are 6-8 planes circling overhead as part of that "Stack". In addition, Havering has a London City Airport departure flight path which sees many aircraft flying to Europe

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departing from London City Airport and flying over parts of the borough, at a low height to avoid the Heathrow arrivals.

Havering is extremely concerned that an expanded Heathrow with a third runway will result in additional flights and therefore a greater number of arriving aircraft circling over Havering.

This concern is further exacerbated because of the proposals contained within the consultation to revise the night time operating restrictions. The Council is concerned that by proposing to not allow aircraft to land before 05:30am will result in more aircraft circling over Havering in the early hours of the morning whilst waiting for the runway to open.

Residents already report getting woken up from 04:30am onwards because of the noise of aircraft circling to land at Heathrow and this proposal will simply make things far worse. The quality of life of Havering residents is of utmost importance to the Council.

Furthermore, whilst Havering is working to improve air quality issues in the borough through an Air Quality Action Plan (AQAP), the increase in flights is expected to cause a detrimental impact in the area, and invalidate the effect of the schemes already undertaken to improve local air quality.

Havering is part of the wider London Riverside Opportunity Area which over the coming decades will see substantial growth with new homes and jobs. In order for the local economy to thrive, it is important that a suitable environment is created and developed in order to attract residents and businesses to the area.

Whilst the Council accepts the governments Policy position that more capacity is required in the south east of England in the long term, it does not consider that Heathrow is the optimum location for this additional capacity, given its urban location.

Summary

In summary, the London Borough of Havering strongly objects to the proposed Heathrow Airport expansion scheme, for the reasons outlined above.

The Council would like to be kept informed as these proposals are developed further.

Yours faithfully,