

## Notice of Non-key Executive Decision

<b>Subject Heading:</b>	London City Airport Proposed Amendments to Planning Conditions Consultation Response
<b>Decision Maker:</b>	Councillor Barry Mugglestone – Cabinet Member for Environment
<b>Cabinet Member:</b>	Councillor Barry Mugglestone – Cabinet Member for Environment
<b>SLT Lead:</b>	Barry Francis – Director of Neighbourhoods
<b>Report Author and contact details:</b>	Daniel Douglas - Team Leader Transport Planning <a href="mailto:Daniel.douglas@havering.gov.uk">Daniel.douglas@havering.gov.uk</a> 01708 433220
<b>Policy context:</b>	Local Implementation Plan (2018) Local Plan (2021) Climate Change Action Plan (2021) Air Quality Action Plan (2018- 2023)
<b>Financial summary:</b>	There are no financial implications as a result of this response
<b>Relevant OSC:</b>	Environment
<b>Is this decision exempt from being called-in?</b>	No

### 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]

## Part A – Report seeking decision

### DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

That Officers be authorised to submit the Council's response, as set out in Appendix A of this report, to the London City Airport Proposed Amendments to Planning Conditions consultation.

### 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.

### Background

1. London City Airport is the Capital's most central airport, located in London's Royal Docks, an area of rapid regeneration and investment and just five miles from the City of London.
2. The airport opened in 1987 primarily as a business traveller airport providing access to the City of London and the emerging Canary Wharf area.
3. Since it opened the airport has continued to grow and in 2019 served 5.1 million passenger on 80,000 commercial flights, with services to 45 domestic and European destinations.
4. Whilst when the airport initially opened the vast majority of its passengers used the airport for business purposes, there is now roughly a 50/50 split between business and leisure passengers using the airport.
5. London City Airport are now inviting views on a proposed increase in the annual passenger limit to 9 million, additional flexibility to operate on Saturday afternoon and evening, as well as adding six flights in the first half hour of their morning operations.

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### Current Operating Arrangements at London City Airport

6. Flights in and out of London City Airport are currently permitted at the following times:
  - 06:30 to 22:00 Monday to Friday
  - 06:30 to 12:30 on Saturdays
  - 12:30 to 22:00 on Sundays
7. In addition to the above, no more than 2 aircraft movements are allowed between 06:30 and 06:45, and 4 movements between 06:45 and 06:59, Monday to Saturday
8. Up to 400 annual delayed departures or arrivals in the 30 minutes after permitted flights (22:00 to 22:30 Sunday to Friday and 12:30 to 13:00 Saturday) are also allowed.

### Existing Planning Permission

9. The current Planning Permission for London City Airport was approved by the Secretaries of State for Transport and Communities and Local Government in July 2016. It allows for the City Airport Development Programme (CADP1) which includes new airfield infrastructure and extended passenger facilities.

The planning permission obtained includes:

- A limit of 111,000 aircraft movements a year
  - A limit of 6.5 million passengers a year
  - New aircraft parking stands
  - Extension of terminal building
  - Local Employment targets
  - Air Quality Management Scheme
  - Noise mitigation measures
10. A number of improvements have been made to City Airport following planning permission being granted in 2016. This includes the building of a new taxiway and 8 new aircraft stands, four of which are now operational. Progress with the rest of the build programme has been paused since the Pandemic. The intention is for delivery of the existing planning permission to resume once passenger numbers return to a more sustainable number

### London City Airport Masterplan

11. In 2019 London City Airport (LCA) consulted stakeholders on their Masterplan. The Masterplan set out proposals for how LCA could adapt the airport to accommodate future passenger demands and more flexible operations. This included plans and ideas to accommodate up to 151,000 aircraft movements and 11 million passengers a year by 2035.

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12. The Council objected to the proposals in the strongest possible terms, citing concerns over the impact the increase in aircraft movements would have on the quality of life of Havering residents, who are already impacted by aircraft noise.

### London City Airport Airspace Change Programme

13. Whilst not part of this consultation, London City Airport are developing proposals to refine departure and arrival routes to and from City Airport in airspace up to 7,000 feet. A public consultation is expected on proposals later this year or early in 2023.

### Proposals

14. London City Airport is consulting on proposals to review planning conditions attached to the City Airport Development Programme 1 (CADP1) planning permission pursuant to Section 73 (S73) of the Town and County Planning Act 1990.

15. London City Airport are putting forward a number of proposals and subject to the outcome of the public consultation, will submit a minor material amendment planning application to the London Borough of Newham, later this year.

16. Specifically the proposals include:

- An increase in the number of passengers able to use the airport each year, from 6.5 million currently permitted to 9 million per year (expected to be achieved by around 2031).
- An extension of operational hours on Saturday to allow flights to take place through the afternoon and potentially into the evening; but no later than 22:00 hrs and only for cleaner, quieter, new generation aircraft. London City Airport have said that a decision on this matter will be made following the outcome of further assessment work and the feedback received during the consultation period.
- Consequential modifications to daily and other limits on flights, including:
  - 1) An increase in the number of flights permitted between 06:30 and 06:59 (from 6 to 12) and more flexibility for delayed arrivals and departures in the last half hour of operations (currently limited to 400 per annum);

17. In addition London City Airport are seeking agreement to extend their build programme (for their original planning permission) which has been delayed due to the pandemic and requires the use of temporary facilities until construction is complete. LCA are also seeking minor adjustments to the locations of permitted aircraft stands on the existing apron at the airport.

18. There are no proposals to change the number of aircraft currently allowed to fly from London City Airport each year (111,000) or increase the number of aircraft movements per hour (45). Additionally, there are no proposals to increase the number of aircraft stands or other physical infrastructure for the airport.

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19. There will be no change to the current operating hours on Sunday with no flights before 12:30pm. The current 8 hour night time curfew will also remain in place.

### Potential Impacts on the London Borough of Havering

20. London City Airport departures are already flying over the borough as they depart from London City Airport. Over the years the Council has been contacted by local residents raising concerns about low flying aircraft over the borough and the impact this has on their everyday lives.
21. If the proposals were to be implemented, it will lead to additional aircraft flying over the borough. Additional flights (and therefore departures and 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.
22. This will be deeply concerning to many residents who already have their lives disrupted by noise, not just from departures from London City Airport, but also flights arriving at Heathrow Airport that fly in a "holding stack" over Havering (in the Lambourne stack).
23. Furthermore, London City Airport are proposing adjustments to the hours the airport operates, including when there is currently a 24 hour closure at weekends from 12:30 hrs on Saturday to 12:30hrs on Sunday.
24. Operating departures and arrivals on a Saturday afternoon and Saturday evening is not something Havering residents are used to. The impact will be very visible and will make a significant difference to the quality of life Havering residents experience during these new operating times.
25. An additional 6 flights within the first 30 minutes of operations (between 06:30 and 06:59) means on average an aircraft departing or arriving every 2.5 minutes. Some of these additional aircraft movements will fly over the borough and at that time in the morning is likely to impact on residents who may be woken up by the aircraft noise.

### Suggested Response

26. It is recommended that the Council **objects** to the proposals and that the response includes the following points:
  - 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 London City Airport proposed amendments to their original planning permission because of the likely adverse environmental implications;

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- Havering already experiences London City Airport departures, as well as Heathrow arrivals flying over the borough (the Heathrow Stack located in Lambourne);
- Additional flights associated with the proposals 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) and Climate Change Action Plan 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 potential for new and revised operating restrictions will increase noise levels and disturbance to local residents;
- Havering's concern is to ensure that the amenity of Havering residents is safeguarded and that the adverse effects of aviation such as aircraft noise, vibration, disruption and fumes are minimised;
- London City Airport should also take into account that Havering is part of the wider London Riverside region (including the Rainham and Beam Park Housing Zone) 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 business to invest in the area;
- It is unacceptable that the initial Environmental Assessment undertaken has not assessed implications for noise and air quality upon the wider sub region including Havering.
- Havering wishes to be kept informed if these proposals are developed further.

### **Next Steps**

27. Following approval of this Executive Decision, the response will be submitted to London City Airport.

### **OTHER OPTIONS CONSIDERED AND REJECTED**

28. The option of not responding to the consultation was rejected as it is important that the Council submits a view on proposals that will impact Havering residents and businesses.

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**PRE-DECISION CONSULTATION**

29. The Administration was 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:

*D. Douglas*

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**Part B - Assessment of implications and risks**

**LEGAL IMPLICATIONS AND RISKS**

30. There are no legal implications as a result of this decision.

**FINANCIAL IMPLICATIONS AND RISKS**

31. There are no direct financial implications as a result of this decision.

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

32. There are no HR implications as a result of this decision.

**EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS**

33. The consultation proposals put forward by London City Airport have the potential, if implemented, to have a detrimental impact on the quality of life of all Havering residents, particularly those sitting under flight paths.

34. 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;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

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

36. 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.



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**ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS**

37. The proposals include increasing the number of aircraft movements flying over the borough. This in turn could lead to poorer air quality and impact the Council's ability to reduce levels of Nitrogen oxides, Nitrogen dioxide, Particulate matter and Carbon dioxide
38. This decision concerns objecting to the proposed amendments being put forward by London City Airport to a previous planning permission, on the basis of a lack of detail on how the proposals will impact Havering residents, particularly from an air quality and noise perspective and because of the impact the proposals will have on residents' wellbeing.

**BACKGROUND PAPERS**

None

**APPENDICIES**

Appendix A      LB Havering proposed response

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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

**Details of decision maker**

Signed:

*Barry Mugglestone*

Name: **Councillor Barry Mugglestone**

Cabinet Portfolio held: **Environment**  
CMT Member title: **Imran Kazalbash**  
Head of Service title: **Mark Hodgson**  
Other manager title:

Date: 24/08/2022

**Lodging this notice**

The signed decision notice must be delivered to Democratic Services, in the Town Hall.

**For use by Committee Administration**

This notice was lodged with me on \_\_\_\_\_

Signed \_\_\_\_\_