

# Farnborough Noise Newsletter

## October 2022

If there are particular topics or questions people have regarding aircraft noise, emission, pollution, safety and the consultation process, just send them to [farnboroughnoise@gmail.com](mailto:farnboroughnoise@gmail.com) and we will endeavour to answer them. An explanation of abbreviations is at the bottom of the newsletter.

We would also like to understand where most people concerned about noise live. We have the noise complaints data from FAL but that doesn't give a complete picture. If you are happy to, could you please provide your postcode (not full address) so we can do a heat map of the people raising concerns. This information will not be shared other than generic dots on a map.

### News Summary

1. The CAA has backtracked on its commitment to measure aircraft noise in the PIR and is not correctly following CAP1616.
2. Formal complaint sent to Rushmoor Borough Council regarding breaches of the 2010 S106 planning consent by Farnborough Airport.
3. Meeting arranged by Jeremy Hunt MP with CAA, FAL and FACC on 16<sup>th</sup> November to discuss the PIR.
4. Discussions taking place to formally establish Farnborough Noise as a legal entity.
5. Government's Net Zero strategy deemed 'unlawful' by the High Court.
6. Farnborough Airport is seeking to increase flight numbers by the "back door" through a stitch-up with the CAA.
7. The CAA does not have to consider any of the concerns or the data collected by Farnborough Noise group to challenge the conclusions drawn by the CAA.
8. The House of Lords Climate Change Committee published a report about the behavioural change needed by the public to tackle climate change. I wrote to Baroness Parminter (chair) about private jets.
9. The next FACC meeting is at 2.00pm Thursday 3<sup>rd</sup> November.

We are brought up to believe that we live in a free and democratic society that is fair and equitable to all. As you get older and better understand the way the UK operates, you realise that the powers that be are financed by a small group of businesses that seek to protect their wealth and positions of power, such as the Oil/Gas industry and Aviation. The checks and balances that are put in place to ensure reasonable consultation are nothing more than a farce designed to wear people down and maintain the status quo. That is why there has been a huge increase in activism both in the UK and many other countries. You will see what I mean if you read Section 6 & 7.

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### 1) The CAA has backtracked on its commitment to measure aircraft noise in the PIR and is not correctly following CAP1616.

The CAA and FAL designed the scope of the PIR to ram through the airspace changes with minimal opportunity for challenge. Initially, only noise within a few miles of the airport (and for Farnborough aircraft only) was included in the PIR. That meant that all the other aircraft noise caused by the new flightpaths (Gatwick, Heathrow, helicopters, light aircraft, etc) would be ignored – yet these have changed as a result of the new airspace. After much pressure from Farnborough Noise and support of councils and MPs, the CAA said there had been a “misunderstanding” and that all aircraft noise would be measured up to 20 miles from the airport and up to a height of 7,000ft. That was still too low to pick up Gatwick and Heathrow flights – but it was a start. Flights up to 20,000ft should be included for comparative purposes as that is what was measured in the consultation data. However, it has now concluded that because it didn’t measure any aircraft noise before the airspace change was implemented, it can’t measure noise now. It has proposed that the PIR will measure the number and height of aircraft only. We all know that there is a huge difference in noise between aircraft from the whistle of Challenger 350s and Piaggio Avantis and many of the 50+ year old light aircraft and all helicopters are noisier than all the jets using Farnborough. It is a remarkable oversight by the CAA not to have required FAL to record baseline noise in 2014 and it also breaches the CAA’s own regulations in CAP1616 which state in Section 275 “*...the change sponsor must begin monitoring and gathering data on the impacts of the change as soon as the change is implemented, and must ensure that it has collected the data it will need for proper comparison covering the period before implementation. This includes the impact on airspace users and those on the ground affected by aviation noise or other environmental impacts.*”

The CAA’s current position in restricting the scope of the PIR reaffirms their belief that the airspace change can’t and won’t be challenged. Measuring the number of flights is not a substitute for recording actual noise and the busiest times for Farnborough are May – July and August (holiday periods) which have now passed.

### 2. Formal complaint sent to Rushmoor Borough Council regarding breaches of the 2010 S106 planning consent by Farnborough Airport.

The change of use of Farnborough Airport went through Rushmoor Borough Council’s planning process. Consent was given in 2010 and a number of restrictions and requirements were placed on the airport in what is known as the S106 document. FAL has breached a number of these requirements and they have been raised with Rushmoor Borough Council (attached). The PIR cannot continue if the airport is not compliant with the consent given. Breaches include:

- The airport is licenced to operate charter flights but not scheduled flights. It is operating scheduled flights as any member of the public can book a flight in advance to a specific destination.
- The airport has a permit to operate business flights only and not holiday flights. This is because the business case justification for the noise disruption to the public was offset by the inward investment from business flights. Clearly the many flights to Ibiza, Nice, Palma, Bodrum, Calvi, Ajaccio, Canouan, etc are not business flights and are not allowed.
- FAL is required to maintain and make available portable noise measurement equipment. Despite numerous requests for this over several years, it has never been made available.
- Regarding complaints from the public, the airport is required to investigate and give a response to each complaint. This isn’t happening, probably because there are so many of them.

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- The airport is required to “*report air quality and understand the issues that may occur as a result of airport operations*”. The airport only measures NO<sub>2</sub> and not other pollutants that are recognised to cause significant harm to health such as particulates PM2.5 and PM10 (e.g. soot from engines). The world's understanding of atmospheric pollution has increased since 2014 and the case of Ella Kissi-Debrah has made authorities legally liable for atmospheric pollution. The World Health Organisation halved the safe levels of atmospheric pollution and the airport frequently breaches these limits. The airport must properly assess pollution and the PIR is the time to do this, especially as there are many schools and colleges in the high pollution area east of the airport.

### **3. Meeting arranged by Jeremy Hunt MP with CAA, FAL and FACC on 16th November to discuss the PIR.**

A lot of people have written to Jeremy Hunt MP about the airport, noise and the PIR. Jeremy has arranged a meeting to discuss the issues and the shortcomings in the PIR. Farnborough Noise will join the meeting. This meeting was arranged before Jeremy was appointed Chancellor so it may need reconfirmation.

### **4. Discussions taking place to formally establish Farnborough Noise as a legal entity.**

Farnborough Noise group now has 1,600 members and 350 people receiving the newsletter. It is also communicating with an additional 80 parish and borough councils and 8 MPs. It has got to the point where we need to formally establish the organisation so we can raise funding for things like a judicial review. We are taking legal advice on the best way to do this. More news on this in the future.

### **5. Government's Net Zero strategy deemed 'unlawful' by the High Court.**

Net Zero is the government's strategy to decarbonise all sectors of the UK economy to meet the net zero target by 2050. This includes aviation. The UK high court has ruled that the strategy does not sufficiently detail how it will meet its emissions targets and that as such it has contravened the Climate Change Act. The Government has until March 2023 to issue a revised plan. The problem is that the government intends to keep growing aviation for several years, doubling the number of flights in the next 15 years, before making a dramatic reduction in emissions just before 2050. This is clearly inappropriate and the Government's own climate change advisers (Climate Change Committee) advise an immediate reduction in flights to reduce aviation emissions. The IPCC also states that the wealthiest countries need to make the deepest and fastest cuts to emissions as they are the largest contributors per person to climate change.

### **6. Farnborough Airport is seeking to increase flight numbers by the “back door” through a stitch-up with the CAA.**

FAL is already at maximum capacity for weekend flights and wants to increase them. It also wants to increase the size of jets operating from the airport. You may remember from the last newsletter that the CAA has started a complete re-design of all UK airspace, called the Airspace Modernisation Strategy. This will have the most impact in the South East and if the same approach is taken as the Farnborough airspace change (minimising the number of people overflown), there will be an order

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of magnitude more flights over rural areas, national parks/AONB that are supposed to be protected from noise. Rather than submit another plan for the required airspace changes as Farnborough Airport alone, FAL has requested that it joins in with big airports like Gatwick and Heathrow to do one huge ACP. This is clearly designed to make it extremely complicated, time consuming and expensive to challenge. The details of this are on P13 – P17 of the CAA’s paper.

<https://publicapps.caa.co.uk/docs/33/CAP%202312A%20Addendum%20-%20Iteration%20%20assessment%20and%20acceptance.pdf>.

### **7. The CAA does not have to consider any of the concerns or the data collected by Farnborough Noise group to challenge the conclusions drawn by the CAA.**

To give you an idea of the way that the supposed “impartial” consultation process operates for aviation, I need to explain the Government’s organisational structure within the Department for Transport. The CAA is the body under the DfT that is responsible for aviation safety and regulation. The government set up the “Independent Commission on Civil Aviation Noise” (ICCAN) but after only 2 ½ years it closed it down because the DfT/CAA didn’t agree with the recommendations.

<https://www.airportwatch.org.uk/2021/10/departing-iccan-tell-aviation-minister-that-the-aircraft-noise-issue-should-be-dealt-with-by-an-independent-body-with-clout/>. It split up the responsibilities of ICCAN with the CAA which isn’t independent. The DfT/CAA also set up the “Airspace Change Organisation Group” (ACOG) which is supposed to be a “fully independent organisation” but it sits under the DfT/CAA. Again, hardly independent. From the paper in point 6 above, you can see that ACOG makes recommendations to the CAA and the CAA approves them. That’s like marking your own homework! It most certainly isn’t independent. You may see that ACOG’s Head of Airspace Modernisation is none other than Stuart Lindsey. He was closely involved with the original design of Farnborough’s Airspace Change Proposal. How many conflicts of interest do you need to conclude that the process is not impartial? But it’s worse than that. The CAA does not have to make decisions based on facts, it can make subjective decisions under the Transport Act and there is no chance of appeal. This means the CAA is a law unto itself and if it doesn’t like the challenges and factual data we present to the CAA in response to the PIR, the CAA can ignore it. The Transport Act Sect 70 needs to be changed very slightly to include the wording “*based on an objective analysis of relevant data*”. This will mean the CAA has to assess the data put before it rather than choosing to ignore it.

### **8. The House of Lords Climate Change Committee published a report about the behavioural change needed by the public to tackle climate change.**

The report published by the House of Lords concludes that the public need to change their behaviour to take responsibility for 1/3 of the emissions reduction needed to achieve net zero by 2035. <https://committees.parliament.uk/publications/30146/documents/174873/default/>. These sections are particularly relevant.

32. Mr Lord told us: “In the UK, the wealthiest 10 per cent have a carbon footprint more than double the national average and more than four times that of people at the lower end of the income distribution”.

33. Other witnesses noted this unequal distribution of emissions across UK households as well as globally, and suggested high-income households have a greater responsibility to reduce their emissions.

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I wrote to Baroness Parminter pointing out that it will be very difficult to persuade the British public to change their behaviour and reduce emissions if they see an elite continuing to live their extravagant lifestyles and that private jets are the pinnacle of this issue. She responded immediately and agreed. Other governments are moving to ban private jets on internal flights and tax them much more heavily.

### 9. The next FACC meeting is at 2.00pm Thursday 3<sup>rd</sup> November.

It is not clear if the meeting is going to be held online or in person for the public. The last meeting was chaos with the details only being made available the morning of the meeting and the joining details being incorrect. The meeting instructions should be on the FACC website (<http://www.facc.org.uk/>) and it would be worth dialling in before the meeting to check the link works. If you want to submit any questions to the FACC/FAL, they need to be sent 10 days in advance to [admin@facc.org.uk](mailto:admin@facc.org.uk).

### Aviation in the news

<https://www.theguardian.com/business/2022/oct/12/banning-flights-on-uk-routes-with-fast-rail-links-could-cut-flight-emissions-by-third?>

<https://e360.yale.edu/digest/european-airlines-carbon-offsets>

<https://e360.yale.edu/features/phantom-forests-tree-planting-climate-change>

<https://www.theguardian.com/business/2022/sep/26/easyjet-will-stop-offsetting-carbon-emissions-from-planes-roadmap-net-zero>

<https://tempusmagazine.co.uk/news/interview-simon-geere-on-paving-the-way-for-sustainable-private-jet-travel-as-new-ceo-of-farnborough-airport>

### Glossary

Acronym	Term	Explanation
ACP	Airspace Change Proposal	The CAA's process to change airspace (uses CAP1616)
AMS	Airspace Modernisation Strategy	Government's plan to re-design the UK's airspace. FASI-S or FASI-N (South and North) are part of this
CAA	Civil Aviation Authority	UK's aviation regulator
CCC	Climate Change Committee	Independent UK body formed by government to advise policymakers
CAP1616	CAP1616	The process the CAA must follow when considering a change in airspace
FACC	Farnborough Aerodrome Consultative Committee	The formal consultative body to engage with Farnborough Airport
FAL	Farnborough Airport Limited	The owner of the airport (previously TAG). Ultimate owner is Macquarie
ICCAN	Independent Commission on Civil Aviation Noise	Now abolished independent group established to investigate aircraft noise
IPCC	Intergovernmental Panel on Climate Change	UN global body advising governments on climate change

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GA	General Aviation	Any non-commercial aircraft such as helicopters and light aircraft. Includes some jets
LGW	London Gatwick	London Gatwick
LHR	London Heathrow	London Heathrow
MIRA	Macquarie Infrastructure and Real Assets	Australian venture capital business that owns Farnborough Airport
PIR	Post Implementation Review	The seventh stage of the ACP to determine if the anticipated benefits of the ACP have been achieved (Farnborough's running from 1/4/22 to 31/3/23)
RBC	Rushmoor Borough Council	The Local Authority for Farnborough Airport