

Consultation on Regulating Air Transport
Aviation Regulatory & Consumer Policy
Department for Transport
Zone 1/25
Great Minster House
76 Marsham Street
London SW1P 4DR

Our ref:
Date: 11 March 2010

Dear Sirs,

Response to consultation - Regulating Air Transport: Consultation on proposals to update the Regulatory Framework for aviation

The London Assembly Environment Committee welcomes the opportunity to respond to the Department for Transport's consultation on its proposals to update the Regulatory Framework for aviation.

The Committee has the remit to respond to consultations on environmental matters on the Assembly's behalf. This response focuses on the proposals for the Civil Aviation Authority's environment role as set out in Chapter 7 of the consultation document.

Aviation's impact on the environment and climate change is one of the most important challenges facing the industry and the Government today. Forecasts suggest that by 2030, carbon dioxide emissions from UK aviation will amount to some sixteen to eighteen million tonnes, approximately one quarter of the UK's total contribution to global warming by that date.¹

It is therefore right that as we look to the future the UK's specialist aviation regulator keeps environmental considerations at the forefront of its agenda. We welcome the conclusion of the Pilling Review² that the CAA should have a general statutory duty in relation to the environment and that this should be executed within a clear policy framework set by the Government.

The consultation paper sets out two options for the CAA's new statutory remit. The first option will require the CAA to have regard for environmental factors alongside consumer safety and objectives and seek environment improvements, supported by an obligation to take account of environmental guidance and directions issued by the Secretary of State. The second option will give the CAA a discretionary power as opposed to a requirement to act. In the absence of any alternative options we would wish to see the first option adopted.

¹ 2003 White Paper: The Future of Air Transport, http://www.dft.gov.uk/about/strategy/whitepapers/air/#P116_25531

² Sir Joseph Pilling, Report of the Strategic Review of the CAA, 2008

When the Government confirmed expansion plans for Heathrow Airport last January, it also confirmed that the expansion would be subject to strict environmental conditions and set out a series of supporting measures that would be put in place. It announced that noise limits would be given legal force and that the CAA would monitor limits on noise. We understand that the Government will consult on the details of the CAA's role and remit later in the year. However, it would seem implausible for the CAA to effectively carry out its proposed role at Heathrow, in the absence of a requirement to act with regard to environmental matters.

The Environment Committee has considered the role of the CAA in monitoring helicopter noise in our report "London in a spin – a review of helicopter noise"³. More recently we carried out a review of the environmental conditions the Government attached to further expansion at Heathrow airport, examining whether they are fit for purpose, practical, and achievable. Our discussions highlighted a number of key areas for further work and clarification. I enclose a copy of the report, *Flights of Fancy – can an expanded Heathrow meet its environmental targets?* Further copies are also available at <http://www.london.gov.uk/archive/assembly/reports/environment/flights-fancy.pdf>

We were struck by the complexity of the governance structure for managing the conditions. Accountability for the conditions will in effect span three Government departments, (the Department for Transport, Department for Environment, Food and Rural Affairs and the Department of Energy and Climate Change), two regulatory bodies, (the Environment Agency and CAA), and the Committee on Climate Change. In our report we called for a simplification of the governance structure that will allow for a single reference point.

This may be an appropriate juncture at which to consider whether a more stringent environmental objective to prioritise environmental considerations in exercising the regulatory function is needed, as set out in paragraph 7.27 of the consultation document, and also whether the CAA is best placed to deliver on the objective. The more stringent approach will place the consideration of environmental matters on an equal footing with other important considerations such as economic issues.

The Committee welcomes this consultation and looks forward to engaging further on these discussions. I look forward to receiving your comments on the Committee's response.

Yours sincerely,



Murad Qureshi AM

Chair of the Environment Committee

³ http://legacy.london.gov.uk/assembly/reports/environment/helicopter_noise_report.pdf

