

**Environment Committee – 10 November 2016****Transcript of Item 7 – Environmental Implications of the Expansion of Heathrow Airport**

**Leonie Cooper AM (Chair):** The second part of what we are discussing today is going to be on the subject of Heathrow. We will be looking at this not from the transport angle but from the environmental angle with specific reference to air pollution, noise pollution and the production of carbon dioxide (CO<sub>2</sub>).

We are very lucky that we have four guests with us today. We have Sophie Neuburg, who has stayed on from the previous session on domestic energy and fuel poverty. She is the London Campaigns Lead for Friends of the Earth. We have also been joined now by Simon Birkett, who is the Director of Clean Air in London - welcome, Simon - and also, confusingly or not confusingly, by another Simon, this time Simon Alcock, who is going to update us on Client Earth's latest exploits in court and the interface between the expansion of Heathrow and the outcome of the court case. Finally, also welcome to Colin Stanbury, who is Director of the Local Authorities Aircraft Noise Council (LAANC). He will be able to talk to us about the noise aspects.

Without further ado, I am going to hand over to Caroline now, who is going to lead off with the first set of questions - and then anyone else who wants to come in - on the whole issue of air pollution.

**Caroline Russell AM (Deputy Chair):** Thank you. I cannot get to the questioning without congratulating Client Earth on its extraordinary success just recently in the High Court in challenging the Government on its woefully inadequate air pollution and air quality plans. We now have a situation where the Government has to revise its plans to bring air pollution within legal limits as soon as possible, which is going to affect things around the decision about the Heathrow Airport runway.

What would be the likely air pollution impacts of a Heathrow expansion?

**Simon Birkett (Director, Clean Air in London):** If I may start with a point of disclosure, I have just celebrated my 20th wedding anniversary but my father-in-law was Lord Marshall [of Knightsbridge], who was Chairman of British Airways, who died four years ago and so there is a family connection to British Airways, if I may just disclose that first, please.

There is no doubt that the expansion of Heathrow would trigger breaches of air quality laws, in my view. The laws are very powerful. They apply at many different tiers of government. They are quite complex, therefore, because there are so many different powerful aspects to them. Today what I will try to do is to talk in general terms, just to give the highlighted issues. However, in my view, there is no question that the expansion of Heathrow would cause breaches of air quality laws.

**Simon Alcock (Communications and Public Affairs Manager, Client Earth):** Shall I update you on what the ruling means for Heathrow?

**Caroline Russell AM (Deputy Chair):** Yes, that would be very helpful. Thank you.

**Simon Alcock (Communications and Public Affairs Manager, Client Earth):** The ruling is a very complicated legal discussion, but I will try to simplify it and we can talk about what it means. Basically, we were pleased with the ruling because, for the first time, the judge ruled on the plans that the Government had

rather than just talking about compliance. He ruled that the plans were not good enough, which is significant legally.

There are two areas where it affects Heathrow. In a nutshell, it definitely throws a spanner in the works for Heathrow. Firstly, paragraph 52 of the judgment talks about “exposure”. In the past, the Government and the Airports Commission [Final Report 2015] had said that as long as Heathrow does not stop compliance with the air pollution rules, it can go ahead. What that meant was, if you had the worst part of London - say, Oxford Street - that had worse air pollution, Heathrow would not stop you meeting compliance because it would not be as bad, which is ridiculous. He said in the judgment in paragraph 52 that it had to have plans that limited people’s exposure, which changes things. The plan now has to take into account people’s exposure rather than just the legal limits, which is crucial.

Secondly, it was the modelling. The judge ruled that the Government had used overly optimistic modelling for its plans and that this was not realistic. In any of the plans for Heathrow, it has not used the latest testing for emissions and is now going to have to go away and do that. Basically, the plans are going to have to be a lot more realistic in order to meet compliance.

They are the two areas where it throws a spanner in the works. What that means is that unless you are going to meet compliance in the shortest time possible, Heathrow cannot go ahead. The Government should be bringing in plans now to mitigate things and taking steps now to mitigate as much as possible. If you go ahead with infrastructure projects such as Heathrow that expose people to dangerous levels of air pollution, you cannot go ahead.

**Caroline Russell AM (Deputy Chair):** Just to clarify what you have said there, Heathrow cannot go ahead unless exposure to air pollution is properly limited?

**Simon Alcock (Communications and Public Affairs Manager, Client Earth):** Mitigated or limited, yes.

**Caroline Russell AM (Deputy Chair):** That means to bring it within European Union (EU) limits or World Health Organisation (WHO) limits?

**Simon Alcock (Communications and Public Affairs Manager, Client Earth):** The EU limits. It is Article 23 of the Air Quality Directive.

**Caroline Russell AM (Deputy Chair):** Thank you.

**Simon Birkett (Director, Clean Air in London):** I have prepared some points to try to focus or support, really, what Simon [Alcock] has said. If I may, there are a few different things.

The first is that when thinking about the way that these laws apply, there are at least three different tiers that are relevant to this discussion. The first is whether one of the 43 zones in the UK - and London is one zone and it includes Heathrow - when it is reported annually to Brussels, breaches the air quality laws or not. That could be anywhere in the zone which is the worst place, obviously.

The second is that these laws can be enforced within the UK and so not just the European Commission launching infraction action. They can be enforced within the UK and that is what Client Earth has done so brilliantly in saying that the Government must produce plans to comply and to show compliance as soon as possible.

The third thing, though, which is really pretty much ignored by the Government, is that the air quality laws have to be complied with through the planning system and they do apply locally. It is not just about reporting things to Brussels. It is not just about Client Earth's case, which was about making sure that there is a proper plan. The air quality laws apply at every tier of government through the planning system and they cannot just be dismissed.

Clean Air in London commissioned an opinion by Robert McCracken QC, which we published about 12 months ago and which was about the role of the Air Quality Directive 2008/50/EC in the planning system. By publishing that opinion, Clean Air in London may have played a significant part in the deferral of the decision by 12 months in relation to Heathrow when the Government went away to do further work because it highlighted these different aspects: reporting to Brussels, Client Earth's work and also the role of the air quality laws in the planning system.

To my mind, the Air Quality Minister [Thérèse Coffey MP] misled Parliament a week or two ago and I will just read out what she said:

*"The Government believe that the Heathrow north-west runway scheme can be delivered without it having an impact on the UK's compliance with air quality limit values."*

What she was talking to Parliament about was the compliance of London as a zone. She was not actually talking about these other levels of compliance that were required. To my mind, really, that is very misleading of the Air Quality Minister in Parliament.

**Simon Alcock (Communications and Public Affairs Manager, Client Earth):** Simon [Birkett] is completely right. She is talking nonsense there. That was the day after the hearing in a debate. What she was saying is basically my point about Oxford Street. As long as Heathrow is not any worse than anywhere else in London, because London is a zone, you are fine, whereas what the judge has said now is that you have to limit exposure. That is the change.

**Caroline Russell AM (Deputy Chair):** In terms of Londoners' experience and the Mayor making sure that we are compliant, what has changed with this judgment is that if somewhere else in London has higher pollution than Heathrow, it is not OK and Heathrow still has to be able to limit the exposure of people living, working and travelling around Heathrow.

**Simon Alcock (Communications and Public Affairs Manager, Client Earth):** Yes. The plan now is not about making sure the zone as a whole is compliant. It is making sure that exposure throughout the country is taken into account. It is not OK to have somewhere that is really badly polluted because you have a worse place in that same zone. If you are going to have policies and infrastructure plans like Heathrow, you have to take exposure into account.

**Caroline Russell AM (Deputy Chair):** That is very powerful.

**Simon Birkett (Director, Clean Air in London):** If I may support that, Simon [Alcock] is absolutely spot-on there. What the High Court judge did, of course, was to confirm what the McCracken opinion had said and what I have been saying since 2008. It was very clear and it did support that and it is a very powerful extra weapon in our armoury.

If I can just talk about this tier and about where the laws apply in the local planning system, I will give you several examples in terms of this. It is not just about exposure. The limit values, which we have often talked about for nitrogen dioxide (NO<sub>2</sub>), are hard, binding limits to protect public health that had to be complied with by January 2010. They are immutable, absolute limits to be complied with to protect public health, set at the level of the WHO's guidelines. This is, of course, a health-based objective.

Those limit values are tough, therefore. They apply everywhere where people can be exposed to air pollution with three exceptions and those three exceptions are spelled out as common-sense exceptions and again by McCracken. For example, they do not apply where health and safety limits apply within somebody's premises and they do not apply in the middle of a carriageway. They are tough and absolute. They apply everywhere with three exceptions.

Also, it is not just about a fixed limit. There are very powerful aspects of the laws in terms of the possible worsening of air pollution below the limit values. It is very black-and-white also. You cannot go from below to above and you also cannot make air pollution above the limit values significantly worse. The Government tried to say that "significant" is going from 40 to 41 or from 41 to 42. To my mind, "significant" is any change in the significant figure. If it is 40.1 going to 40.2, it is significant. If it is 40 and it goes to 41, it is significant. It is not about how many decimal places are used or how many significant figures. If there is a change in one of those, then it is significant. That is very strong, in my view. Significant worsening is important.

McCracken was absolutely clear. He said that in his view the Airports Commission had misdirected itself in the law. He was also clear that you cannot approve Heathrow and just leave it empty, waiting for these limit values to be complied with. You need a realistic plan in place to comply with these limit values before you approve Heathrow expansion.

You could achieve that - and I shall not pause in this sentence in case somebody misuses a soundbite - and you could comply with air quality laws around Heathrow if you banned diesel vehicles for many miles around Heathrow including the M4 and the M25 before taking the decision to expand Heathrow. That is really what we are talking about. Anything less than banning diesel vehicles for many miles around including those motorways before taking the Heathrow decision to my mind - and I believe it is supported by the McCracken opinion - would be illegal.

**Sophie Neuburg (London Campaigns Lead, Friends of the Earth):** I just wanted to come in on a broader point. I absolutely agree with what the others have said and huge congratulations to Client Earth for its amazing victory. We are all extremely excited for what it means for air pollution in general.

I did just want to say that from the Mayor's point of view and in terms of political narratives, it is really important that the Mayor keeps in mind that, leaving aside the changes in how we now interpret the law, what the Government is trying to do is really quite dodgy. The idea that it could have decided that it could increase air pollution in one area of London just because it is worse elsewhere is entirely immoral. We know that air pollution is very dangerous for health. The [Environment] Committee is very aware of this. We know that, but we also know that no level of air pollution is really safe. Even if we did ban diesel throughout London and up to the M25, which we would absolutely support, although it might be legal, it still would not be moral to expand Heathrow because it would still create significant air pollution. This is a really serious problem that the Mayor needs to be talking about in his opposition to Heathrow.

**Simon Birkett (Director, Clean Air in London):** I am going to make four recommendations and then I will shut up.

The first is to please bear in mind that the Labour Government, when it was looking at Heathrow expansion, would have given very strong powers to the Environment Agency, duties to ensure compliance with air quality laws and powers to wheel-clamp aeroplanes.

Secondly, I really would urge this Committee, encourage this Committee and encourage the Mayor, to join any air quality legal case. I believe it was very helpful for the Client Earth case to have the Mayor joined in that case. That is the second thing.

The third thing is for this Committee to investigate and I am sure you would.

The last thing is that we need a new Clean Air Act in place well before Brexit that enshrines these public health protections in place. In 1954 the City of London sponsored the original Clean Air Act [City of London (Various Powers) Act of 1954] before there was a national Clean Air Act in 1956. The Mayor, as many Committee Members here will know, can sponsor annual legislation. I believe the deadlines have just been missed for this year, but next year the Mayor should sponsor a Clean Air Act. Thank you.

**Leonie Cooper AM (Chair):** There is every chance that at least two of those things that you have just mentioned are likely to happen. My first question at Mayor's Question Time asked the Mayor if he was going to join the Client Earth action and that was when he announced that he would and he then did.

I can pretty much guarantee you, because I asked that this item about Heathrow, whenever the announcement was made, should be on the agenda and certainly while I remain as the Chair we will be investigating the impacts of Heathrow. We were very pleased that you were able to come because you are a guest that we particularly wanted to talk to about the air quality aspects.

I know that the Mayor has already called for a new Clean Air Act and in fact he launched that call in Great Ormond Street Children's Hospital and he specifically chose that location on the 60th anniversary of the Clean Air Act because of the impact on children's lungs. I know that a number of those are going to be things that he will be pursuing.

**Nicky Gavron AM:** As we have such an expert panel, it would be really worth us knowing how much of the pollution comes from the aircraft themselves and an increase in the flight movements and how much from an increase in [road] transport. We know. We can see the carbon. We can see the particulates, some of it, and there is the smaller stuff that gets in your lungs. We know that when planes take off there is a huge amount of energy used and therefore a huge amount of carbon emitted. How much of that is counted?

**Simon Birkett (Director, Clean Air in London):** The first thing I would say is that anyone who looks at a NO<sub>2</sub> compliance map of London sees a big yellow and red blob in central London and a big yellow and red blob over Heathrow. That is the first point.

The second is that you are absolutely spot-on to ask about aircraft versus road transport. In terms of the air quality laws, because they apply outside the Heathrow fence, the modelling shows that it is the associated road transport movements that cause these breaches of air quality laws. They have identified a junction on Bath Road, I believe, which would be the trigger point.

In terms of the aviation, only aircraft emissions in the landing and take-off cycle, which is up to 1,000 metres, are included in this modelling. That basically says that there is no impact from aircraft emissions above

1,000 metres. I cannot believe that these vast planes flying over London have no impact on London air quality one way or another. It is important to bear that in mind. You are asking good questions.

**Shaun Bailey AM:** If we measure the air quality - forgive my ignorance - above 1,000 metres it is not measured, but would an effect above 1,000 metres have an effect on the ground and be caught in the measurements that we have anyway?

**Simon Birkett (Director, Clean Air in London):** To an extent. My guess is - and I do not know and it would be worth getting Frank Kelly [Professor of Environmental Health, Kings College London] or one of his scientists who do measure these columns of air - that it would be measured, perhaps, in different ways. You would find that the aviation emissions appeared as particle emissions at a lower level or something like that, but you would not pick it up as NO<sub>2</sub> levels lower down, which is probably why it does not appear in the modelling. I am saying that it would have some impact on some form of air pollution in London. It would be incredible to think that it had no impact.

**Tony Arbour AM:** This relates to the points that two of you have made in relation to enforcement. You said that enforcement can be made at any level and you have drawn attention to through the planning laws, but why not through the straight environmental laws? It is alleged that currently pollution levels exceed the permitted limits. Why, therefore, is no action being taken at these lower levels, ie by the London Boroughs of Hillingdon, Hounslow or whichever local authority is closest? What is the impediment?

**Simon Birkett (Director, Clean Air in London):** I would pass to Simon [Alcock]. The first thing is that the duties on the local authorities are to work towards these legal limits. It is actually the Government or the UK as a Member State. When it gets triggered is when the local authority takes a planning decision or when the Mayor takes a planning decision that these things bite. It would make sense, of course, to do exactly what you are saying, but I am not quite sure what the legal mechanism is under the air quality laws. It would perhaps be under some other environmental protections.

**Leonie Cooper AM (Chair):** Perhaps Simon can help us with levels of culpability, as it were.

**Simon Alcock (Communications and Public Affairs Manager, Client Earth):** Sure. Simon [Birkett] is right that it is the Government that has responsibility under the law to ensure that we meet compliance, not the local authorities, and what we have seen is that it is trying to pass the buck a little bit to local authorities whilst simultaneously cutting their funding.

We want to see a national network of clean air zones mandated by the Government so that local authorities have clean air zones across the country where they need them and banning the most polluting cars. That is what is needed. It is no good passing the buck to the local authorities. They are doing what they can.

**Tony Arbour AM:** I thought you as a group were saying that the judgment you have recently had -- and you did talk about enforcement at every level. Does that mean that they are still excluded - local authorities - from taking action despite the decision that you have had?

**Simon Birkett (Director, Clean Air in London):** There are different types of action at the local level. One is about planning decisions, where the laws do apply. Another is about complying with the limit values independently of planning decisions. The Government has that duty but local authorities, I do not think, do have that duty. They have a moral duty but not --

**Tony Arbour AM:** Forgive me, but are you not wrong in relation to the planning decision? Because it is related to an airport, at the end of the day the local authority does not make the decision, nor indeed does the Mayor.

**Simon Birkett (Director, Clean Air in London):** No, but, for example, there are many decisions that are taken around London where these laws would be triggered and would bite. Enderby Wharf breached the law. There are things like that that would have been triggered.

**Tony Arbour AM:** Today we are concerned with Heathrow --

**Simon Birkett (Director, Clean Air in London):** Yes, and so it is a Government --

**Tony Arbour AM:** -- and the local authority cannot intervene?

**Simon Birkett (Director, Clean Air in London):** I am not quite sure what its role is. The London Borough of Hillingdon, I know, is objecting and it does see a role here. You can be a party to these cases. I do not know. Perhaps others can comment specifically on that.

**Leonie Cooper AM (Chair):** I know that the London Borough of Wandsworth and others are considering their positions at the moment and whether or not they can --

**Tony Arbour AM:** Yes, but it is not in relation to that specific point?

**Leonie Cooper AM (Chair):** No.

**Sophie Neuburg (London Campaigns Lead, Friends of the Earth):** In practical terms the local authority could do absolutely everything in its power to reduce air pollution in its area and, if the Government decided to expand Heathrow, it would blow all of that out of the water. We cannot blame local authorities for not doing enough on air pollution because Heathrow is so much bigger than anything a local authority could do to mitigate it.

**Tony Arbour AM:** Honestly, I represent the South West [of London] and this is completely on my patch. What I am suggesting is that your comment about enforcement at every level in relation to Heathrow is actually a red herring.

**Simon Birkett (Director, Clean Air in London):** I am drawing a distinction between two things. One is about compliance with limit values and the other is about taking decisions that work against it. That is what I am trying to say.

**Leonie Cooper AM (Chair):** We have explored this in some detail and there seems to be a bit of a grey area, if you like, as to whether that could be taken forward by local authorities or whether it is something that the Government still needs to take forward without passing the buck to local authorities.

I am going to move on because we are not going to bottom that one out right now. I know that David wants to come in at this point and ask some questions about noise and perhaps, again, others will want to follow on. David?

**David Kurten AM:** Yes, thank you. I suppose I will be asking mostly you, Colin, about noise because it is your area of expertise.

I understand that there are about 700,000 people currently affected by noise from Heathrow. What would be the impact of a Heathrow expansion on noise pollution?

**Colin Stanbury (Director, Local Authorities Aircraft Noise Council):** Through you, Chair, this is one of the things that concerns us very much about the recent announcement because the [Rt Hon Chris Grayling MP] Secretary of State [for Transport] in his wisdom indicated to the House that, in his view, Heathrow expansion could take place and could be achieved with less noise than today.

The first thing to say is that in our view that is abject nonsense at any level because part of the proposal for the third runway, however you cut it or however you look at it in terms of how aircraft will take off and land, means that at least 100,000 people across London will be newly affected, people who do not come within the definition of being adversely affected or annoyed by aircraft today or actually do not experience aircraft noise. For those at least 100,000 - and it could be as many as nearly a third of a million - the experience of a third runway can never be better. There can never be less noise. There has to be, by definition, more noise and more effect on most people.

In trying to explain to the Committee what this is about, when we look back at what the Airports Commission did in its modelling for noise with a third runway, it took a number of scenarios that were modelled by Heathrow Airport and produced three main scenarios but not one of them actually replicated the way the airport currently works. The statement that Heathrow could be delivered with a third runway with less noise than today is possible only if one assumes that it is practicable and safe in the future to introduce concepts such as curved flight approaches, curved departures and increased rates of descent for aircraft.

Certainly the concept of curved approaches and departures is innovative, untested and untried. My own personal experience in terms of talking to pilots is that at Heathrow they are very concerned about being able to fly these undefined paths, as they are at the moment. The Civil Aviation Authority, as the regulator, is on the record as saying to the Commission that it should be cautious about adopting these new innovative flight paths for that very reason: they are untested and untried.

To come back to answering your question, how many may be affected, the most reliable estimate is from a report done by TfL last year, which estimated that about 1 million a people could be affected and so up by a third.

**David Kurten AM:** Thanks. Would that be just a little bit of an effect or impact on people's lives or would it be a big impact? How is it likely to affect them? What specific effects would it have on the new people who would be disturbed by the noise?

**Colin Stanbury (Director, Local Authorities Aircraft Noise Council):** Looking at the experience of airports such as Frankfurt, one can expect a very significant impact on particularly the lives of people who are going to be newly overflown. Members may know that the Frankfurt Airport expansion had been highly controversial when they had a new runway. It has resulted in, still, weekly protests at the airport by communities newly overflown.

One of the problems that the Government has in selecting Heathrow is that it has done virtually no work - or at least no work has been published - to date on assessing how people might react to being overflown for the

first time. Bear in mind we are looking at an order of magnitude here of effectively planting an airport the size of Gatwick as it is today and bolting it on to Heathrow. When you look at it in those terms, simply the concept of that, it is very difficult to imagine how that can happen without increasing noise annoyance to a large number of people.

**David Kurten AM:** You mentioned new things I had not heard of that the Government has thought of for mitigating the noise such as curved approaches and steeper descents. There is another idea that has been floated that aircraft are going to get quieter as time goes on through new technology. Is that something you have heard and what do you think about that idea?

**Colin Stanbury (Director, Local Authorities Aircraft Noise Council):** Yes, it is correct that new technology will bring some benefit in terms of the individual noisiness of aircraft. It is not that great, actually, in terms of what it will produce or is predicted to produce in the future.

One of the things that is possible to see is, if you look at Heathrow's operation as it is today and the number of people who are affected and the number who would be affected at its current cap - ie while it is not allowed to expand - and project that forward to about 2040 or 2050, we would see a reduction of about 25% in the numbers of people who fall within what is known as the "annoyed" category. Beyond the current fleet and into when we can expect significant changes in that from about 2030 onwards, the projections are that it is not going to get a lot better.

The answer is that, even with new technology, large jet-engine aircraft are not going to take off and land silently. There is no prospect of that.

**David Kurten AM:** Yes. There are some ideas that have been put forward by the Government to mitigate noise such as a ban on night flights, binding targets for noise reduction and funding for noise insulation for the worst-affected areas.

How effective do you think these and other proposals you might have heard of will be at reducing aircraft noise?

**Colin Stanbury (Director, Local Authorities Aircraft Noise Council):** If I could start with the ban on night flights; that was one of the things that we found very disappointing in the recent announcement. I was in the public gallery in September 2015 in this building when the Chairman of the Airports Commission [Sir Howard Davies] sat here and told Members, "I am quite clear about this. What I am recommending should only come with a set of very strict conditions". One of those was, quite clearly, a night flight ban between 11.30pm at night and 6.00am in the morning. At the moment, for Heathrow, there are about 16 to 18 flights that arrive from 4.30am until about 6.00am. Those of us who live on the flight path know that very well. At the moment there are about 18.

What we see - and, as I said, one of the things that is most disappointing - is that with the announcement the Secretary of State [for Transport] said that there will be, indeed, a six-and-a-half hour ban on night flights but it is not, so far as we can see at the moment, a ban from 11.30pm to 6.00am in the morning. It is from 11.00pm at night until 5.30am in the morning. Members might say to me, "Why is that significant?" It is significant because at the moment there are no night flights scheduled from 11.00pm until 11.30pm, but in the morning most of the night flights arrive from 5.30am onwards. What will that mean? If we do not have night flights between 4.30am and 5.30am, it will give a benefit of perhaps three or four flights that will have to be retimed out of the 16 or 18 and so they are not giving very much away. That is the point about that. We

are not going to see an end to night flights, particularly in that period from 5.30am onwards. It was most disappointing. The Secretary of State [for Transport] was unable to say in his statement that in wanting to be tough on noise he was going to insist on this condition.

Part of this disappointment is also reflected in the recent documents that have been released by the Government, which are clearly indicating that all of the conditions that Sir Howard [Davies] sat here and told this Committee a year ago were absolutely essential as part of any expansion or third runway at Heathrow are now delegated to the category of being “advisory”. It sees these as being advisory matters to be discussed and consulted on at a later date, rather than being, as Sir Howard indicated in this building, essential.

The other matters concerning moving the runway to the west slightly or steeper approaches as mitigation, technically, in our view, will make a difference and, scientifically, one might be able to detect a difference. However, our view is quite clearly that that is at the margins. They are not going to make a huge amount of difference to Londoners as they are overflowed, particularly on their way in in the early morning.

**David Kurten AM:** Are there any noise mitigation measures that would be preferable or anything that you think might work?

**Colin Stanbury (Director, Local Authorities Aircraft Noise Council):** There is a noise mitigation programme that has been proposed and a sum of money has been set aside to provide insulation for homes. We do not know exactly how that is going to work. No details have been provided. Of course, you can never sound-insulate or mitigate noise in people’s gardens or community areas.

One of the things that perhaps the Committee should be made aware of is that these “idealised” flight paths, as we call them now, for enabling curved approaches - as part of the background to that - rely on overflying public open spaces and amenity areas to an extent that has never happened before. How the Secretary of State [for Transport] arrives at a point of saying, “We can get there with less noise”, relies to a great extent on the fact that amenity areas that are valued at the moment in London will be affected and overflowed because that is where you have to push your flight paths to reduce the numbers of people overflowed. That is how it is done.

**Leonie Cooper AM (Chair):** Sorry, can I just clarify that point? What you are saying is that the curved flight paths might come in, let us say, over Wimbledon Common in my constituency, followed by disturbing all of the deer in Richmond Park in Tony’s constituency and that that is then going to be preferable, despite the fact that after you have finished passing over Wimbledon Common and Richmond Park you then go over huge numbers of people’s dwellings?

**Colin Stanbury (Director, Local Authorities Aircraft Noise Council):** That is exactly the point.

**Leonie Cooper AM (Chair):** That is a huge piece of mitigation. I had not quite understood how intense that mitigation was going to be. We are obviously all very delighted. That was said rather sarcastically, just for the sake of anyone who did not get the sarcasm.

**Jennette Arnold OBE AM:** Sarcasm apart, Chair, it was a great intervention. I just wanted to say thank you to Colin for the work that he is doing with the campaign around local authorities.

I represent London North East - Hackney, Islington, Waltham Forest - and it strikes me and many of my constituents that when we complain about our distress from aircraft noise, it is not treated in the same way as

the flights over Wimbledon or the flights over Richmond. Do you think that there needs to be greater acknowledgement that far more Londoners are affected by noise nuisance from aircraft flying over London at inappropriate times?

**Colin Stanbury (Director, Local Authorities Aircraft Noise Council):** I am sorry. I did not quite understand the question.

**Jennette Arnold OBE AM:** It seems to me that the focus around noise nuisance is on just a small number of boroughs.

**Nicky Gavron AM:** One million.

**Jennette Arnold OBE AM:** One million people or 1 million households, but then how many more Londoners are there?

**Nicky Gavron AM:** Yes, sure.

**Jennette Arnold OBE AM:** Should we be seeing the focus widened because many more Londoners are affected by this?

**Tony Arbour AM:** We are here to talk about Heathrow.

**Colin Stanbury (Director, Local Authorities Aircraft Noise Council):** This is absolutely right. We have seen recent press releases that Heathrow has put out that seem to indicate that the vast numbers of complaints it receives are the fault of about ten people. What we know is that in actual fact the numbers of people who are annoyed by this on a daily basis are absolutely vast.

Part of the difficulty is that it is actually quite hard to make a complaint about an overflying aircraft because, if you contact the --

**Jennette Arnold OBE AM:** Yes, you cannot do it.

**Colin Stanbury (Director, Local Authorities Aircraft Noise Council):** -- helpdesk or the complaint line, you have to have all sorts of information available.

One can tell to some extent, again, if one looks at the Secretary of State's [for Transport] recent statement to the House where he says - and I paraphrase - that one of the things the Government wants to do is to get rid of "stacking". This is when aircraft are held around Heathrow because they cannot come in to land immediately. He indicated that he knows that this is a problem because his constituents in Epsom complain to him. If the Secretary of State is aware that Epsom residents are upset by Heathrow, one can only ask how many other people all around the four corners of Heathrow Airport are also similarly upset currently.

**Jennette Arnold OBE AM:** You then went on to one of my concerns and that is about how difficult it is to complain about noise nuisance. That is not new. In 2013 I was on this Committee and the then Chair and Members wrote to the Airports Commission calling for an independent noise regulator. It was felt to be a good idea at the time. Do you think that that is still a good idea?

**Colin Stanbury (Director, Local Authorities Aircraft Noise Council):** Yes, we do. Another one of the disappointments that we had with this recent decision is that one of Sir Howard's [Davies] recommendations when he came to this Committee was the appointment of an independent noise regulator or noise authority. Not only has that authority not been appointed - and in fact Sir Howard has expressed his frustration at that over the period since he compiled his initial and interim report - but in the recent decision it is another one of these matters that have been relegated to, "We will consult about it".

Something that we would be very keen to see is an independent noise authority or noise regulator.

**Leonie Cooper AM (Chair):** Perhaps we could encourage Heathrow to arrange for some of the stacking routes more permanently to spend their time over Epsom and Ewell so that the Secretary of State for Transport is encouraged towards establishing an independent noise regulator in a rather practical way.

**Jennette Arnold OBE AM:** Colin, in terms of the buy-in to your campaign from the London boroughs, is that total or is that patchy? Is the work that you do with local authorities just with specific local authorities?

**Colin Stanbury (Director, Local Authorities Aircraft Noise Council):** It is with specific local authorities and it --

**Jennette Arnold OBE AM:** Why not with, say, London Councils as a body?

**Colin Stanbury (Director, Local Authorities Aircraft Noise Council):** We have never been invited to work with them. We are very happy to work with any of the regulatory authorities around London. It is just that the LAANC from a historic perspective - and it has been around since the late 1970s - has been a local authority umbrella organisation focused on Heathrow noise. It has been a forum that has existed throughout the Terminal 5 Heathrow expansion issue and also has addressed the night flights issue. It has existed, really, as almost like a focus group. We would be very happy to work with any of the other groups.

**Jennette Arnold OBE AM:** My point in there is just from the casework that I do and have been doing over the years since 2010. An organisation like yours should have a pan-London approach and be working with London Councils and the Mayor in a much more focused way because we know that that is how you get legislative change when there is one voice.

I remember once meeting Sir Eric - or whatever his name is now - and he told us that if the London Assembly, the Mayor and the local authority could be on the same page making the same demand, the Government would be in a difficult position to refuse that demand. We have not done that yet in terms of noise nuisance across London.

**Colin Stanbury (Director, Local Authorities Aircraft Noise Council):** No, we have not and I apologise for any failings on our part in not promoting ourselves.

**Jennette Arnold OBE AM:** That is OK.

**Colin Stanbury (Director, Local Authorities Aircraft Noise Council):** I can only say that we remain very happy to work with others, as you have described.

**Jennette Arnold OBE AM:** We should have that as a recommendation, Colin. It is no failure on you. You are doing great work.

**Colin Stanbury (Director, Local Authorities Aircraft Noise Council):** Yes.

**Leonie Cooper AM (Chair):** That, along with the point about the independent noise regulator, are things that we can pick up in our deliberations afterwards, but I do not think that in today's session Colin is going to be able to secure the participation of all 32 boroughs and the City [of London] before the end of the meeting. Shaun, you wanted to come in on something as well?

**Shaun Bailey AM:** It is just to pick up a general point, almost Jennette's point in a strange way. What would Heathrow say about this? For the avoidance of doubt, I am publicly on the record as being opposed to development at Heathrow, but we are having quite a lopsided conversation here. I wonder, (a) Did Heathrow refuse to attend --

**Jennette Arnold OBE AM:** Is he asking?

**Shaun Bailey AM:** -- and (b) what would be its counterpoint to the points that we are making here? Is it fair to ask you these questions? Are you aware of what the counterpoint might be?

**Jennette Arnold OBE AM:** Chair --

**Leonie Cooper AM (Chair):** This is a difficult question for our guests to answer because they are not from Heathrow and I --

**Shaun Bailey AM:** What is the opposition to the points that you have been making to Heathrow?

**Leonie Cooper AM (Chair):** Shaun, we should all know what Heathrow has been saying about it because certainly it has been keeping me very well informed and surely has been sharing the various documents that it has been sending out pretty copiously.

**Jennette Arnold OBE AM:** Yes, inundated.

**Leonie Cooper AM (Chair):** There are some people who are saying that the entire advertising business is going to collapse once Heathrow and Gatwick stop advertising all the benefits of their individual airport expansions.

I do want to move on to the carbon emissions section, which is the last part.

**Caroline Russell AM (Deputy Chair):** Yes. It is a really simple question on carbon emissions and the Paris Climate Agreement. How does Heathrow expansion fit with the UK's carbon reduction goals?

**Sophie Neuburg (London Campaigns Lead, Friends of the Earth):** Yes. Very simply, it does not at all. There is a lot of evidence around this. The first thing to say is that expanding Heathrow is probably the single most climate-damaging decision that the Government could make. Coming on the back of the decision recently to allow fracking in Lancashire, it really is even worse.

Also, we have to remember that if Heathrow is expanded, it will become the single most carbon-emitting piece of infrastructure in the UK. At the moment, it is the Drax power station, which is a coal-fired power station, but if Heathrow is expanded it will overtake Drax. That is just to put all of that into context.

We know that aviation takes up 7% of the UK's emissions at the moment and we really have to curb those. The Committee on Climate Change has been saying that we have to curb the UK's emissions already and that is according to the UK's own carbon budgets. The Paris Climate Agreement goal to keep global warming below 1.5 degrees is more stringent than the UK's current Climate Change Act. Really, if we want to stick to [the] Paris [agreement], we absolutely cannot expand Heathrow. There is no way to do that.

**Caroline Russell AM (Deputy Chair):** Does this mean that we cannot expand other airports either or are you saying that we cannot expand just Heathrow?

**Sophie Neuburg (London Campaigns Lead, Friends of the Earth):** That is a very good point to get me to make. No, it means that we cannot expand any airport. Heathrow is the big fight at the moment but, really, if we want to deal with climate change and particularly if we want to stick to the Paris Climate Agreement, we cannot expand any airport.

We are very pleased that the Mayor is opposed to Heathrow and that is fantastic, but we are aware that he has backed Gatwick. The Mayor really needs to oppose all airport expansion in the London area in order to fulfil what he says he wants to do, which is to make sure London fulfils its needs under the Climate Change Act and also under Paris.

**Leonie Cooper AM (Chair):** His statement has been that he would like London to become a zero-carbon city by 2050 and you are fairly clearly saying that the expansion of Heathrow does not fit with that goal?

**Sophie Neuburg (London Campaigns Lead, Friends of the Earth):** Expansion of Heathrow does not fit with that goal and nor does the expansion of City Airport. I know that it is not in the Mayor's hands anymore because it is major infrastructure, but Sadiq [Khan, Mayor of London] has not been particularly oppositional to that. I will not go into that much, but it is a point worth making. We need no more airport expansion, not just at Heathrow.

**Nicky Gavron AM:** Yes. I need a bit of help with this. Am I right? There is an allocation per sector and aviation has an allocation. Therefore, if Heathrow is taking a great lump out of that allocation over and above what it is meant to, then other regional airports will have to reduce their flights, or there could be another way forward in terms of this so-called carbon allocation or budgeting, which is that the emissions from buildings, transport, etc, will have to be reduced even more to allow Heathrow to expand. Do I have that right?

**Sophie Neuburg (London Campaigns Lead, Friends of the Earth):** Yes, sort of. I will explain that a little bit more. The Committee on Climate Change has said that in order to stick within the UK's carbon budgets - which I should say are weaker than [the] Paris [agreement], which is an important point to make - we could expand the aviation sector and could expand Heathrow if a lot of savings were made in other sectors.

In the same way that Simon [Birkett] did not want to be quoted out of context halfway through a sentence, the key point here really is that in order to make the numbers work for Heathrow expansion, some really quite heroic assumptions have been made about carbon emissions reductions in other sectors, assumptions for which there are no policies at the moment. We would need an 85% reduction in carbon emissions across all other sectors - transport, housing, industry, energy and absolutely everything else - in order to allow aviation to expand.

It also made some assumptions about the reductions in aviation's own carbon emissions. Within this, there is built into the modelling the idea that, despite expanding at Heathrow and elsewhere, aviation's emissions will reduce per flight. At the moment, as I said, aviation makes up 7% of the UK's emissions. Under this modelling, aviation would make up 25% of the UK's emissions because the amount that we can emit will come down very significantly. That is huge.

We know that cutting carbon will mean a lot of changes across a lot of sectors. Quite apart from the question of whether it is possible to reduce carbon emissions across all sectors other than aviation, we also have to wonder why aviation should get this special treatment. There are all sorts of other ways to get places. A lot of flights that will come through Heathrow are domestic flights and people can get trains and all sorts of other things. In terms of business, the revolution in videoconferencing means that the need to fly somewhere for a meeting is reducing significantly. We think that there is a big question about why aviation should get such a big chunk of our emissions allocation.

**Leonie Cooper AM (Chair):** That probably is just the right point for us to end today's session. That was a very clear statement.

Thank you very much to Sophie [Neuburg], Simon [Alcock], Simon [Birkett] and Colin [Stanbury] for the clarity that you brought to that discussion on the environmental impacts of Heathrow.