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## Manston Airport

### Note of Oral Evidence given by York Aviation for Stone Hill Park at the Noise Hearing 22<sup>nd</sup> March 2019

1. This note sets out the key points made in oral evidence to the Noise Hearing. It should be read in conjunction with the Supplementary Note following the Compulsory Acquisition and Noise Hearings.
2. York Aviation identified a number of reasons why the Examining Authority cannot be confident that the noise assessment has identified the potential worst case effects of the development:
  - a. There remains confusion in the documents as to what mix of aircraft types has actually been assessed and whether this is consistent with the fleet mix set out in the Azimuth Report (see Table 3.1 of the York Aviation 2019 Report).
  - b. Oral evidence given by the applicant at the Need Hearing made clear that conventional integrator operations are no longer expected at Manston and that such movements would be made instead by 'New' e-commerce integrators operating a different pattern of flights not requiring night operations. Given that 48% of the movements in Year 20 are shown in the ES (Appendix 3.3) to be by a conventional integrator, of which half were expected to be using quiet ATR-72 turbo-prop aircraft, the substitution of these movements by a 'New' integrator, expected to use more Boeing B737 types rather than turbo-props, means that the fleet mix assessed is almost certain to understate noise exposure relative to what is now proposed.
  - c. Mr Hilton for Wood stated at the Need Hearing that the noise assessments were made on the basis of the specific fleet mix set out in Appendix 3.3. of the ES, including by reference to the individual aircraft and their engine types operated by the named airlines in that Appendix. Given the likely change in the nature of the operators and the fact that several of the airlines do not operate freighter aircraft of the types specified (see York Aviation 2019 Report para. 3.10), there can be no confidence that the noise assessment is robust.
  - d. The revised Noise Mitigation Strategy proposing no scheduled movements during the night period 23.00-06.00 means that there will inevitably more movements in the 16 hour daytime period used for noise assessment. It is simply not credible to suggest, as Mr Hilton did, that movements that might otherwise have operated in the night period will all operate in the 06.00-07.00 hour as a ban on night operations for freighters would result in a need for wholesale retiming of the operating programme so as to best fit into worldwide cargo collection and delivery schedules. (If they did bunch as suggested, there would be major implications for truck movements on the highway network in the morning peak due to the need to deliver goods from aircraft arriving in the early morning period. This will need to be addressed in the Transport Assessment). If there are more aircraft movements in the daytime noise assessment period, the noise contour area will increase, so leading to an increase in the number of properties eligible for noise insulation and/or compensation.
  - e. The Noise Mitigation Plan allows for 38,000 general aviation movements but the ES (para. 12.7.39) states that the number of movements assessed is 16 per day on top of the estimated 79 daily air transport movements (ATMs), the latter being consistent with Appendix 3.3. 16 general aviation movements a year equates to only 5,840 annual movements, significantly less than allowed under the Noise Mitigation Plan.

- f. The assessment appears to be based on assumptions about flight paths that rely on broader airspace changes to be delivered as part of the FASI S Airspace change programme (Government/CAA Airspace Modernisation Strategy), which will require coordination with NATS and other airports. There can be no certainty that the proposed flightpaths will be deliverable and a worst case assessment would need to be based on flightpaths as previously operated when the airport was open.
3. In the light of the change to the night noise policy and the admitted changes to the types of airline expected to operate, it is inevitable that there will need to be changes made to assessment of noise effects. The effects of this will almost certainly increase the financial liability for compensation and mitigation.
4. A further issue that arose during the Hearing was in relation to which aircraft would need to operate on a delayed basis during the night period. The response given by Mr Freudmann for RSP was that there would be a limited number of delayed passenger flights only but that these would be few in number as low fares airlines schedule their arrivals before 22.00. This is incorrect including for the example airport cited by Mr Freudmann, Luton. At Luton, for Summer 2019, 15% of all passenger aircraft arrivals are scheduled to arrive between 23.00 and 06.00. For Ryanair, the carrier shown by RSP as operating to Manston, has 17% of its arrivals in the night period (Source: Official Airline Guide database). This means that, on the basis that each aircraft operates c.2.5 round trips a day, up to 40% of low cost airline aircraft are arriving back to the base in the night period. The pattern at other airports with low cost airline bases is similar. With the restrictions proposed on scheduling operations in the night period, it is now highly unlikely that a low cost airline would contemplate setting up a base at Manston as it would fundamentally restrict the ability to flex. Indeed, we understand that Mr Freudmann himself, when involved in the management of the Airport, is on record as stating the essential requirement for the operation in the night period for commercial operations (see attached letter). Reduction in passenger flights would have a material implication for the asserted revenues in the Business Model.
5. In practice, we consider there to be a greater risk of delayed cargo arrivals in the night period as the nature of cargo operations tends to result in increased risk of delayed operations whereas passenger airlines have an incentive not to delay aircraft due to legal passenger compensation requirements.

28<sup>th</sup> March 2019

**Manston Airport Consultative Committee (M.A.C.C)**

13 December 2004

Richard Samuel Esq.,  
 Chief Executive  
 Thanet District Council PO Box 9  
 Cecil Street Margate Kent  
 CT91XZ

Dear Richard

**KENT INTERNATIONAL AIRPORT-MANSTON: SCHEDULED PASSENGER OPERATIONS**

1. We are writing to inform you of our plans to support EUjet's summer schedule of operations for the period April- September 2005 and, in the context of the extant Section 106 Agreement between us, to explain the measures we have already taken and intend taking to mitigate any adverse noise impact on residents.
2. Over the first thirteen weeks of its operation EUjet has flown some 71,000 passengers and taken bookings of 151,000 seats. In relation to the target of some 800,000 passengers in the first full year of operation these sales figures are most promising. But without the ability to intensify the use of its current aircraft fleet and in so doing to offer additional destinations in response to passenger demand for additional leisure and business destinations, EUjet risks the ability to capitalise on its early successes and achieve the growth essential for long-term sustainability.
3. It is against that background that EUjet will this Wednesday publish its schedule for Summer 2005. The new schedule (copy attached) will include routes to a range of Spanish destinations, including Seville and Valencia; to Budapest and, in support of the business needs of Kent & Medway, flights to Newcastle, Belfast and Cologne. Securing slots for these new routes has not been without difficulty but EUjet has done exceptionally well and is to be commended on having made every effort to contain as many as possible of these flights within the established operating patterns of Kent International Airport. But it has not been possible to accommodate the entire schedule within the Airport's normal operating hours. And it is to that subject that we are writing well in advance of the actual operation of the Summer 2005 schedule to explain the effects of the new changes.
4. The key effect of these changes is that certain flights will arrive home at Manston after 2300 hours. Specifically, they are:

Weekdays:	Arrival from Glasgow	ETA 2310 (local)
Weekdays:	Arrival from Newcastle	ETA 2315 (local)
Thursdays:	Arrival from Malaga	ETA 0030 (local)
Fridays:	Arrival from Faro	ETA 0040 (local)
Saturdays:	Arrival from Seville	ETA 2335 (local)
Saturdays:	Arrival from Malaga	ETA 2350 (local)
Sundays:	Arrival from Ibjza	ETA 0020 (local)
Sundays:	Arrival from Malaga	ETA 0055 (local)

With four exceptions these late arrivals should have landed before midnight.

5. In deciding whether or not to support EUjet's Summer 2005 schedule we have given careful consideration to the terms of the extant S106 Agreement and to the scenarios that were envisaged when it was drafted. At that time the potential for arrivals and departures at night centred on the use of the Airport by dedicated cargo aircraft with a Quota Count of 4 or more. In addition the S 106 catered for irregular night flights. Throughout, the presumption was that night flights would be by comparatively noisy cargo aircraft as evidenced by paragraphs 1.1 to 1.3 of the Agreement where the emphasis throughout is on only permitting use by aircraft with a Quota Count less than 4.

6. The commercial imperatives and operating circumstances that have prompted EUjet to seek our support for out of hours flying are we believe justified given the overall long-term benefits to the region of securing a successful scheduled passenger operation from Manston. In the context of our noise management policy we know that EUjet has stripped out of its schedule all but essential flights in order to maximise efficiency and limit the impact of noise disturbance to local residents. The fact that the Fokker 100 aircraft operated by EUjet has a Quota Count of 0.5 also means that the actual noise disturbance to residents is at the absolute minimum of any noise disturbance scale; indeed since the introduction of EUjet's operation in September and the withdrawal of MK Airlines we have clear evidence of a significant reduction in the average Lmax dB(A) (see attached). And, importantly, EUjet's operating ethos assumes that its aircraft fleet is based overnight at Manston; the Summer 2005 schedule envisages no departures from Manston between the hours of 2030 (local) and 0600 (local).

7. We must emphasise: that none of this represents the first step towards 24 hour flight operations at Manston. There is no public demand for night flying, and even if there were, the cost of staffing the airport throughout the night would make the whole operation totally uneconomic. In formal terms, and using the language of the Second Schedule of the Section 106 Agreement, we are consulting the Council on the following very limited night-time flying policy:

**'That where scheduling imperatives and slot allocations so require, and where reasonable endeavours have been taken to avoid the need for it, the Airport's resident airline shall be permitted to land 12 aircraft per week between the hours of 2300 and 2400 and 4 aircraft per week between the hours of 2400 and 0100 providing such aircraft have a Quota Count of no more than 0.5'.**

8. We very much regret that the full six month consultation period is being curtailed. Here we are the victim of the airline industry's slot allocations cycle. S106 for summer schedules are allocated in at an international conference in November. Airlines' full scheduling exercise cannot be completed until this has happened. In EUjet's case this process ended last week and we are therefore bringing it to you at the first opportunity.

9. As part of the consultation process we now intend to take the following steps, the outcomes of which will be published at the first opportunity:

**(a) First, to commission Bickerdike Allen to undertake an independent assessment of the impact of occasional night-time aircraft noise on local communities recognising that the approach used for the assessment differs from that used for daytime flights;**

**(b) Secondly, to invite EUjet and the Airport Director to review operating procedures with the aim of identifying operating measures that will minimise arrival noise; and-**

**(c) Thirdly, in the light of the recommendations to emerge from these actions, to consider what further noise amelioration and mitigation measures - embodying the principles of UK best practice and the appropriateness of those principles**

**to prevailing local conditions - might sensibly be introduced.**

The results of this work will be available for full scrutiny and we are happy that they also be available to inform the consultation process.

We are writing in identical terms to Sir Alistair Hunter as Chairman of the Manston Airport Consultative Committee, who has kindly agreed to allow us to make a presentation to the meeting of the Manston Consultative Committee on 15 December. We should now be grateful if you would ensure that copies of this letter and its attachments are provided to Cabinet Members at the earliest opportunity.

Yours sincerely  
Tony Freudmann  
Chairman Director,  
London Manston Airport plc

Paul Tipple  
Corporate Affairs  
London Manston Airport plc

KIACC INDEX