

ExQ4 – Response from No Night Flights

NNF20

27th June 2019



ExQ4	Question to:	Question:
G.4	General and cross-topic questions (including local policy)	
G.4.3	The Applicant	<p>ICCAN Corporate Strategy 2019-2021 Consultation</p> <p>Page 5 of the above Strategy states that:</p> <p><i>"Disturbance from aviation noise is an inherently personal experience. We know from our early engagement that the effects can be deeply disturbing and have a detrimental effect on people's quality of life and health. How much – and in what way – an individual is affected by aviation noise cannot be explained or described by any graphs, metrics, maps or other data. Nor can the bigger-picture benefits to the economy realistically be expected to compensate those who suffer from aviation noise¹."</i></p> <p>What is the Applicant's view?</p> <hr/> <p>The ExA will have seen the following statements in the ICCAN document:</p> <p><i>"We are clear that we expect our work to challenge the approach of everyone involved in the issue of aviation noise. [...] ICCAN appreciates the strong need to change the culture of how aviation noise is managed in the UK." P2</i></p> <p><i>"Aviation noise is a complex subject which can be measured in different ways. This is not helped by over-use of acronyms or technical explanations about noise levels. Maps with contour lines based on a particular measure of noise give the impression that there is a hard line between those that are affected, and those that aren't – in fact, many of the community representatives we have met in our initial meetings are from areas far outside the noise contour maps published by airports." P7</i></p> <p><i>"Review and consider the different metrics used for measuring and providing guidance on the management of aviation noise, in particular between the UK's regime and the latest World Health Organisation (WHO) guidance, and consider whether there are ways to ensure better public understanding and consistency" P15 [our emphasis throughout]</i></p>

¹ ExA emphasis

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		<p>In short, ICCAN has reached the early conclusion that the way in which aviation noise is measured and managed in the UK needs to change. To take one specific, using contour lines to differentiate between homes that might receive grants for noise insulation and homes that will not, will inevitably mean that some people who suffer the negative impacts of aviation noise will receive no mitigation funding. ICCAN is also highlighting the potential importance of the latest WHO guidance.</p> <p>Given ICCAN's remit and this initial statement, it is uncontroversial to conclude that ICCAN expects to be influencing the management of aviation noise in the UK in a much more helpful and protective direction for the many hundreds of thousands of people who suffer the intrusion and the damaging effects of aviation noise.</p> <p>If the ExA awards a DCO to RSP this will be a DCO for the development of a new airport. It is likely that some of ICCAN's recommendations will be published before that airport is operational. NNF strongly urges the ExA to insert into the DCO itself a condition that would oblige any airport operator on the Manston site to take account of and comply with any new standards and best practice guidelines as and when they are recommended by ICCAN.</p>
F.4	Funding	
F.4.1	The Applicant	<p>Article 9 - Guarantees in respect of payment of compensation, etc.</p> <p>The ExA note that the following costs are set out in the further (Deadline 7a) Revised Funding Statement [REP7a-006]:</p> <ul style="list-style-type: none"> • compensation for compulsory acquisition is calculated, as no more than £7.5 million (paragraph 18). • Noise Mitigation Plan (paragraph 20). <ul style="list-style-type: none"> ○ Implementation of insulation policy and Part I claims: £2.75m (up to 275 properties at £10,000 each); and ○ Implementation of relocation policy: £1.6m (up to eight properties). • Blight costs £500,000 (para 28). <p>This totals £12.35m with the sum guaranteed in Article 9 being £13.1m.</p>

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		<p>The ExA notes that this does not allow for a 10 per cent contingency (as used in your business model) and that the sum to be secured has risen from £7.5m to £13.1m over the course of the Examination.</p> <p>Given this, do you consider that the sum secured in Article 9 is adequate?</p> <hr/> <p>The work done by the CAA for NNF (NNF18, submitted for D8) calculates the numbers of people who will be exposed to different levels of aviation noise should this development go ahead.</p> <p>In NNF18 we set out the levels of noise mitigation compensation that have been approved for the expansion at Stansted. The sound insulation grant covers households in the 57dB LAeq, 16h noise contour.</p> <p>London Heathrow is currently consulting on its new noise policy. Whilst this is only a consultation at this stage, it is unlikely that the airport operator will settle on a <u>less</u> generous compensation scheme than it is initially proposing. It is more likely that it will be negotiated into offering a <u>more</u> generous final scheme.</p> <p>London Heathrow is basing its compensation package on properties that fall within the full single mode easterly or westerly contours (equivalent to the 100% easterly and 100% westerly contours produced by No Night Flights.) Noise insulation grants will begin for those who are within the 57dB LAeq, 16h noise contour, or within 55dB Lden. The proposed night noise insulation scheme is based on the footprint of the noisiest aircraft operating between 2300 and 0600. This would be the equivalent for RSP's project of the NNF footprints for the B747-400, or the footprints of whatever will be the noisiest aircraft that RSP intends to operate at night. (Note that the Heathrow approach is explicitly based on "worst case", not a fudged average.) The proposed scheme also specifically takes account of the fact that some residents might be affected by more than one noise source, e.g. aviation noise <u>and</u> construction noise.</p> <p>Other interested parties have submitted evidence for DL9 that London City Airport's sound insulation scheme offers properties in the 57dB LAeq, 16h noise contour compensation for 100% of the cost of noise insulation.</p>

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		<p>Using the data provided by the CAA for NNF, 8,300 properties are within the 57dB LAeq, 16h noise contour for single mode, i.e. 100%, easterly operations, and 4,200 households are within the 57dB LAeq, 16h noise contour for single mode, i.e. 100%, westerly operations. These properties should, at a bare minimum, be compensated for the full cost of noise insulation and ventilation. (There will be properties near the airport that will fall into the 57dB LAeq, 16h noise contour for both westerly and easterly operations, and so there would be some small element of double-counting if the two totals were simply added together.)</p> <p>It is NNF's strong view that the developer should bear the cost of compensation to mitigate the noise impact on all those properties within the 54dB LAeq, 16h noise contour, as this is now recognised as the level at which people experience significant community annoyance as a result of aviation noise. The developer should also bear the cost of compensation to mitigate the noise impact on all those properties within the 45dB LAeq, 8h noise contour, given the WHO guidance in 2018 that night noise levels above this are increasingly damaging to health.</p> <p>It is clear from all the above that the sum set aside by the developer for future noise mitigation costs is nowhere near adequate.</p>
<p>Ns.4 Noise and Vibration</p>		
<p>Ns.4.2</p>	<p>The Applicant KCC TDC</p>	<p>Noise insulation and ventilation for schools</p> <p>In the Applicant's submission at Deadline 8 it states at page 5:</p> <p><i>"...The Applicant noted the clarifications requested surrounding uncertainties in the noise modelling. The Applicant confirmed that if a 2dB increase was applied to predicted levels as a result of uncertainties, then a number of schools could exceed the 60dB threshold that would require the Applicant to provide noise insulation and mitigation. Such an exceedance would only be likely to occur approximately 20 years after the project commences operations.</i></p> <p><i>2.35 The ExA questioned whether there would be adequate funds available within the Community Fund (CF) to provide noise insulation and ventilation to affected schools. The Applicant highlighted that all schools should be assessed on a case-by-case basis in order that the needs of individual schools can be taken into account rather than offering a one size-fits-all solution. Nonetheless, the Applicant has now committed to providing £139,000</i></p>

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		<p><i>per year for affected schools for 20 years, to be spent on noise insulation or other measures to benefit pupils, based on 1% of the per-pupil funding of the schools concerned and to be distributed to each one annually, as reflected in the revised s106 agreement.</i></p> <p><i>2.36 The Applicant emphasised that it does not underestimate the importance of noise control for schools and the school's liaison committee will be a further means of engaging with schools that have not taken the opportunity to comment during the DCO examination process."</i></p> <ul style="list-style-type: none"> i. Given the +/-1dB uncertainty for measurements and for calculations which schools are likely to be eligible for the insulation/ ventilation scheme? ii. If schools became eligible what would the cost implications be? iii. What is KCC's and TDC's view? <hr/> <p>We note the developer's suggestion that it be allowed to drip-feed funding for noise mitigation for schools over a period of years. This is unacceptable.</p> <p>The noise contours produced by the CAA for NNF, together with records from noise monitors from when the airport was previously operational, show a significant number of schools will experience unacceptable levels of disturbance from aviation noise. Despite RSP's understatement of the noise impact on schools – by dint of using an average of an average of an average – the simple truth is that these schools will suffer noise harm from the moment that planes start flying over their roofs and their outdoor spaces. We urge the ExA to insist that appropriate levels of noise insulation and ventilation be provided for schools before the airport becomes operational.</p>
Ns.4.7	The Applicant	<p>Noise Contours</p> <p>Produce a full set of contours for easterly and westerly operations.</p> <hr/> <p>NNF is pleased that the ExA has recognised the importance of trying to represent a more realistic picture of the noise impact of any future aviation operations at Manston. We note,</p>

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		<p>as we have referred to above, that the airport operator at Heathrow has recognised in its recent noise consultation the need to do this, i.e. to look at the noise contours for 100% single mode operations. These contours are provided in NNF18.</p> <p>Looking at the easterly and westerly operations in isolation inevitably gives a clearer view of the noise nuisance than looking at an average of what are actually two distinct modes of operation.</p> <p>That said, the contours for easterly and westerly operations that the ExA has asked for will themselves be averaged contours, and will misleadingly and significantly understate the reality of the disturbance. Moreover, the CAA contours are entirely dependent on the fleet mix that we gave the CAA which was in turn dependent on RSP's original fleet mix and subsequent oral updates. There is no certainty whatsoever that these contours represent the likely worst case in terms of the aviation noise that will be generated by an operational airport at Manston.</p> <p>We urge the ExA to press RSP to provide contours for both 100% easterly and 100% westerly operations for its changed fleet mix. We also urge the ExA to request Lden contours for the changed fleet mix; for the evening "bunching" of flights; and for whatever the Applicant's night noise regime is currently.</p>
Ns.4.8	The Applicant	<p>QC2 Limit in NMP</p> <p>Provide a QC2 limit for night time movements, in line with other airports operations at night, rather than a QC4 limit as currently proposed in the NMP.</p> <hr/> <p>This is a welcome move in the right direction, but the reality is that it would allow a Boeing 747-400 "late" arrival at any time of the night. The noise contours produced by the CAA for NNF show that 26,800 people would experience noise levels over 70dB L_{Amax} for a B747-400 arrival from the east, and 26,950 would experience noise levels over 70dB L_{Amax} for a B747-400 arrival from the west. This level of night-time disturbance is simply unacceptable. We have set out in NNF19, also submitted for D9, a much fuller assessment of RSP's various proposals around Quota Counts.</p>