



## Belfast City Council

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| <b>Report to:</b>         | Health and Environmental Services Committee                                       |
| <b>Subject:</b>           | <b>George Best Belfast City Airport - Council Response to Planning Agreement</b>  |
| <b>Date:</b>              | 5 <sup>th</sup> November, 2008  |
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### Relevant Background Information

The Committee will be aware through previous reports (January 2005, May 2006, February 2007, April 2008 and June 2008) of the review of the Planning Agreement at the George Best Belfast City Airport (GBBCA) and the evidence presented at the Examination in Public (EIP) in June 2006. The Department of the Environment's Planning Service has now concluded its review of the current Planning Agreement and has written to the Council's Chief Executive on 17<sup>th</sup> October 2008 stating that it has now 'agreed and executed a modified Planning Agreement' (PA). Copies of this letter, the Planning Agreement and the Explanatory Document are attached in Appendix 1.

The Council's response to the consultation on the draft Planning Agreement submitted in July 2008 is also attached in Appendix 2. The previous Planning Agreement (which came into effect in 1997) is also attached in Appendix 3.

The Planning Service states in its correspondence that 'in reaching a decision on the modified agreement careful consideration was given to the comments received throughout the review process and those submitted in response to the consultation'.

Whilst some of the comments made by Belfast City Council appear to have been taken on board, it is proposed that the Council should seek further clarification from the Planning Service on a number of points raised in the Council's response but not addressed in the final Agreement.

### Key Issues

Summarised below are the main aspects of the final Planning Agreement, dated 14<sup>th</sup> October 2008 and, for comparison, the principal recommendations made by the Examination in Public Panel:

## **1. New Planning Agreement 2008**

### **Seats for Sale**

Operators using the airport are not permitted to offer for sale on scheduled flights more than 2 million seats from the Aerodrome in any 12-month period.

### **Operating hours – the following definitions apply:**

|                   |                           |
|-------------------|---------------------------|
| Permitted hours:  | 6.30am-9.30pm local time  |
| Prohibited hours: | 9.31pm-6.29am local time  |
| Extended hours:   | 9.31pm-11:59pm local time |

Note: extended hours are only to be used in exceptional circumstances for delayed aircraft. However, no restriction shall apply to diverted aircraft at any time.

### **Aircraft Movements:**

No more than 48,000 Air Traffic Movements in any 12-month period are permitted.

### **Noise Contour Monitoring**

The Company shall maintain a noise control monitoring system. This is to include the generation of annual noise contours from data relating to air transport movements during a specified 3 month period (with an indicative control contour being agreed between the Company and the Department of the Environment in line with the recommendations of the EIP). Annual noise contours will be produced at 57, 60 and 63 dBA Leq (16 hrs).

### **Noise Monitoring**

The Company shall install and operate an integrated noise and track keeping system as quickly as reasonably possible and in any event by 31<sup>st</sup> December 2008.

### **Approaches**

To maintain a bias in favour of approaches and climb-outs by aircraft over Belfast Lough. To use all reasonable endeavours to maximise the use by aircraft of approaches and climb-outs over Belfast Lough.

## **2. Principal Recommendations of Examination in Public Panel 2006, of significance to BCC**

### **Operating hours**

The Panel's report recommended that:

- The operating hours should remain as they are for the time being;
- A community charge be levied in respect of all post 9.30pm delayed flights and that this should be paid into a Community Fund which could be used to fund local community projects aimed at enhancing the natural and built environment in the area affected by the airport, including the provision of recreational, leisure and educational facilities. An enhanced role was suggested for Belfast and North Down Councils in terms of the management and administration of the fund and in monitoring the post 9.30pm delays.

### **Airport Forum**

Revised arrangements were suggested for the Airport Forum with an increased role for both North Down Borough and Belfast City Councils. Revisions have now been made and are included in a separate report.

### **Air Transport Movements (ATMs)**

The Panel recommended that the restriction on Aircraft Movements should not be amended but the definition of Air Transport Movements should be clarified, to include all operations at the airport (except diverted aircraft) including both landing and take-off.

### **Noise**

The report recommended appropriate noise monitoring systems should be introduced, noise levels should be monitored over a wider area and the airport operator should install and operate an integrated noise and track-keeping system as soon as possible. An enhanced role was suggested for Belfast and North Down Councils in terms of the scrutiny role over the noise management systems.

### **Seats for Sale**

The limit relating to seats for sale should be increased from 1.5 million to 2.0 million provided a proper forecasting and scrutiny system is set up and the airport operator commits to installing a noise monitoring and track-keeping system.

### **Approaches**

The report recommended that a bias in favour of approaches and climb outs over Belfast Lough should remain as it is for the time being pending further discussions.

The publication of the findings of the Examination in Public Panel were broadly in accordance with the views of the Council as presented at the Examination in Public. However, the final Planning Agreement does not fully reflect all the EIP recommendations.

### **3. Summary of BCC Response to Consultation July 2008**

The detailed response made in July 2008 is given in Appendix 2. In summary, this response suggested the following (comments in brackets reflect the difference between what BCC recommended and what is reflected in the final PA):

- I. ATM's should be retained at their current limit of 45,000 in any 12 months (not reflected in final PA as ATMs raised to 48,000);
- II. The seats for sale should only increase to 2m provided a scrutiny and monitoring process is clearly defined within the planning agreement (the scrutiny and monitoring process is not defined in the final agreement);
- III. The obligation relating to a bias of flights over the Lough for both approaches and landings and take-offs and climb outs from the airport should be strengthened further (this is now reflected in the final PA);
- IV. The restrictions relating to hours of operation can be supported if the scrutiny and management roles are clearly defined within the planning agreement (reflected to some extent however the concern remains over the management and scrutiny of noise monitoring which is still not addressed);
- V. The Council supports the Noise Contour monitoring as defined in Part 4 of the new Planning Agreement however it would again reiterate the need to have an appropriate scrutiny and management process clearly defined within this new Planning Agreement (this is not referred to either in the final PA or the explanatory document).
- VI. In the draft planning agreement the issue of a community fund was considered to be outside its scope (the Council made the comment that it supported the EIP recommendation that an independent monitoring process is agreed with relevant parties and is written into the new Planning Agreement).

It is on points i, ii, iv, v and vi that the Council should seek additional clarification from the Planning Service.

### **Resource Implications**

The Council was cited in the EIP recommendations as having a role in evaluating and auditing both the noise monitoring systems and the administration of the community fund (although the latter is not included in the final Planning Agreement). The suggested response does not argue that either role should be a responsibility of the Council. If the Council were expected to undertake additional duties, this would have resource implications and a source of funding to support such an enhanced regulatory role would need to be forthcoming. The documentation suggests that the DRD Airports Division already has a regulatory role as does the Planning Service in terms of monitoring compliance with this Planning Agreement and it is suggested that one of these bodies would be best placed to perform these additional functions.

### **Recommendations**

It is recommended that:

- The Committee responds to the final planning agreement by seeking clarification from the Planning Service on how the points listed above and in the Council response of July 2008 were taken into account;
- The Committee draws the attention of the Planning Service particularly to its concerns regarding noise monitoring and asks why the issue of an appropriate scrutiny and management process has not been clearly defined within either the Planning Agreement or the accompanying Explanatory Document;
- The Committee again draws the Planning Service's attention to the recommendations within the EIP relating to changes that should be effected within this revised Planning Agreement, and in particular that the independent panel advised that as all of the issues raised were interdependent they should be adopted in their entirety (Paragraph 2.2.2 and 7.1.1 EIP June 2006). It is also recommended that attention should be drawn to the recommendations of the EIP in respect of a levy against late night flights and the administration of a potential community fund.

### **Key to Abbreviations**

George Best Belfast City Airport (GBBCA)  
Examination in Public (EIP June 2006).  
Planning Agreement (PA)  
Airport Operating System (AOS)  
Air Transport Movements (ATMs)  
Department of Regional Development (DRD)

### **Documents Attached**

Appendix 1 – Letter to Chief Executive from Planning Service, 17 October 2008, planning document and explanatory document  
Appendix 2- BCC Response to draft Planning Agreement, July 2008  
Appendix 3- Previous Planning Agreement, 22 January 1997

Members Library- Copies of the Examination in Public Final report August 2006, and BCC Submission of Evidence at EIP Hearing June 2006.