

Appendix 2

Council Response to the Draft Planning Agreement 2008

The Examination in Public (EIP) panel comprehensively and publicly assessed the restrictions and obligations in the current planning agreement and have provided recommendations for improvement some of which they stated should be adopted immediately. They also stated their recommendations were interdependent and that they should be adopted in their entirety. The draft planning agreement does not fully reflect the EIP recommendations.

The single most important aspect of concern raised by residents within Belfast City is not necessarily the actual noise from aircraft (although this is significant) in itself but that late night flights are permitted to operate beyond 9.30pm thus affecting sleep and enjoyment of property. The Airport currently receives around a total of 40 complaints a year. Belfast City Council population density continues to grow and living accommodation is becoming more compact. It is in the interests of residents that everything possible should be done to mitigate these effects. Whilst this new draft Planning Agreement begins to address this the Council considers that some aspects need to be strengthened and these are discussed below.

Operating Hours

There is a subtle change suggested to clarify what are Prohibited Hours and what are Extended Hours. The change is that the Prohibited Hours moves from the existing 9.30pm -6.30am to read 12 midnight - 6.29 am. This allows delayed scheduled aircraft to land (or take off) up to 12 midnight. However as before there is an obligation that this is for exceptional circumstances.

There is no definition given of what are 'exceptional circumstances'. Local residents may see this as a weakening of what currently exists. The total number of delayed ATM's between 9.30pm and midnight increased from 340 in 2001 to 683 in 2005. It was the view of the EIP panel that the 'closing time' as perceived of 9.30pm is one of the most stringent in Europe although they acknowledged that under the European Union GBBCA was designated as a 'city airport'. Therefore the EIP panel recommended that the opening hours should remain as they are for the time being but also that all endeavours should be made to ensure that delayed ATM's are kept to a minimum.

The EIP also recommended that a levy be charged to the aircraft operator, on a sliding scale of the lateness of the flight. This would then be paid back to the community, with a recommendation that this process, whilst operated by the airport is independently monitored. This is not proposed in the new Planning Agreement. A suggestion was also made by the EIP that both Belfast and North Down Council could play a role in managing this fund. This is omitted from the new draft Planning Agreement, rather the Planning Service have stated this falls outside the scope of the Planning Agreement and is being considered by the airport.

The Council would support the EIP recommendation that an independent monitoring process is agreed with relevant parties and is written into the new Planning Agreement.

Also the Council would recommend that consideration for all flights operating to and from the airport that are after 9.30pm should operate with the minimum of noise impact. We therefore recommend that for all approaches / landing, and take-off /

climb outs during extended hours should be over the Lough other than in exceptional circumstances.

Increase in Air Transport Movements (ATM's) from 45,000 to 48, 000 in any 12 months

The original agreement with Shorts, as at the public inquiry in 1991, was for 28,300 ATM's per year and presently the figure is 45, 000. This increase in ATM's to 45, 000 appears to have been permitted with little public debate or consultation. This Council holds the view that the current number of ATM's and seats for sale are reflective of the capacity of the new terminal and not as the GBBCA submission to the EIP stated in line with the old terminal. The relationship between the seats for sale and ATM's is a crucial control over the growth of the airport. The airport operates at around 39,000 ATM's a year, well below the current limit of 45,000. The GBCA have indicated that the increase to 48,000 ATM's is to reflect the fact that the figure must now include all airport transport movements including non-commercial flights.

The Council would suggest that, to retain public confidence in the new draft planning agreement, the recommendation of the EIP to limit the ATM's to 45, 000 remains unchanged. In addition a clear definition of Air Transport Movements should be written into the Planning Agreement with definitions for such things as climb-outs, take-off, landing and approaches, as they are all incorporated into the definition of ATM's.

Noise Control and Management

At the EIP the Council argued for the need for a comprehensive noise management scheme to be considered by the panel as part of the planning conditions/ agreement, which incorporated the following;

- Real time noise monitoring at suitable monitoring locations;
- A real time flight tracking system combined with the noise monitoring;
- A scrutiny procedure / system of the combined noise and track keeping system; and
- Reporting of results leading to an actual performance and suitability evaluation of the aircraft operating at the airport.

Whilst the first two points are being addressed, the scrutiny role and auditing / enforcement role is not clarified in this PA, and falls short of the recommendations made by the EIP and thus would not give the public confidence that a system will be in place to scrutinise and check compliance and management of noise.

The Council would recommend that under Part III obligations, paragraph 4 of the new PA, an additional paragraph 4.5 should be added stating that the GBBCA must install an Airport Operating System (AOS) which is linked to the noise and flight tracking monitoring system'. This would allow a range of qualitative and quantitative information which would enhance the scrutiny of noise management and potentially allow for further improvements.

The Council welcomes the fact that the airport has embraced the need to install a real time noise management system and a secondary radar to enhance information. However the Council cannot support this proposal until the scrutiny and noise management arrangements are identified and responsibility for the management of

these is written into the new draft Planning Agreement. The Department for Regional Development Airports Division have such a regulatory role which should be incorporated into the Planning Agreement.

In relation to Noise Contour Monitoring, under paragraph 4.2 and 4.3, the EIP panel recommended that an indicative contour should be produced by both the Department of the Environment Planning Service and Department for Regional Development, Airports Branch. This should be set at 15% greater than the 57Leq contour for the current ATM level and aircraft mix.

It is also noted that the existing Planning Agreement, under paragraph 4.4, addresses to some degree the scrutiny role provided by the Forum but that this has been omitted in the new draft. As above, the Council requests that appropriate scrutiny and noise management arrangements are identified and the responsibility for the management of these is written into the new draft Planning Agreement.

Aircraft Type

The Council would support the wording suggested by the EIP panel that rewording of the obligation should include the words 'embrace the latest standard' prevailing at the time.

Approaches

Given that the current obligation seeks to ensure that approaches of scheduled aircraft maintain a bias over the Lough, the Council would support the need to ensure that this obligation remains. This helps to reduce noise impact by protecting the health and quality of life of some of the more the densely populated areas of Belfast City.

Indeed at the EIP the Council argued that the obligation to 'maintain a bias over the Lough' could be strengthened to include all approaches and landings and a bias could be expressed in percentage terms. For example a 51% bias of approaching flights could meet this obligation but still leave the residents of Belfast experiencing a significant impact from over-flying aircraft.

The bias achieved of flights over the Lough has reduced from over 68% in 2001 to around 57% in 2005. The current rolling average is 55%. The Council is aware that extraneous factors can effect the direction of flight landing and departures. However, the bias of flights should be strengthened in an overall package within a noise management scheme. This should be linked to a scrutiny system of noise tracking for take off and landing.

The panel recommended that this obligation should remain. The new draft PA suggests alternative wording which in the Council's opinion weakens the obligation. The Council would strongly recommend that the original wording remains and is strengthened and that the EIP panel's recommendations are adhered to. Therefore this obligation should read:

'To maintain a bias in favour of all approaches and landings, take-off and climb-outs at the airport of scheduled aircraft over Belfast Lough, and to use all reasonable endeavours in future years, to increase the percentage improvement of this bias over the Lough.'

Seats for Sale

The Council is aware that the GBBCA can increase the seats for sale to 2 million within the current planning consent. The EIP recommended amending the numerical level of Restriction 3 in the 1997 Planning Agreement from 1.5 million to 2 million seats for sale from the airport, subject to -

1. Setting up a proper forecasting and scrutiny system; and
2. The airport operator committing to install noise and track keeping equipment in association with their new primary and secondary radar.

The second provision is considered as part of the new Planning Agreement but not the first. As stated before without this process of scrutiny, public confidence, that a degree of regulation and control could achieve, is lost. Therefore the Council would recommend that this is defined and agreed within the new Planning Agreement.