



FELSTED

PARISH COUNCIL

Airspace Business Coordinator
Airspace, ATM and Aerodromes
Stansted SID Proposals
Safety and Airspace Regulation Group
CAA House
45-59 Kingsway
London
WC2B 6TE

Mrs D M B SMITH
Clerk to the Council

URC Hall, Stebbing Road
Felsted, Great Dunmow
Essex CM6 3JD

Office: 01371 823071
Home: 01787 279288
Email: felsted@watsonic.co.uk

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Dear Sir/Madam

Re: NATS consultation 'Departure Route proposal at London Stansted Airport'.

I am writing on behalf of Felsted Parish Council in relation to the above referenced consultation.

We are approaching the CAA to express our objection to the process under which this consultation was run and, in line with the CAA's responsibilities for overseeing the process, to draw your attention to its shortcomings and the reasons we believe it should be withdrawn and why **we believe that you should declare this consultation void.**

We believe that the consultation document contravenes CAA Guidance on the Application of the Airspace Change Process ref CAP 725, on a number of points. The major points are numbered below, with the relevant information from CAP 725 in italics below each point.

1. NATS has not ensured that the consultation is **clear, concise, appropriately publicised and widely accessible**. There is no indication of any proactive attempts to engage with members of the public to obtain their opinions, or that a Focus Group was convened, and if it was then Felsted Parish Council, representing an area significantly affected, was not invited to participate. As per note 2 below, there is also **no statement regarding the number of planes that can be expected on the Clacton route** were the proposal implemented. **The most important fact to enable anyone to assess the proposal from an impact perspective is missing.**

CAP 725 Stage 2, proposal development states:

The Change Sponsor needs to identify Stakeholders/Consultees, key messages to deliver and the most appropriate methodology to reach all Stakeholders e.g. workshops, pamphlets, Open Days. In addition, the Change Sponsor should further develop Stakeholder/Consultee List and Consultation Plan.

11: Once all affected parties have been identified, it is recommended that the Change Sponsor invites some of these parties from a cross-section of those affected to form a Focus Group.

2. At no point in its 38 pages does the consultation document (or its 2 page summary) actually **explain what the negative impact will be in terms of flight numbers moving onto the Clacton route**. It talks in generalities about moving flights, but leaves the reader to examine detail in the diagrams, some of which reference 2012 flight numbers and others 2 individual weeks in 2013. Adding together information on these diagrams suggests just over a **doubling of flights** on the Clacton route, with a potential 40% uplift. However, days before this consultation closed, a new document was released, the 'Stansted Sustainable Development Plan', which sets out a plan to almost triple the 2012 reference point flight numbers (17.5m) to 45m. The reality from this therefore is that the real medium term result from this proposal is not a doubling of current flight numbers on the Clacton route, as it is then approaching three times this number, or **nearly SIX times the current flight numbers**. The **consultation document is therefore incomplete, misleading and far from transparent** regarding any explanation concerning the potential and very real impact of the proposals in terms of straight flight numbers.

CAP 725 Stage 3 Consultation process, states:

18 f) Ensure the consultation follows better regulation best practice principles - Proportionality; Accountability; Consistency; Transparency; and Targeting.

3. NATS did not attempt to ensure **appropriate or sufficient levels of public engagement**. The consultation was held precisely over the **summer holiday period** and poorly advertised to the public. It was left to local organisations to raise awareness of the proposal. Whilst NATS may hide behind the fact that they have issued press releases encouraging participation in the consultation, the reality is that this is a poor and ineffective method of ensuring engagement when compared to the many options available for honest active engagement. This is in direct contravention of a number of points in CAP 725.

CAP 725 Stage 3 Consultation process, states:

20 d: Do not rely on any single method of consultation.

20 e: 'Publicise'. Other consultation events are also encouraged, such as utilising open/public meetings as well as providing access to consultative material at some local libraries.

*23: The time period: will depend on the Proposal but a minimum of 12 weeks is considered reasonable; however, Change Sponsors must consider **a longer consultation period at certain times of the year, for example during the summer holiday.***

4. The benefits claimed in the consultation are **distorted and lack any balanced view of their honest impact, specifically relating to environmental elements**. The proposal lacks sufficient information to allow interested parties to make any reasonable judgement. For example, the website and consultation summary focussed on 3 benefits, the first of which is a reduction in CO₂. This is clearly designed to appeal to the environmentally conscious and gain immediate support for the proposal. The forecast reduction is quoted in an appendix as an absolute number. Quoting in tonnes of CO₂ gives the illusion of significance. However, by carefully researching through other documents it is revealed that the saving is actually in the order of 0.4%,

a statistically irrelevant amount, within the limits of measurable and forecast error. The headline claimed benefit of the process is actually therefore of no statistical value whatsoever and is **highly misleading in its presentation**.

20: Environmental assessment.

Credible - implemented with professionalism, rigour, fairness, objectivity, impartiality and balance;

k) **Integrated** - addressing the interrelationships between social, economic and environmental aspects;

l) **Transparent** - having clear, easily understood requirements; ensuring public access to information; identifying the factors that are to be taken into account in decision making and recognising limitations and difficulties; and

m) **Systematic** - resulting in full consideration of all relevant information on the affected environment, of proposed alternatives and their impacts and of measures necessary to monitor and investigate residual effects.

5. NATS has relied solely on the 'population count' methodology to claim environmental benefits for the proposed changes without applying the necessary caution in its interpretation for environmental assessment. There is **no consideration given to the protection of rural areas** or to the differing impact of **moving noise to more rural environments** and along more concentrated routes. There is **no evidence** that any baseline background noise monitoring in these areas has been carried out.

CAP 725 paragraph 94.

The warning from the above is that these are coarse tools, and so caution should be applied in their interpretation for environmental assessment.

CAP 725 Appendix B Environmental Requirements, states:

12. Airspace changes are increasingly the subject of public debate and it is important that environmental assessment and associated public consultation are carried out thoroughly. Incomplete consideration of environmental issues will cause delays to the handling of airspace change proposals.

6. NATS has proposed a single option. **No alternative options** are explained nor is there any indication that alternatives have or are being considered.

The CAA's decision letter of 28 January 2008 on Terminal Control South West Proposed Changes to Airspace stated 'for future proposals, sponsors will be required to provide a more detailed explanation of design options in all consultation material.' This instruction was not followed in this proposal.

CAP 725 Stage 3 Consultation process, states:

19. If a single design option is being consulted upon, it would be advantageous to briefly state what other options have been considered and give the reasons why these options have been discarded.

7. **The information provided in the consultation document is incomplete, misleading and selectively used.** It uses a highly confusing mix of figures from 2012 and 2013. It also presents statistics as significant when detailed analysis demonstrates this to not be the case. For example, the CO2 savings being the headline of 3 claimed benefits for the whole process, whereas analysis using

information obtained from other sources demonstrated the saving to be only 0.4%. A figure this small is a variation within the limitations of statistical reliability and validity (variation and measurable error). The document then claims a '**Reduction in the number of people regularly overflowed during the day**'. However, within an appendix, the document states that 1470 fewer people would be overflowed below 4000 ft. whilst 2400 people would be overflowed more intensively, a **63% increase** in people regularly overflowed below 4000ft. Again a highly suspect and **dishonest use of statistics**.

*CAP 725 Stage 3 Consultation process, states
20 c: Be realistic: Be realistic about the skills and resources that consultees have available, and what is needed to carry out the consultation effectively.*

8. There is significant local belief (backed by detailed recording of the **huge** increase in audible flights overhead) that the changes in routes are already being put in place. The consultation document states that this is a process to '**formalise**' changes and that the **changes will likely happen anyway**. To formalise is to 'make official', in other words this is a clear admission that the process has, in actual fact, already begun (so don't bother objecting). Deliberately or not, the consultation document therefore indicates that **this is actually a foregone conclusion** to formalise a process which has already begun, thus deterring interested parties from thinking that there is any point making a submission. **This goes against the principles of offering a fair and balanced consultation.**

*Point 1.5 of the consultation document, The NATS change proposal states "we are seeking to **formalise** a switch of routes" and "this proposed change is to formalise alternative route usage".*

*Point 5.15 states: it is therefore reasonable to expect that, without the change presented in this 5.15consultation, some airlines would **in any case naturally shift** over time onto the less congested Clacton route.*

In addition, the consultation process is totally inadequate in the following aspects:

9. The consultation **does not contain a list of questions to assist in developing a response** (cf for example, the Gatwick consultation).
10. There is no assessment of the impact the proposed change will have on communities which will experience overflight at 4,000ft – 7,000ft. **A conservative estimate of the number of people affected is 16,000** from Great Notley, High Easter, Great Leighs, Felsted and their surrounding areas alone.
11. **There is huge local opposition** towards the whole series of LAMP related proposals and trials to change flight paths for airports in the South of England, all of which are being presented locally and individually rather than as a part of an overall plan. The level of objection and concern against the principle of massively disrupting the lives of individuals to the gain of airport operations cannot be ignored, especially when, as in the example of the Stansted proposal, the consultation process is misleading, inadequate, ineffective and lacking in balanced data. These changes to routes to and from airports in the South East are also resulting in **increased flights over the Felsted area from Heathrow and Luton** (most at between 10-15,000 feet, which are

very audible against the ambient rural silence), resulting in an even greater overall increase in plane noise.

12. There is **no consideration given to the impact on schools** on the learning ability of young people. Whilst Felsted school is not on a sub 4000ft flight path it will be impacted by flights released from the path upon reaching 4000ft, a height at which noise and air pollution must warrant some form of analysis in any honest consultation on the hundreds of boarders and their 1000 students. There are 7 schools in the Felsted Parish and a number of others in neighbouring parishes. **Why is this vitally important subject ignored in the consultation?**

In summary therefore we implore the CAA to declare this consultation invalid and require its withdrawal as being misleading, incomplete and inadequately managed as a true and fair consultation.

Yours faithfully

D M B Smith
Clerk to Felsted Parish Council

Attached for reference: The submission from Felsted Parish Council to the proposal itself, which details some of the above objections.