

ELVAA

Chairman: Steve Charlish
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Kings Norton
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Mr J.R. Arscott
Director of Airspace Policy,
Directorate of Airspace Policy,
Civil Aviation Authority
CAA House,
Kingsway,
London.

12th January 2005

Our reference: elvaa/dap/Jan05

Dear Mr Arscott,

Directorate of Airspace Policy decision, for the approval and implementation of expansion of Airspace at Nottingham East Midlands Airport July 2004. Would you please reply concerning the airspace approval and request that you clarify in detail the mechanisms that have been employed to take in to consideration the Environmental Assessments and the DAP's inability to recognize the missing Leading authorities from the consultation matrix.

(It is our intention to exploit to the full, The Freedom of Information ACT 2000 implemented January 1st 2005 for all replies from the DfT, CAA and Directorate of Airspace Policy.)

I am aware that the Leicestershire County Council has checked the Demography of the population affected by the NEMA airspace proposals and concluded that the expansion of airspace will introduce additional burden of noise to extra 30% of the population of Leicestershire, countering the argument that this will affect less people. The argument for avoiding populated areas falls flat when we talk about the potential population for Nottingham.

Although I am aware also that within your counter argument, that there are winners to these plans and some areas will have higher aircraft above 3000 feet. Would you please explain how this is an overall benefit and explain the detailed criteria for your assessments?

. CAP 725 Annex 3C, page 3 Section 4.1 item 3. Effects on human beings, buildings etc.

A.1. The level and effects of emissions from the development during normal operation. All the information that we have received to date is NEMA's environmental statement, which does not give any detail about the emissions criteria; please supply details of the Strategic Health Assessment's in detail.

Compliance with the following and its detailed supporting evidence:

Health Impact Assessments outlined by the National Health Service and the Health Development Agency for Health Impact Assessments by Blair-Stevens and Taylor.

At a European Level for example Article 152 of the Amsterdam Treaty calls for the European Union to examine the possible impact of major policies on health.

At a national level, the role of HIA was specifically highlighted in the cross-government public health strategy: saving Lives: Our Healthier Nation.

World Health Organisation Health Impact Assessments are used against a backdrop of evidential guidelines for the examination of possible Transport related health impacts on communities.

5. HIA has also been strongly endorsed or signalled by a new deal for Transport produced by the Department for Transport where is the evidence that this has been applied.

A.2. CAP 725 4.1 Levels and effects of noise from the development. Since we have requested many times from NEMA the projected noise effects and been denied (the proposed noise metrics and detailed footprints of the different elements (arrivals, Departures and holding points) of the airspace proposals we would ask that you provide this in detail. We note that this has been worked out using contracted out Integrated Noise Modelling and ask specifically if this was double checked by your Environmental Research Consultancy Department using the ANCON Noise Metrics system, (which by the ERCD's own publicity material about the ANCON noise metric programme gives very different, perhaps, more realistic results than the INM programme. Can we therefore see the comparison analysis of the results, the INM and ANCON projected footprints?

B. 1. I refer you to the Department for Transport's Guidelines to the Civil Aviation Authority on the Functions on Environmental Objectives Relating to the Exercise of its Air Navigation Functions page 18 sections 54. "The DAP should be cautious in accepting a 'nil return' from a leading authority in the area affected or any other major party as silently indicating support for the changes proposed. The proposals may have gone astray or been incorrectly addressed. Consulting in parallel through the aerodrome consultative committee where one exists etc...

B.2. I would like to establish why the DAP had not noticed that the NEMA submission for the expansion of airspace submitted September 2003 had not flagged up any form of rejection of the proposals by the DAP, given that the Leicestershire County Council fulfilling the criteria of a leading authority had been completely omitted from the First Consultation Matrix as well as Oadby and Wigston Borough Council. What decision process ignored the Leicestershire County Council as it was only by ELVAA's intervention that introduced and recognized this omission? This implies an insufficient scrutiny system employed by the DAP on the Consultation Process. After all the DAP is wholly responsible for safeguarding the best interests of the communities affected.

B.3. CAP 725 Chapter 1 Section 7 page 9 checklist of formal proposal compliance:

b, exemplar copies of the initial informal consultation and any hastening letters.

- c, copies of all other consultation correspondence NEMA have sent,
- d, copies of all consultation correspondence received by NEMA,
- e, consultation matrix,
- g, which is a map depicting all District and Local Councils

The items above should have identified missing consultees.

B.4. When it was recognized that the Leicestershire County Council had been omitted, the DAP put the Airspace Process on hold for 12 weeks, the time scale being totally insufficient and inadequate for the normal democratic process for a County Council to formulate a detailed picture of the whole proposal relative to the enormity of the environmental implications. Gathering sufficient information and consulting with the representatives of nearly a million residents and allowing normal democratic process to cascade down to the residents. It is only now that the LCC has had sufficient time to best formulate policy relating to this whole issue, but accordingly the DAP are insisting that the decision made in July 2004 is Final unless NEMA revise their expansion plans.

B.5. How many other councils have been “erroneously” omitted East Staffordshire perhaps? Burton upon Trent District Councils?
Perhaps you would be kind enough to forward the latest and initial Consultation Matrices.

In conclusion I do not accept that the DAP has allowed sufficient safeguards to be applied on behalf of the Leicestershire Communities, as a result of the DAP’s own neglect for the normal democratic process’s to occur within this consultation process.

Yours Sincerely



Steve Charlish
www.elvaa.org
East Leicestershire Villages Against Airspace
www.demand.uk.net
Demand East Midlands Airport is Now Designated

Copies letters:

Mr Edward Garnier QC, MP
Miss Charlotte Atkins MP
Mr Keith Vaz MP,
Mr Stephen Dorrell, MP
Other interested parties.

Mr Alan Duncan MP
Mr Kenneth Clarke QC, MP
Mr David Taylor MP
Mr David Parsons Leicestershire County Council