

TCN Consultation
NATS
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Date: 24.3.08

Dear Sir/Madam

TCN Consultation

Thank you for your letter of 12th June in response to our letter of 3rd June. Your letter was not received until 23rd June, four days after your deadline. Nonetheless the Board is sending this additional submission to complement that sent on 18th June. In that submission we explained that we were still awaiting a response to our letter and sought re-assurance that you would accept a later submission once your reply had been received. Unfortunately we have had no such re-assurance but expect NATS to take the views and comments expressed in this letter into account.

In general the Board is disappointed that NATS did not answer the questions directly or instead gave standard, non specific, answers. The information we hoped for has not been forthcoming. In particular the following issues have not been addressed:

1. Exactly what are the safety problems which have resulted in the proposal to move routes southwards into more congested and arguably less safe airspace? No information on safety issues was given in the consultation document and none provided despite our request.
2. NATS has only one environmental criteria to which it has attached any weight, namely to reduce the numbers of people over-flown. This simplistic approach lacks any refinement and has significant consequences which NATS does not seem to recognise.
3. The towns currently over-flown are not densely populated as NATS states, but small market towns. The level of complaints is minimal so avoidance of these towns due to a public outcry is not a reason for a change of flight paths over the Chilterns.
4. The overall reduction of delays in the TCN area by 30,000 hours per annum is very modest and does not justify the damaging consequences of the proposal.

5. Those to be over-flown in future will experience higher levels of noise pollution than those currently over-flown by virtue of the lower flight heights and the height of the Chilterns. Those it is claimed will no longer be over-flown will still clearly hear the aircraft because of the lower height of aircraft in future and the north-west facing escarpment which will deflect noise towards the towns.
6. The failure to give any indication of the alternatives considered. In view of the apparent disadvantages of moving flight paths southwards into more congested airspace with an increased chance of conflicting with aircraft using Heathrow and Northolt, a more northerly option must have some benefits worthy of public debate including:
 1. Avoids the Chilterns AONB.
 2. Reduces problem of conflicting with aircraft using Heathrow and Northolt.
 3. A lower population is over-flown.
 4. Few popular recreation sites.
 5. Higher elevation of flights creating less noise pollution.
 6. Aircraft can climb more quickly thus reducing the area affected by noise pollution and saving fuel.
7. In your letter, the 3rd paragraph in response to our question 5, states:

“The AONB was considered in the design process, however, the towns to the north and south meant that there was no opportunity to avoid overflight of the AONB without increasing the environmental burdens on the more densely populated areas.

This is a significant statement and misinterprets the policy guidance issued by DfT to the CAA. The guidance states:

“pursue policies that will help to preserve the tranquillity of the countryside where this does not increase **significantly** the environmental burdens on congested areas.”

8. NATS has failed to state why retaining the existing flight paths will increase the environmental burden on the areas overflown. The guidance explicitly states that avoiding tranquil countryside is acceptable providing it does not **significantly** increase the environmental burden. NATs has ignored this guidance and failed to consider alternatives based on existing or more northerly flight paths.
9. NATS knew from the outset that an issue was retaining tranquillity and yet made no effort to do so or to develop a mechanism to give weight to tranquillity. How then did NATS intended to implement government policy if it had no grasp of what tranquillity meant in the TCN area? If, as stated in your letter that CCA guidance CAP725 “provided no

mechanism for weighting loss of tranquillity against other effects,” did NATS request that such guidance be given?

10. The failure to present the public with options is partly explained by the workload this would create for NATS. It may well be considerable, but that is no reason to deny the public the opportunity to show its preferences on use of airspace where they live. This reason seems also to apply to the failure to include the Bovingdon stack in the TCN terms of reference - an inevitably complex matter but an unavoidable one. It raises the issue of why the TCN area is being addressed before the airspace over Heathrow. As Heathrow seems to be given priority it would have made more sense to review management of its airspace first and then cope with the knock on effects in adjacent areas.
11. The failure to include the Bovingdon Stack has seriously compromised the planned change to the TCN airspace. The result is that many people will be affected by NATS refusal to include the stack because of workload. Knowing from the outset this was an issue NATS should have ensured it had adequate resources to undertake the task.
12. The entire review is based on a forecast of 4% growth per annum in demand for air travel. In light of recent events this forecast needs to be re-visited urgently. There is more likelihood of a 4% decrease in the next year with great uncertainty over future growth, if any. It makes sense to review the forecast, postpone introduction and, if necessary, dovetail with any plans for a third runway at Heathrow. There would be little sense in introducing unsatisfactory and unpopular changes now only to change them again in a few years.
13. As all aircraft are capable of climbing rapidly why are Heathrow departures not instructed to climb more quickly thus allowing Luton aircraft to fly at higher altitudes? If there is a very small number of aircraft capable only of a poor rate of climb (i.e. a fully laden Airbus 340), rather than accommodate them, indeed building the entire structure around them, consideration should be given to prohibiting their use of this airspace or requiring them to use other flight paths where their slow rate of climb does not causes problems.
14. It is unacceptable to proceed without any measures to mitigate impacts on nationally protected countryside. It is clear that government policy intends that environmental quality, including tranquillity, of protected countryside is conserved, even enhanced. The crude measure of numbers of people overflown is the only environmental criteria given any weight by NATS, and that does not take into account the nuisance of the noise pollution suffered by those newly overflown compared those relieved.
15. Contrary to NATS assertion that their proposal delivers overall environmental benefits they have failed to show, despite our request for additional information:

1. How their proposal address existing or likely future safety concerns.
2. How fuel burn and green house gas emissions are reduced - It seems at best they will be neutral.
3. How they will implement government policy to conserve tranquillity.
4. How they have taken into account the impact on visitors to the Chilterns.

In conclusion, the Board sustains its objection to the proposal because of the direct and damaging impact on the Chilterns AONB due to much increased noise pollution and thus reduced tranquillity. The Conservation Board is disappointed that NATS failed to consider and consult on less damaging alternatives or to propose any measures to mitigate the impact on the AONB.

Yours sincerely

Steve Rodrick
Chief Officer