

**QUESTIONS RELATED TO BIGGIN HILL AIRPORT SINCE (AND INCLUDING)
25TH MARCH 2015**

QUESTIONS TO FULL COUNCIL

COUNCIL MEETING ON 25TH MARCH 2015

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR ORAL REPLY

From Mrs Annick Tuesley

Why does the Council allow the Airport to state that it operates from 06.30 to 22.00, when those are the very hours that were overwhelmingly rejected (twice) prior to the Olympics, and what justification would there be for the Council to grant those hours now, and even more?

Reply

It should be noted that for aircraft normally based at the Airport the lease allows departures from between 06.30 am and 07.30 am on weekdays, and landings up until 22.00 pm on weekdays only.

For these reasons, accepting the restrictions that are in place, I believe it is possible to describe the Airport as being open from the hours of 06.30 am to 22.00 pm. and therefore operational.

Supplementary Question

Mrs Tuesley asked whether the Council accepted that the Noise Action Plan presented by the airport was only limited to assessing progress every five years towards noise reduction within the airport contours and if this was the case, Mrs Tuesley enquired how this would help residents.

Reply

The Leader indicated that should the decision be approved it was his intention that any monitoring would be live, day-by-day, and constantly reviewed from the period that an application was successful.

From David Hook

Will the proposed (by BHAL) limited number of Air Traffic Movements of 50,000 per year, be incorporated into the new Lease, and/or temporary adjustment to the existing Lease?

Reply

If amendments are approved, any change to air traffic movements would be incorporated into the revised third schedule of the lease.

From Peter Birdsall

(1) Regardless of the outcome of tonight's meeting, what steps are the Council planning to take which will increase the income from this relatively poorly performing investment property?

Reply

The lease determines the rent and fees the Council can expect to receive from the Airport. This is made up of an index-linked base rent plus an additional amount payable at the higher of the amount by which 3% of turnover or 12.5% net profits exceeds the base rent.

As stated in the report at paragraph 3.2, the base rent in 2014/15 was £89,444 and the additional turnover/profit income was £119,084. Also, as stated in paragraph 5.5, the Council's budget assumes an estimated income of £206,000 from the Airport.

Regardless of the decisions tonight, the Council will continue to support appropriate business activity at the Airport which will not only support and attract further employment but also serve to increase the income the Council receives.

(2) Why did the Council refuse to give residents any detail about income to the Council when the Airport has been keen to mention large amounts in newspaper articles? How believable are those figures?

Reply

As stated in the report at paragraph 3.11 BHAL submitted to the Council on 10th November, a "private and confidential" financial proposal which BHAL recently agreed could be included in the report. This was agreed by BHAL on the basis that as much information as possible should always be in the public domain in the interests of openness and transparency. Until such a time that BHAL agreed the financial information could be included in the report, the Council was not able to act otherwise.

Regarding "believability", as stated in paragraph 5.1 of the report, these figures represent a financial forecast, not a contractual commitment. Further work would be required on the financial appraisal linked to any conditions and obligations the Council would require which in turn determine the amount the Council could expect to receive.

(3) How do you explain the most recent figure that the Council stands to make £11million a year? Is that before or after all the infrastructure and service costs?

Reply

As stated, the £11m is a BHAL income forecast. It represents a cumulative figure over the period 2015/16 to 2030/31 and does not represent the annual income. Any such forecasts must be treated with caution. As far as I know any forecast does not include any assessment of costs.

From Mike Overall

(1) Irrespective of the result of tonight's debate, will the Council now ask the Airport to prepare a fully detailed Report on use of Alternative Flight Paths over open countryside on the East, accompanied by a Noise Action Plan that considers overflying of residential areas rather than airport contours?

Reply

In such an event, we will not only ask but insist.

(2) Since this seriously affects tens of thousands of Keston Village and Bromley residents, will the Council make publicly available detailed results of these studies and, if enforceable, impose sanctions for non-compliance by the Airport?

Reply

Absolutely.

From Michael Latham

(1) Why are Members asked to consider this application given that the officer's report for Members states at Finance 1: *'It has not been possible to gauge how realistic these projections are at this stage as no detailed submissions were provided to support these proposals' ?*

Reply

It is the case that more detailed discussions between BHAL and LBB would be required before details could be agreed. However, Members need to decide if the proposals merit further discussion. That is the purpose of the report tonight.

(2) Why does the officer's report at 6.4 (d) not mention the environmental damage inflicted on the non-air conditioned Princess Royal University Hospital by planes flying low overhead to land at Biggin Hill – as this can affect all Bromley residents – at particularly stressful times?

Reply

Effects on the hospital have been considered: it is a noise sensitive facility that the Government would expect to be assessed against the 57dB $L_{Aeq,16h}$ parameter in line with dwellings. The hospital is located outside the present and anticipated future noise contour at this value.

The Aviation Policy Framework states (in para.3.37) that airport operators should offer acoustic insulation to noise sensitive buildings, including hospitals, exposed to levels of noise above 63dB $L_{Aeq,16h}$. The hospital lies well outside this contour.

(3) Will Councillor Carr confirm the Chief Executive wrote to him on 22.9.04 and 3.3.05 about the; 'detrimental effect on the PRUH and its patient environment' since when planes have become lower and larger - and that Councillor Arthur, non-Executive Hospital Trust Board Member, was party to those letters ?

Reply

This may be the case and I refer to the answer given to the last question. I can also confirm that in conversation with Mr Watkinson, that the Trust did not have any issues with these plans.

Supplementary Question

Mr Latham enquired whether the Leader accepted that the hospital Chief Executive confirmed in the year 2000 that the hospital trust were unaware of plans by the airport to attract bigger planes and also that the Council's Chief Planner confirmed at a Council meeting in 2003 that he was responsible for negotiating the hospital planning permission and that the overflying by planes had not been mentioned to the hospital trust.

Reply

The Leader indicated that he was unable to provide the confirmation Mr Latham sought and Mr Latham stated that he had letters to confirm it.

From Tony Trinick (Question put by Mark Trinick)

(1) Why did the Council not reveal that the supposed increase in jobs is not only linked to an increase in operating hours but to a raft of other major concessions to the Airport, including sacrificing Green Belt for hangars and building better access to the airport?

Reply

BHAL has made it clear that the potential to create up to 2,300 jobs is predicated on the hours being varied as proposed. Green Belt and transport matters would need to be dealt with separately and on their own merits in the normal way.

(2) Why did the Council not reveal (I quote from Appendix 1 of the NLP report) that there is an underlying request to de-link the "roles of the Airport from environmental factors including green belt, noise, access and amenity"?

Reply

The Council does not believe it is in anyone's interest, including the Airport's, to "de-link" the role of the Airport from environmental factors including Green Belt, noise and amenity. The Airport does not operate in a vacuum and the Council will continue to ensure that its impacts on the wider community are properly considered in any response to current and future development plans.

Supplementary Question

Mr Trinick enquired whether a potential 2,300 new jobs and ambitious gross added value of £230m per year had been assessed in relation to hours only or the entire spectrum of the Nathaniel Litchfield and Partners report, and could the Council confirm that it would maintain its UDP (Unitary Development Plan) policy of balancing the economic prospects of the airport with residents' local amenities.

Reply

The Leader confirmed that balancing the economic prospects of the airport with residents' local amenities would be maintained. It was hugely important to the Council. Concerning a gross added value of £230m per year, the Leader did not immediately recognise the figure, and not wishing to misinform Mr Trinick, explained that advice would be sought and Mr Trinick advised.

From Susan Radford, Petts Wood & District Residents' Association

Does the Council accept that the aircraft approach heights proposed in the trial announced in BHAL's press release will remain unchanged over Petts Wood and therefore the promised reduction in noise is likely to be minimal in our area?

Reply

I understand that the recent BHAL press release stated that aircraft flight altitudes are being raised over Chislehurst and Petts Wood. Aircraft will establish on the current approach slope to complete their landing, but will join that slope approximately one-and-a-half miles further from the Airport and 400 feet higher. The Council, BHAL and residents should perhaps wait to see what difference this initiative makes before judging how effective these measures may or may not be.

Supplementary Question

As a condition of any change to operating hours, Susan Radford asked whether the Council would agree that BHAL should introduce fly paths which would not overfly residential areas.

Reply

In his reply, the Leader felt that everyone would like to see this happen. Some of the recommendations from the Council's noise consultant (including proposals related to noise contours) indicated that these, and the placing of conditions, would help address and perhaps counteract the noise impact that aircraft currently make. Any change to runway approach would also be of benefit.

From Giuliana Voisey

(1) Does the Council accept that the busiest and noisiest flight path is the one running below 2500 feet from Sidcup/Chislehurst to runway 21, as clearly demonstrated by the red corridor of NO votes on Map 2, Appendix 8, which gives a very good indication of where the main problem is?

Reply

Yes I do.

(2) Does the Council realise that the estimated increase in revenue of £626,000 in 15 years' time equates to just £90 per household under this flight path alone, in 15 years' time, and the proposed Community Fund equates to £20 (£110 in total) based on a very conservative estimate of 7000 affected households?

Reply

As stated in the report and indicated in an earlier response, the figures presented by BHAL are forecasts not commitments. However, the income included in their projection is not insignificant and increases by £772k by 2030. I am not currently convinced that the supplementary community payments are commensurate with the increase in noise generated at anti-social hours and as stated in the report more work would be required to consider an appropriate level of charging if Members were to decide to allow these proposals.

(3) How do 2300 jobs in 15 years' time in a borough that only has 1.4% unemployment (which is as low as it can realistically get), mainly created by attracting non-Bromley employees, compare with the sacrifices you are asking more than 100,000 of your residents to make from now?

Reply

Biggin Hill has been identified by the Council as one of three strategically important locations for future employment growth. I am pleased to note that we have recently received GLA funds to assist the Council and local stakeholders including the Airport to prepare a detailed feasibility report and business plan for an Aviation Technology and Enterprise Centre. Notwithstanding the fact that Bromley's economy remains healthy, we

cannot rest on our laurels, and to ensure our economy remains healthy we need to ensure that good quality, sustainable local jobs are available for local people in the coming years. That is not to say that we will accept job growth at any cost. It is the job of the Council to ensure that the right balance is struck.

Supplementary Question

If the Council realised there was a problem in the flight path corridor to Runway 21, Giuliana Voisey enquired why the approach to the runway was not mentioned in the Airport's Noise Action Plan and consequently not picked up by the Council's noise consultants. She felt that people under the flight path approaching the runway were ignored in the Noise Action Plan.

Reply

The Leader indicated that a reason why no reference had been made was that it was something currently beyond the control of the airport and others. The Leader understood however that negotiations were moving forward to try and alleviate the problem.

From Hugh Bunce

(1) Why has no mention been made of the PRU hospital, one of the largest in South England, 1.5 miles from the end of the runway, with aircraft only 700 feet directly above creating a serious safety risk, and what can be done to restrict jet movements over this sensitive site?

Reply

As I stated in my response to Mr. Latham earlier, the effects on the hospital have been considered. Regarding safety risk, I am not aware of any concerns being raised with the Council to date but will happily consider any detailed concerns you may have which I can discuss with the Airport and/or appropriate authorities.

(2) The flight path crosses from Locksbottom, to Bexley, covering 200,000 residents, two major hospitals, and 8 schools, (one of the most densely populated areas of the UK). Is the safety, quality of life, and environment of these people more important than developing an airport with severe infrastructure limitations?

Reply

Safety is of course a critical priority for the Council as landlord and we would not do anything that puts at risk people's safety. Airports are, of course, regulated by the Civil Aviation Authority, and they do not permit any activities at the Airport that put at risk people's safety. I should add that it should come as no surprise to residents who live under the flight path that their properties indeed lie under the flight path of what has been an active airport for many years.

(3) There are over 100,000 voters in four constituencies who are subjected to the effects of the flight path to Biggin Hill Airport. If you make a decision against their wishes are you happy to lose these constituencies on May 7th?

Reply

It is the job of elected Councillors to weigh up the pros and cons of all proposals that come before us. It is the case that not all residents (or Members come to that) will always be happy with decisions that are taken, but that is democracy at work.

Supplementary Question

Should voters in the constituencies affected by the flight path to the airport be unhappy with the decision taken, Mr Bunce asked for the Leader's view should voters be advised to no longer trust Conservatives to protect their amenities, quality of life, and their environment.

Reply

The Leader explained that the Conservative Group at the Council had allowed a free vote on the matter. It was a difficult decision for many and the Leader was determined that Members of the Conservative Group would be able to express their views in dealing with a particularly sensitive and emotive issue. The Leader understood that a lot of people would not favour a particular outcome but this was democracy at work and Members were elected to make difficult decisions.

From Barrie Mayer (Question put by Mrs Annick Tuesley)

(1) Isn't a decision on this Application seriously premature as most all the mitigating factors offered by BHAL or suggested by Cole Jarman are untested, best-efforts or insignificant?

Reply

The consultant's noise control recommendations are consistent with best practice used at other airports in the UK where they have been tried and tested.

(2) Does the Council accept that the Noise Action Plan presented by the Airport is only limited to "assessing progress every 5 years towards noise reduction within the Airport contours" (page 10) and, if so, how is this going to help residents?

Reply

If the Council were to consider approving the application it would look for more rigorous management of noise reduction including continuous real-time monitoring.

Supplementary Question

Why was it not proposed that helicopters be excluded during the most unsocial hours by either the Airport or Cole Jarman?

Reply

The Leader indicated that this was the case as there had been no application to allow helicopters to operate in those hours.

From Jason Polis

(1) What would be the contractual and other legal provisions to revert the lease back to its current terms should the promises made, including those about noise reduction, fail to materialise or meet expectations?

Reply

BHAL as the Council's tenant is seeking to amend the third Schedule of the lease which sets out the operating criteria for the airport - as it is entitled to do under the terms of that document. No decision has been made so my answer must be taken in that context. However if any variation to the third schedule was agreed the Council would look to ensure appropriate safeguards were included and this is identified as one of the three choices on the report being considered this evening.

(2) What budgetary, legal and contractual provisions would be made to defend Council and Councillors from legal actions in relation to the consequences of any decision made in relation to this matter?

Reply

No decision has been made at this stage so it would be purely speculative to consider what if any challenges could be brought. As with all matters then if any consequential work couldn't be contained within existing budgets for legal services support – which can't be judged at this stage - the provision of any necessary supplementary funding would need to be considered at an appropriate time. Individual Councillors have a range of statutory protections and indemnities in respect of the majority of decisions that they collectively make.

(3) What are all the expected consequences for residents and Council of earlier and later flights on every day and night of the week?

Reply

The consequence for residents of the proposals before Members tonight include:

- The potential to create new jobs and investment for the Borough.
- A cap on permitted flights.
- New, more affective noise management and monitoring arrangements.
- Increased hours of operation and associated mitigation measures including an aircraft charging schedule to reflect the increased noise generated during unsocial hours and to take account of any public purse expenditure required as a result of the increased business at the Airport.
- There could be more flights than currently and this is a factor we have to take into account in making a decision.

I would draw your attention to Appendix 7 of the report for a fuller analysis of the proposals, and the controls and obligations that would need to be in place to ensure the consequences for residents of the proposal are reasonably mitigated.

Supplementary Question

Should any variation to the third schedule of the lease be agreed, Mr Polis sought clarification in regard to safeguards that would be included and whether one of the safeguards would include reversion of the schedule back to its current terms.

Reply

The Leader suggested that the supplementary question from Mr Polis could only be determined as a result of any negotiations that might or might not go forward. The Leader understood the point from Mr Polis and highlighted that the Council was determined to do what it could to protect residents if there was any change to the current terms of the lease. The Leader acknowledged the importance of the supplementary question from Mr Polis.

From Will Curtis

In the light of the overwhelming support for the proposals made for the future use of Biggin Hill Airport, does the Leader agree that, provided that environmental concerns can be satisfactorily addressed, the proposals made by the Airport will secure the future of the airport in the quietest and lowest density sector of commercial aviation whilst at the same time providing both social and economic benefits and safeguarding the heritage of Biggin Hill airport?

Reply

The various consultation results have indicated that a majority of the Borough residents support BHAL's proposals. However, BHAL's own proposals acknowledge that noise and other environmental concerns need to be properly managed in order to ensure that residents' concerns are properly addressed. The question is have BHAL offered a sufficient level of mitigation to allow these proposals to be supported? The Council's consultants have identified areas where the Airport would need to improve their offer to the Council and our residents before any approval should be given. Weighing up the pros and cons of the proposals and the adequacy of the mitigation measures is the subject of the debate tonight.

From Robert Walters

Can the Leader say what alternatives there may be to business and general aviation if the airport continues to lose market share due to its unfavourable operating hours and what other sectors of commercial aviation exist that could fill any revenue shortfall resulting from further loss of market share?

Reply

No I cannot.

From Barry Sargeant

With 31,500 residents supporting Biggin Hill's proposals, does the Council feel that it has received a clear instruction from residents to support BHAL's proposals?

Reply

The consultation is not a ballot or a referendum. Its results do not provide an "instruction" to the Council to support BHAL's proposals. The purpose of the consultation was to give residents the opportunity to express their views which the Council would take account of in reaching its decision on the proposals. I should point out that whilst there was general support for BHAL's proposals across the Borough as a whole, there was much less support in areas under or close to the flight path - notably Petts Wood and Knoll and Farnborough and Crofton Wards being against the proposals. In reaching a decision on the proposals the Council must take account of the concerns expressed as well as any expressions of support. In reaching our decision the Council must ensure that we are acting "reasonably" and have considered the application on its own facts and merits.

From John Willis

Does the Leader believe that the planned Aviation Technical College will fit well with the recently announced and very commendable boost in the government apprenticeship scheme such that it will create jobs for Bromley residents and align with current Conservative economic policies?

Reply

I hope so.

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR WRITTEN REPLY

From Andrew Cairns

What alternative uses for the airport site has the Council considered, more appropriate to the residential nature of the surrounding areas, given that the management of BHAL feel unable to operate a viable business without increasing their weekly operating hours by an overall 14.5% (42% increase at the weekend)?

Reply

The Council has not considered an alternative use for the airport site as it is leased to BHAL Ltd for a term of 125 years from 7th May 1994.

From Matthew Coates

(1) As job and Gross Added Value estimates are linked by NLP to more than just the increase in operating hours, has the Council received a satisfactory Business Plan from the Airport related exclusively to the increase in operating hours?

Reply

The Airport has stressed that the forecast job growth could not be achieved without an increase in hours. The Council is reasonably satisfied that this is the case as evidenced by consultants (URS and DTZ) and BHAL's feedback from potential investors.

(2) Why does the Council keep referring to the overall support for the Airport's proposals during its October survey when the Populus survey actually showed that only 35% unreservedly supported the only question that matters: Operating Hours, thus perpetuating BHAL's misrepresentation of it?

Reply

The Council has encouraged the residents to read the full submission published on the Council's website. The populus survey result showed that "65% support the new opening times (including 35% who strongly support them) compared with 18% who oppose".

(3) Why does the Council believe that taxpayers have to continue to provide funds and concessions to a private business serving an elite clientele AND already profitable, when that money would be better spent supporting other types of industries and enterprises?

Reply

I don't believe the Council is.

From Zoe Chambers

(1) What forecasts have been run to ensure that there are enough students from the borough of Bromley to justify Bromley taxpayers paying £3.5m towards it and why was it not made clear that we taxpayers, not the airport, are paying for it?

Reply

The Council is not in receipt of a Business Plan for the proposed training facility at the Airport and therefore it is premature to comment on costs and who will pay for the facility.

(2) Has the Council analysed alternative sources of income for that large area which do not involve aeroplanes overflying people's homes and why would this not be a reasonable opportunity to ask the Airport (which is profitable and does not need extra support) whether they might want to rescind the lease if they do not like it as it is?

Reply

The lease includes provision for the Airport to seek revisions to the operating criteria. That is all they are doing.

(3) How much profit has the Council made in real terms from BHAL over the past 20 years after deducting the £1.5m to resurface the runway, additional money to install the ILS, £400k granted in 2007 (taken from BHAL's accounts) and other general infrastructure/services expenditure? Why do you think they are not taking you for a ride again?

Reply

Since the lease agreement was signed, the Council has received rent payments totalling £2,382,374 for the period 1994/95 to 2013/14. In 1994, the Council undertook to contribute up to £1.5m towards the resurfacing of the main runway and actual expenditure on this totalled £1,500,850.00 between 1994/95 and 1998/99. In addition, the Council spent a total of £82,619.48 on lighting improvements between 1993/94 and 1998/99. This provides a net difference of £798,904.52 over the period 1993 to 2014. We have checked back through our records and, from the information provided, have been unable to find any record of a contribution towards the ILS or of a £400k grant.

Subject to Members' decision tonight, I would be seeking to ensure that any new agreement with BHAL addresses more satisfactorily than was the case with the original lease agreement, a significantly better financial deal for our residents.

From Nicholas Voisey

(1) Now that I have read the report circulated yesterday, how can a decision be taken with so many imponderables, suggested 'best efforts' amendments, unsubstantiated projections, undeliverable pledges etc?

Reply

The Council has received a proposal from BHAL and is obliged to consider the proposal in a timely manner.

(2) How can the Council even consider such a divisive decision based on putting two thirds unaffected residents of the borough against the third which is affected?

Reply

The Council has a duty to weigh up the pros and cons of such proposals and make decisions based on what is in the best interests of the Borough as a whole.

(3) How can a Council, any council, support a party that has based its canvassing on market manipulation rather than market research and run a campaign by calling the opposition liars instead of using arguments as well as writing personal intimidating letters? All of this can be proven.

Reply

The Council cannot be held responsible for activities undertaken by third parties and will make its own decisions based on its own merits and facts on the application it has received.

COUNCIL MEETING ON 29TH JUNE 2015

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR ORAL REPLY

From Mrs S Stribling

(1) Why are Bromley Council even considering Biggin Hill's proposals to extend the operating hours/flying times, when they know what a negative effect this will have on the PRU hospital's patients and staff, as it is only 1 ½ miles from the flightpath and planes fly over the hospital on descent?

Reply

The Council as I said in my statement is legally obliged by the lease to consider proposals from its tenant and this proposal given what I said earlier might just make the situation better and not worse. It is not accepted that there is a particular problem for the PRUH.

Supplementary Question

The PRUH is the only hospital in the UK to be situated just two miles from the airport touchdown with planes flying just 700 feet above the hospital. There is no air conditioning - I sampled that myself - and the windows have to be open for ventilation. You have proposed to agree to increase the hours of flight over the hospital from 6.30am until 11.30pm. In the minutes of the meeting on 25th March which I attended the acoustics consultant Cole Jarman stated that Biggin Hill received larger aircraft with increased noise. As the PRUH is directly under the flightpath how can you justify this?

Reply

As I said, we have a duty to consider all such requests and we are doing so and we have to weigh the balance of positives and negatives. I might add that I have recently unfortunately spent three days and three nights in the PRUH and I did not notice a single aircraft.

(2) As there are no guarantees whatsoever to reduce noise levels and we are only being quoted what the aims are, how will Bromley Council tackle the problem of ventilation in the PRU hospital, as there is no air conditioning and the only ventilation is by opening the windows?

Reply

Actually, mechanical ventilation can be provided to the wards with the windows closed although of course the windows can be opened for additional ventilation if desired.

The Council has not yet agreed to anything and the PRUH's lack of ventilation would be something that the NHS or the Trust can improve if they so desire – they built the hospital knowing there was an airport nearby.

The Department of Health 'Specialist Services Health Technical Memorandum 08-01: Acoustics' contains criteria for noise intrusion from external sources. With regard to wards there is no limit for maximum noise level during the day. At night, a level of 45 dB L_{Amax} is given when the windows are fully closed. The operating hours of Biggin Hill Airport are however restricted so that night flights do not occur. In a study in 2009, with the windows closed many of the daytime flights would have met even that night-time criteria.

Supplementary Question

The Council propose to allow flights from 6.30am until 11pm Monday to Saturday. As the councillors have mentioned grants to many residents this tells me that the Council is fully aware that noise levels will increase and how can it possibly benefit patients. Windows must to be open for ventilation. It's not going to work, you've got to open those windows. I was there for five weeks and believe me you do. You must have been very lucky on your week.

Reply

Hospitals usually wake up at about 6am I can tell you to my cost. Flights do not begin until 6.30am and therefore we are not waking folk up as the nurses have already done that job.

(3) Did Bromley Council include the PRUH hospital in their survey and make the hospital aware of the proposals to extend BHAL's operating/flying hours and to fly larger and more planes over the hospital, considering how the hospital opposed the extension three years ago?

Reply

The PRUH could have responded with the 40,000 who did had the hospital wished to. It is not true to suggest that the PRUH objected to anything 3 years ago. The Council's consultation was open to anyone and any organisation to respond to but was specifically targeted at residents rather than organisations. BHAL have not proposed to operate larger planes than are currently permitted, and neither are they proposing any increase to the total number of movements.

Supplementary Question

As the increased hours will have serious implications for the hospital, one would have expected Bromley Council to include the PRUH and Kings as formal consultees and to have held meetings with them in advance of the agreement on 25th March. However, I have a letter here dated 4th June from Kings College Hospital and the PRUH stating that the Council did not include them as a formal consultee and in fact Kings are having to approach the Council to request a formal meeting this late in the day. I personally find this extremely alarming. Could you please explain?

Reply

Telephones work both ways – I don't understand why the hospital did not get in touch – they must have known all about this and I am very happy to talk to them even now.

From Mr Peter Zieminski

(1) Helicopters are particularly noisy and fly lower than the permitted 1,000' above residential areas. Can LBB insist that arriving/departing helicopters descend from and lift to not less than 1,000' within the airport boundary and can they also route from and to Biggin Hill even higher?

Reply

Movements, including those of helicopters are covered in operating criteria and cannot be changed without the agreement of both the landlord, the Council and the tenant, the Airport.

(2) As helicopters are generally very noisy, are they permitted to use the airport given the restrictions in the lease under the Third Schedule, Operating Criteria, part (f) and has the Council's Chief Environmental Health Officer undertaken measured noise data tests in accordance therewith since the proliferation of helicopter movements?

Reply

Yes, they are permitted.

(3) Are there any proposals to amend the current flight tracks to permit aircraft to fly directly over Keston Village?

Reply

The Council supports the Airport's proposals to route flightpaths away from residential property and understands but acknowledges that CAA approval is required.

Supplementary Question

How specifically will local residents be involved and consulted over any proposals to amend the flight-tracks for the future of Biggin Hill Airport's use?

Reply

That will be extremely difficult to arrange as we have these huge safety concerns and the CAA involved. Even with the Airport talking to the CAA and us as bystanders it is very difficult to get any kind of decision. We do not know quite where it will be yet. We do support the Airport's desire to route flightpaths as far as way from residents as is practical and we will do that. We do understand the concerns and it is our desire to make sure that residents are disturbed as little as possible. To have local residents all around the borough involved in consultation is going to be a complete nightmare – I don't think we could ever do that.

From Guy Marks

(1) Is it possible to only permit any change in operating hours once BHAL can prove noise levels have been reduced and when they have implemented the proposed '03 runway approach' of aircraft at above 3000ft above sea level (bearing in mind Biggin Hill is approx. 690ft above sea level)? *Reason being why should BHAL bother once they have got the change in operating hours.*

Reply

Legally, the Council cannot unreasonably withhold permission but is in discussions with the Airport to see what improvements to current circumstances can be made, with no agreement made.

(2) What limits are there on the size of aircraft using Biggin Hill Airport? *Reason being we could have privately owned large jets using the airport.*

Reply

There is no limit on the size or the weight of aircraft permitted to use the Airport. The Lease limits the aircraft by reference to the noise criteria and the runway length also indirectly limits the size.

(3) How will breaches in noise level limits be dealt with? *Reason being there must be an appropriate deterrent that is enforceable in law otherwise it's a waste of time*

Reply

The Airport is accountable for breaches in the lease and operating criteria. Any hypothetical and theoretical future agreement would need breaches to be dealt with as the Airport have publicly agreed.

From Michael Page

(1) Why did the Council totally disregard medical science and put the potential 2,500 jobs offered by B.H.A.L ahead of tens of thousands of residents who will now suffer with many serious medical conditions and who's children will suffer growth problems and learning difficulties and disrupted sleep.

Reply

The Council has sought independent expert advice on matters relating to noise levels and relies upon government guidelines rather than the subjective perception of individuals whose personal experience will vary.

Supplementary Question

By allowing over 5,000 aircraft movements in the first and last 30 minutes of the extended opening hours and no cap on the previous 30 minutes, this will deprive children of over 10,000 hours of sleep during their 13 years of schooling.
How is this protecting the borough?

Reply

Clearly it would be better if we had no airport at all, but we do have an airport and we just have to deal with the situation as it is and do our very best for residents. I'm not sure where that number came from, it does not sound a number I am familiar with. (16 a day over a year is 5,800.) That is rather more than I thought.

(2) In the Council's assessment document:

Why did the Council not disclose the Medical facts that saying yes to the extended flying hours would probably cause local residents major medical conditions which in turn would put a greater burden on the local N.H.S.?

Reply

I am not sure what medical fact is being referred to but it needs to be remembered that part of the Council's objectives is to improve the current situation.

(3) Being responsible for the decision that almost certainly condemns this and future generations to underachieve academically and suffer from various medical conditions (which I wanted to explain earlier) earlier death than would be anticipated. What financial provisions have the council put in place to protect the borough against future claims?

Reply

Bromley pupils have a long and proud record of academic achievement which will continue irrespective of any decision which has not been made and which may serve to reduce noise nuisance.

From Carole and David Murray

(1) In the information we were given to consider when voting, there was no mention of the increase in the helicopter flights to transport people on from the airport. Could you please tell us how many more helicopter flights there will be as these fly very low and are extremely noisy.

Reply

Helicopter flights are included in the overall volume of permitted movements within the current arrangements, with no decisions taken regarding the future. Nevertheless, the subject of helicopters is of interest to local people and was raised at the Council's Executive meeting and remains part of discussions.

(2) From our memory, in the information given there was no mention about the size of aircraft that would be able to use the airport. We have recently noticed an increase in the size and number of aircraft using the airport. Could you please let us have the figures for April and May 2014 and 2015 to enable us to compare.

Reply

The control within the Lease is related to the noise produced by an individual aircraft and not by its weight or size.

The total number of corporate aircraft in April and May this year was 1646, an increase of 97 or 6.3% compared to last year. The average tonnage of individual aircraft in April and May this year was 14.5 tonnes, an increase of 0.6 tonnes or 4.5%. As the economy improves, I am advised that the Airport is seeing modest increases in volume, well within the lease, having being generally 'flat' over the past 5 years.

As aircraft technology improves, particularly in controlling the noise output, it follows that the size and weight of permitted aircraft will increase while still satisfying the noise criteria.

(3) Has the noise level from aircraft been measured in recent months as we feel this has increased?

Reply

No, but I refer to my previous answer.

From Adrian Stoneham

(1) The Council's Assessment of BHAL's Proposals by Cole Jarman, Acoustic Consultants, set out a number of unspecified matters, for example:

BHAL to quantify and agree with the Council's existing noise levels;
BHAL to establish and agree with the Council the limits on noise; and
noise limits to be agreed;

Why isn't a proper and full investigation, and an assessment of impact/mitigation in place so that an informed decision on this matter can then be taken?

Reply

The Council did assess the proposal it received and the Council's expert has given advice. Clearly both the Council and the Airport would need to agree limits before an agreement could be reached – both parties have to agree. The Council's advice is clear about using quantifiable, measurable and objective data.

Supplementary Question

I would like to know why this cannot be done before any further decision is made so that there is absolute certainty and transparency. Without this sort of process, including an Environmental Impact Assessment we have no idea of the impact and damage on residents and your report dismisses this far too lightly.

Reply

Clearly we have to rely on the advice given by Cole Jarman and I will have a chat with them after this meeting to see if there is anything more they can do to inform us.

(2) There can be no question that allowing flights at times which are currently quiet will have a detrimental effect on residents. These would be at those times of the day most sensitive to noise, early in the morning and late at night all through the day. How can this be said to positively improve health and quality of life, as is required by policy?

Reply

There has to be a balance. Whilst no agreement has been reached, if overall noise levels were decreased and permitted overall flight movements were reduced, this could be seen as an improvement on the current situation.

Supplementary Question

I would like to counter that. The special sensitivity to noise in the early and late hours do not appear to have been considered and I would like to know why not?

Reply

They have been considered very earnestly if only at the prompting of everybody that lives in the flightpath. We have taken it very seriously and it will be fully measured in the balance when we take our decision.

(3) Why doesn't the operator put in place the changes to reduce noise now so that the community can judge their effectiveness and then make a decision on increasing flying times? If the operator is confident that they would be a success this should not be a problem.

Reply

I cannot speak for the Airport and can only repeat that the Council assessed the entire proposal it was presented with. It is a matter of public record that the Airport have started some of the processes including flightpaths with the CAA required to effect changes from the current operations.

Supplementary Question

So we wind the clock forward, we get to September and, let's assume the decision is to allow this go ahead, we then have local residents effectively paying in advance for this problem while BHAL have the license or the extension required. If the operators believe they can reduce the noise as stated, why is this not being done now, why are we being forced to wait for a decision in September when they can operate as they wish?

Reply

It is probably the same question. I cannot speak for the airport. It would be very nice if they did do this, but some of these things take a long time. We will encourage them to do so.

From Anthony Young

Aircraft including helicopters which are under the jurisdiction of the airport fly over our houses and gardens completely ignoring the flight paths. I have rung the CAA and asked them why I can read the tag numbers from about 100 feet above my garden. They do not adhere to the flightpaths. I would like to put in for planning for a barrage balloon. How can we guarantee that when or if you have agreed that they can have their extension for the extension of their times, I understand aircraft based there now can have another hour either side and does that mean another hour either side of extended hours?

Reply

Part of the proposals would actually give us better monitoring and accountability and that would be good for everybody. Breaches of the lease need to be brought to the Airport's attention so they can investigate and take action if a rogue aircraft is doing something they need to know about it so that they can do something. The Council will certainly take action as landlord if needed and if the complaint is proved.

In the past, many helicopter complaints have related to the Police, Air Ambulance and to helicopters which did not originate from Biggin Hill. If implemented, the integrated noise and track keeping system will for the first time enable the Council to identify individual helicopters and to confirm whether or not they are associated with Biggin Hill.

Supplementary Question

I have constantly phoned Biggin Hill Airport about planes flying down my garden, and I do not mean at high level. I get an arrogant reply and then I get put on to an answerphone. Leave a message – yes, someone comes back, we had to let that aeroplane fly in over your garden because it got in before a jet, these are the sort of answers we are getting. If they are in breach of their lease - I own several properties, if my tenants are in breach of their lease we can do something about it. The London Borough of Bromley does not seem to be have control. I know they cannot police it 24 hours a day, we understand that, but the airport seem to be taking liberties beyond what should be taken in life.

Reply

When we get the new noise monitoring devices in we will be able to monitor what is going on we will be able to monitor much better than we can now and we will not hesitate to take action if that is what is required.

From Hugh Bunce

(1) Air pollution associated with aviation includes particulates, unburnt hydrocarbons and nitrogen oxides. Who is responsible for carrying out air quality tests, and where can I see results for monitoring around Biggin Hill and along the flight path from Chislehurst to Biggin Hill?

Reply

Following extensive modelling for a range of pollutants, including those highlighted, in March 2007 the Council declared an Air Quality Management Area (AQMA) covering the

North and North West of the borough for the pollutant nitrogen dioxide. Subsequently an Air Quality Action Plan has been implemented and regular air quality monitoring is undertaken within the AQMA. The results are assessed and published regularly and show no further modelling or monitoring is required at present. Currently no monitoring is undertaken outside of the AQMA.

Supplementary Question

Does that include the flightpath between Chislehurst and Biggin Hill and would it not be sensible to undertake some risk assessment for those thousands of residents who could be subjected to such pollution along the flightpath.

Reply

I do not know the answer but I will find out and let you know.

(2) Does Bromley Council accept that the application to change operating hours will benefit few residents across the borough, but reduce the amenities, environment and quality of life for 130,000 residents living along the flight path from Chislehurst to Biggin Hill?

Reply

No. The application could, if we get what we want, actually benefit all residents and there is a balance of positives and negatives which need all the consideration we can give it. The Council is also legally required to be a reasonable landlord to its tenant.

Supplementary Question

If it can be demonstrated that the overwhelming majority of the 130,000 residents along the flightpath are strongly opposed to extended operating hours, would Bromley Council please reconsider its decision?

Reply

We have not made a decision. The feelings of the residents who have made their feelings known will be fully taken into account and we will make our decision accordingly. Whatever our residents say, we still have to be a reasonable landlord.

(3) Why has Bromley Council not considered the impact of sleep disturbance for residents living along the flight path, as a direct result of the application to change operating hours, with particular reference to the impact upon children?

Reply

The Council has sought expert and independent advice about noise disturbance and therefore the potential impact on sleep. Ultimately, government guidelines are the guiding principle rather than individual subjective views.

Supplementary Question

There are approximately 40,000 children living along the flightpath from Chislehurst to Biggin Hill. I quote from a House of Commons research report SM261 on sleep disturbance from aircraft noise - "The most notable effects in children are decreases in reading ability and memory." When you have consulted the staff of the eight schools along the flightpath can you tell me what they said about this point?

Reply

I don't have that information to hand but I will discover it and I will let you know.

From Andrew Newlands

During the BHA consultation, did LBB consider weighting responses, from this borough-wide exercise, to fairly consider those most impacted by additional, earlier & later flights, over homes beneath the flight-paths, or near the airport, and why was such weighting not applied in fair consideration of its most directly affected residents?

Reply

Responses were not weighted but recorded as part of the overall factors that needed to be considered in the Council's deliberations.

Supplementary Question

The consultation being the primary voting influence on 25th March, how is it fair or reasonable that just 100 people from Crystal Palace in favour of the proposals, that is less than 1% of that ward, resulted in two votes for the proposal in this chamber, whilst an opposing 2,500 Farnborough and Crofton residents translated to just one vote against. Will the Council conduct a further unbiased survey in keeping with its duty to protect the .13 million residents under the flightpath?

Reply

I do not believe that having a re-run of the referendum on whatever basis will give us any more information than we already have. We are fully aware of the feelings of those that live under the flightpath.

From Annick Tuesley

Given there are at least 10 Schools within the Borough and directly under or very close to the flightpath, what steps have been taken to involve head teachers in the consultation process, with particular regard to the loss of sleep for pupils and its effect on their school performance?

Reply

I am not aware of any complaints ever being made by or on behalf of a school alleging that aircraft noise is interfering with lessons. The proposed increase in operating hours will have no impact during school hours. Furthermore, I am not aware that any school is currently aware of any problem with sleep for pupils, with pupils presumably sleeping in the current operating hours. Neither are headteachers expert in this field and nor is Biggin Hill Airport the only airfield operating within London. I get woken up by aircraft from Gatwick and Heathrow but not by Biggin Hill.

Supplementary Question

You call yourselves a reasonable landlord. Will the Council undertake measures to take and record complaints from residents for breaches of the lease because they are not doing so now. When people phone up and complain about aircraft coming in when they are not supposed to, as the gentleman previous to me said, they just get pushed over to Biggin Hill Airport and nobody at Bromley Council as landlord takes responsibility.

Reply

We will see how we can improve on the current situation.

The time for taking oral questions having expired, the following questioners would receive written responses to their questions in accordance with the Constitution.

From Mrs Penelope Denby

(1) Were the clinical and non-clinical management team at Princess Royal University Hospital, only 500-600 metres from the public safety zone according to UDP, invited to participate in the consultation about Biggin Hill Airport? If not why not?

Reply

I refer to previous answers given, with all and any individuals able to respond.

(2) If the Council agrees to Biggin Hill Airport's request for an extension of hours six more flights per day by 2030 are forecast to be flown? Has the council considered the effect of increased noise on patients recovering and staff working in the PRUH?

Reply

The Council is considering all potential impacts and no decision has been made.

From Mrs Andrea Stevens

(1) How many noise monitoring stations are currently in use to measure noise emanating from aircraft landing and taking off at BHA, where are they located and to which LBB Committee do the results from these stations get reported?

Reply

None. The Biggin Hill Consultative Committee, which has Bromley Council representation does consider noise monitoring and complaints and alleged breaches of the lease are taken very seriously by the Council.

(2) Prior to BHAL's purchase of Milking Lane Farm, at a cost of £1.6m, nine months ago on 14th September 2014, were the Council made aware of the Tenants' intention to purchase this extensive piece of agricultural land immediately adjacent to the north-western end of the main runway 21?

Reply

No.

From Robert Pattullo

In Section 5.10 of the BHAL lease, BHAL are required to pay all costs for every application made by the Tenant. What were the Landlords costs of the Olympic Games application and have these been paid by the Tenant to the Landlord?

Reply

At the time it was considered debateable whether the Olympic proposal was caught by this provision. However, I will ask officers to revisit this.

From Giuliana Voisey

(1) Are members of the Council aware that Aviation Minister Robert Goodwill, in co-ordination with the Civil Aviation Authority, is considering requests from Heathrow, Gatwick, City and Farnborough airports to review the same track-monitoring systems that BHA would like to introduce in Bromley because of the disturbance and anxiety they have caused to residents?

Reply

No, not at present, despite contacting both the Department for Transport and the CAA. The CAA have said that they “certainly do not oppose web track tools. Anything that provides transparency for the public regarding aircraft movements has to be a good thing.”

(2) Are Councillors aware that the noise protection we have in the Lease is stronger than the noise monitoring schemes the Airport are now trying to apply? Why have the Council not applied the clauses which are already in the Lease?

Reply

Noise protection and noise monitoring are fundamentally different and the Council is seeking to strengthen both, with no decisions taken.

(3) Why do you believe that a machine telling you that average noise over a 16-hour period is within limits can be considered a satisfactory compromise for a 27% increase in hours at the most unsocial times of the morning and night? How can this be a "better deal"?

Reply

Machines are objective but are only tools to aid us. Any decision is made up of several components this is no different and although no decision is made, it deserves and will always get, our careful consideration.

From Anthony Barnes

(1) During the consultation, did LBB consider weighting the results of the Borough wide survey to fairly reflect those impacted most by any additional early and late flights, over homes under the flight paths and/or close to the airport? If not why not?

Reply

No. Responses were not weighted but analysis did note that whilst most respondents supported the Airport's proposal, many under the flightpath did not. The consultation was one consideration among many that the Council took regard of.

(2) During the BHAL similar application in 2000 in addition to a thorough and statistically much more sensible way, the Council held four public meetings, (Crofton Halls, Civic Centre, Charles Darwin School, Biggin Hill 2) attended by nearly 2000 people. Why did LBB not repeat this exercise for this application?

Reply

By asking for all residents views, the Council actually consulted more residents than in 2000.

(3) Recently there has been more frequent use by jets of the right hand visual circuit to land on runway 21. They often pass overhead Keston village descending on a more or less splayed base leg. Can LBB insist that all jets landing on 21 are via a straight in approach?

Reply

No. Any proposal by the Airport to change landing or take-off procedures must be approved by the Civil Aviation Authority, and LBB cannot impose any such change

From Vivien Haskey

For the good of the environment & the Borough, I recycle all my plastics, paper & wasted food, clear up rubbish in the street outside my house, trim side shoots off trees and I am a snow friend organising snow clearance in Keston. What is the point of doing all this if you are going to ruin the environment by extending the airport with extra noise & pollution, building on green belt, putting in extra car parks in Shire Lane, extending the infrastructure etc.

Reply

Thank you for what you are doing. The Airport is not being extended but there is a proposal to extend operating hours by a relatively modest amount which has a number of benefits, part of which could be additional protection for residents. I repeat, no agreement has yet been reached.

From David Evans, Downe Residents Association

(1) Ref: Biggin Hill Consultation Analysis - Appendix 8 Map 2.

In terms we can all understand, logic says one dot must represent one reply, is this the case?

Reply

Yes. As Appendix 8b stated, which was distributed on the evening of 25th March, - To portray the information graphically and by household response, the 'red and blue dot map' has been produced, which involved a complex process of 'geo coding', to effectively place the responses onto the 'red and blue dot map'. This process did not successfully pick up each and every address but the map does show the overall trend for responses

across the borough in a way that simple reporting by ward does not and this is why the map was published as it is.

(2) Why does a single red dot appear at Luxted, south of Downe Village, when I and at least five other households in that area responded?

Reply

I refer to my previous answer.

(3) Why did certain households particularly under the flightpath, for example Shire Lane, not receive an invitation to participate?

Reply

I refer to my previous answers. All households were invited to participate.

Supplementary – We did receive responses from residents in Shire Lane, five in total, all 'no'. Also, no distribution is 'perfect' and where 'misses' were brought to our attention, they were rectified at the time.

From David Clapham

(1) The extensive URS Report – Biggin Hill Study – Final Report along with the London Plan designation of Biggin Hill Airport as a Strategic Outer London Development Centre (SOLDC) guide planning direction. Were Councillors briefed on the implications and context of these fundamental plans prior to the discussion on 25th March 2015?

Reply

Yes. The Local Development Framework Advisory Panel, of which I am the Chairman, received updates on:

- 22nd April 2014
- 18th June 2014
- 5th August 2014
- 15th January 2015
- 24th February 2015.

The report and findings were also considered at the Executive on:

- 12th June 2013
- 26th November 2014

and R&R PDS on:

- 23rd June 2014
- 18th November 2014

(2) The Employment section page 52 of the URS Report – Planning for Growth in Bromley – Biggin Hill Study – Final Report says that the predicted growth in jobs of 930 by 2017 ‘would appear ambitious’. What confidence do you have in these predictions?

Reply

Estimates and predictions are valid but they remain just that.

(3) In view of the fact that Councillors were not all aware of background growth plans for Biggin Hill Airport please confirm that once discussions with Biggin Hill are concluded, that Councillors will be allowed to express their views and vote on the proposal before the Executive makes the final decision.

Reply

The Council’s own report considered by Councillors noted the growth plans and specifically said that “The Airport has been identified as a Strategic Growth Area by the GLA and BHAL plans indicate that the Airport could create up to 2,300 jobs over the next 20 years.” It also referred to BHAL’s economic growth plan produced in April 2014.

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR WRITTEN REPLY

From John Kaufman

(1) Is the council aware that many ‘Business aeroplanes’ in use at Biggin Hill include 100+ seat jets (A319/Boeing 737 and others) which have a luxury internal 100+ configuration but create an enlarged and more intrusive noise 100+ footprint than smaller aircraft normally considered ‘business’ jets?

Reply

Business aviation is ultimately defined not by the specific jet but by the purpose the jet is used for.

(2) The Princess Royal (PRU) is directly under the flight path at a point where aircraft are flying at very low level creating considerable noise. Were the management of the PRU consulted regarding increased noise and extended flying hours? Did the Council consider fully the adverse effect of extended hours and the increasing use of heavier, noisier aircraft on both the hospital operation and seriously ill patients.

Reply

I refer to previous answers about the same question.

(3) Does the Council consider that a borough-wide opinion is sufficient to allow these sweeping changes to operational hours? The 'Man on the Clapham Omnibus' would certainly not think they were. It is as if an option poll on the third runway at Heathrow gave equal weight to the opinions of the residents of Hackney and Hounslow. Bromley residents in the most affected areas gave a very clear no to these suggested amendments.

Reply

Consultation responses are always helpful and always need to be considered alongside other factors.

From Richard Barnes

(1) Does the lease with BHAL now require aeroplanes using BHA to meet the latest noise standards in the ICAO document (2001) Chapter 4 and will it require them to meet the latest Chapter 14 standard due for adoption in 2017?

Reply

The Airport will need to comply with noise standards/requirements required by legislation and/or the lease. Proposals to vary the lease are currently under discussion and include proposals to reduce the noise levels created by the Airport.

(2) Is the Council aware of the CAA document Managing Aviation Noise (2014) in which at Chapter 2, Context, it refers to '*.....exposure to noise, particularly at night, is linked to long term health issues.....*' and if so, is the Council willing to expose LBB residents to such risks?

Reply

Yes the Council is aware, the same chapter refers to the CAA commissioned study too and we will absolutely make sure that the Airport follow any CAA guidelines where applicable as will the CAA no doubt.

From Bruce Anderson

(1) Is the Council aware that the noise monitoring system proposed by BHAL, which averages measurements over the requested Hours rather than individual planes/flights as monitored by the current system, would allow individual planes/flights to generate noise

currently judged unacceptable to local residents, without breaking the terms of the proposed contract?

Reply

Unacceptable noise is very much a matter of individual perception. Measurements need to be objective, clear and transparent. The proposed system will give a number of noise parameters for each "event" which will include maximum level, duration, Leq (average noise level for the length of the event) and SEL (the equivalent noise level if all of the acoustical energy were contained in a one second event). The monitor also makes a recording of each event which may be replayed. In addition to this information, the equipment is continuously logging the background noise levels and this may be used to produce Leq values for any period. The proposed system also includes radar information so the noise contour can be related to the aircraft position in three dimensions and to its speed. This has never before been possible and can only be implemented with the full co-operation of the Airport.

Note - There is no current system as the Council has not conducted any noise monitoring for at least five years following a lightning strike which irreparably damaged the equipment.

(2) Given the requested extension of Operating Hours into residents' rest time, creating noise at a time that would not be permitted by the Council (in accordance with its own published standards) in, for example, a construction site, how does this show BHAL's – and the Council's - concern for the well-being of the local population?

Reply

It could be argued that it is at least partly because of the Council's concern for 'wellbeing' that discussions are taking place. Government guidelines effectively require more stringent measures on night flights and we will be mindful of this in our deliberations when and if a decision is made.

In planning terms, daytime is actually defined as 07:00 until 23:00 equating to 16 hours, and night time.

For the daytime an average noise level is used i.e. LAeq 16hours – The Government treats 57dB(A) as the average level of daytime noise marking the approximate onset of significant community annoyance (DfT Aviation Policy Framework 2013, p.57). Hence throughout the various versions of the NAP the emphasis placed upon the 57db(A) contour. The LAeq 16hours can be seen as an average sound level over the period of measurement.

Night time noise is evaluated in different ways using different units such as single event level (SEL). The SEL is strongly correlated to the LMAX (i.e. maximum noise level) and is the equivalent energy of an event compressed to a one second reference value. It is of great value to acousticians as it makes the comparison of events which may have differing durations easier and is universally used in noise mapping and prediction.

COUNCIL MEETING ON 19TH OCTOBER 2015

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR ORAL REPLY

From David Clapham to the Portfolio Holder for Renewal and Recreation

Have Councillors been made aware that FW have submitted a QC legal opinion stating that the concept of the 'lesser evil' used by both BHAL and the Council to promote extending the hours was 'misconceived' and that this may make the decision of 25th March unsound?

Reply (by the Leader of the Council):

Officers have exchanged correspondence with Richard Buxton (who we understand are your lawyers) advising them that the points made in their letter were not accurate. The report to the meeting on 25th March did not canvas the "lesser evil" option and neither does the report published on Friday and on this basis I cannot agree the proposition.

I would say in answering the question of whether Councillors are aware of the legal opinion, I cannot be sure that every Councillor knows about the points you want to make – but they are aware now.

Supplementary Question:

Mr Clapham pointed out that the legal opinion was separate from the letter.

Reply:

Cllr Carr stated that he had not seen the detail of the legal opinion from Flightpath Watch's lawyers, but he would be soon.

From David Clapham to the Portfolio Holder for Renewal and Recreation

Have Councillors been made aware that the acoustic and aviation expert appointed by FW has confirmed that the noise measures recommended in the report by the Council's acoustic consultant are at best not stronger than measures already contained in the Lease?

Reply (by the Leader of the Council):

In considering the BHAL proposal to vary hours, the Council must seek to ensure that reasonable noise mitigation is in place and naturally the Council will be seeking, where possible, to strengthen current arrangements. The Council will be considering these matters at the Council meeting and Executive meeting in November. I have not seen any expert report that you may have commissioned, so I cannot comment on the validity of its conclusions.

I cannot be sure that all Councillors have been made aware, but I believe that most if not all have.

Supplementary Question:

To make the point that only eight of the eighteen recommendations from the expert in the report issued on Friday are acceptable, with the remainder "subject to". This leaves a lot of

work to be done – are the Council going to keep us informed of the detail sitting behind the remaining ten points.

Reply:

Hopefully you will agree that I have tried to be as transparent as I possibly can be. If there is information that we can share we will share it with all residents who have an interest.

From David Clapham to the Portfolio Holder for Renewal and Recreation

Are Councillors aware that information provided under the FOIA has revealed potential irregularities in the way the consultation results were arrived at that we have needed to inform the Council's senior solicitor that the matter is being investigated?

Reply (by the Leader of the Council):

Flightpath Watch has written to the Council's Senior Solicitor but has given no detail of their findings following their "preliminary assessment" of the data they received. The Council will carefully examine any subsequent submitted detail, should this arise, commenting and explaining as appropriate. To avoid wider resident concern, as a guiding principle, the Council will always be as transparent as possible but for the avoidance of doubt, personal data is closely guarded and therefore is not disclosed in this or other FOI responses.

Supplementary Question:

I note and respect Councillor Carr's statement. We are looking into non-personal data and will report to the Council once our investigation is complete.

QUESTIONS FROM COUNCILLORS FOR WRITTEN REPLY

From Cllr Simon Fawthrop to the Portfolio Holder for Renewal and Recreation

How many responses to the Biggin Hill consultation survey which were included in the Council and Executive reports on 25th March 2015 were excluded from the final results because they were duplicate entries at the same address, of these how many were in favour of the proposals and how many were against?

Reply:

The figures contained within the report show that in total, 416 responses were recorded but excluded from analysis principally because names and/or addresses were omitted and or because a 'yes' or 'no' preference was not indicated. There is the possibility or probability that duplicate responses are contained within the 41,711 total individual responses analysed and it is for this reason that the report references the 14,754 individual identified property responses. Analysis of these individual identified property responses shows that there were 11196 (76%) 'yes' responses and 3558 (24%) 'no' responses.

From Cllr Simon Fawthrop to the Portfolio Holder for Renewal and Recreation

(a) What legal considerations have been given to a) the Human Rights Act in relation to both individual rights and rights to the enjoyment of land (Schedule I part II Article 1) in

drawing up the report on Biggin Hill Airports proposals for extended operating hours (The Act postdates the Lease). Please provide a list of any legal advice given?

(b) the Climate Change Act 2008 in drawing up the report on Biggin Hill Airports proposals for extended operating hours (The Act postdates the Lease). Please provide a list of any legal advice given?

Reply:

Officers have considered relevant legislation and case law in preparing the report. It must be remembered that the rights under Article 1 of the First Protocol set out in the Human Rights Act 1998 are qualified rights and secondly that BHAL is on the drafting as much a "person" with Human rights for the purposes of Article 1 as any resident. The reports prepared have undertaken the necessary balancing exercises notwithstanding as was recognised in the High Court case that the impact of the Act on contracts entered into before 2 October 2000 will not always be clear cut.

On the Climate Change Act 2008 this had not been considered as the proposal, if agreed, would reduce aircraft movements and possibly indirectly encourage newer, quieter and more efficient aircraft.

QUESTIONS TO THE EXECUTIVE

EXECUTIVE MEETING ON 20TH MAY 2015

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR ORAL REPLY

From David Clapham

(1) The primary reason for the purchase of Biggin Hill by LBB and the property's designation as an investment is fundamental. The scale and impact of the application the Executive considered on 25th March 2015 is substantial. In these circumstances why did the Executive not channel this application through the Planning process?

Reply

Biggin Hill Airport's proposal was to their landlord, Bromley Council, as a tenant requesting a variation in the terms of their lease. It was not a planning application and planning permission is not required.

Supplementary Question

Mr Clapham enquired of the "Masterplan for Biggin Hill" suggesting that as all of the borough's residents had been consulted on BHAL's application to vary the airport's operating hours it was therefore a substantial issue to be taken through the planning process.

Reply

It was explained that BHAL's proposal did not require an application for planning permission and was essentially a matter between the Landlord (L B Bromley) and the tenant (Biggin Hill Airport Ltd).

(2) The application by BHAL against the background of the URS Final Report¹ is significant. What steps were initiated and taken to inform Councillors and residents, through the Residents' Planning Seminar, LBB Residents' Federation and at local RA meetings of the existence of the URS work and Final Report?

Reply

The purpose of the URS Biggin Hill Study which was completed in February this year was to provide a critical assessment of the growth capacity of Biggin Hill. The work is to help inform the development of planning policies and identify enabling infrastructure requirements. As such the URS Report should be seen as an important contribution to our

¹ URS Planning for Growth in Bromley – Biggin Hill Study – Final Report – February 2015, Prepared for LB Bromley

emerging Local Plan. The draft Local Plan will be subject to further consultation with residents and resident groups. The URS Report is publicly available.

Supplementary Question

Mr Clapham felt that the reply did not answer the question and he asked whether Councillors were aware of the URS report before the date of the Special Council and Executive meetings on 25th March 2015.

Reply

The Leader confirmed that Members were aware of the report but referred Mr Clapham to the reply from the Portfolio Holder for Renewal and Recreation highlighting the report's purpose.

(3) The Officers Report (Ref: DRR15/035) was circulated to Councillors at midnight on 17th March 2015 providing 5 working days consideration. Given this report runs to 200 pages and did not mention the URS Report, do you consider proper and due process in accordance with the Community Involvement principles was followed?

Reply

I am satisfied that proper and due process was followed by the Council in issuing this report for Members' consideration including the notice period that was given prior to the Committee Meeting. As stated in answer to Question 1, this is not a planning decision but a matter for the Council to consider as landlord. Community involvement was facilitated through the consultation exercise, as detailed in the Executive Report of 17th March. There will be a future public consultation period during the Local Plan preparation process.

Supplementary Question

Referring to the Localism Act, Mr Clapham sought assurance on local consultation and that debate on BHAL's application had not been stifled.

Reply

In reply it was explained that extensive consultation had been undertaken on BHAL's proposal.

From Mike Overall, Keston Residents' Road Safety Group

(1) The scale of the additional hours application by BHAL against the background of the URS Final Report must be regarded as significant. LBB Policy BH1, requires an Environment Impact Assessment in such circumstances. Why was an EIA not produced?

Reply

I refer to my previous answer to Mr. Clapham, which makes it clear that this is not a planning application we are dealing with. An EIA is applicable in certain cases within the context of a planning application, but the Airport's proposal is not a planning application and therefore an EIA is not required.

Supplementary Question

Mr Overall referred to a recent statement by the Managing Director of BHAL indicating that the proposed change of BHAL operating hours and the planning policy was a "game changer" and Mr Overall could not understand why an Environmental Impact assessment (EIA) had not been carried out.

Reply

The Portfolio Holder for Renewal and Recreation highlighted that the operating hours had not yet been changed. The Council's Local Plan was also being prepared. If in the future BHAL were to submit a planning application, an Environmental Impact Assessment would be undertaken.

(2) In Section 6 of the URS Report Junction 1.2 is already operating over capacity with the narrow B265 through Keston Village taking more traffic than the A233 Westerham Road. How do you plan to encourage use of the A233 when the junction 1.1 is also close to capacity?

Reply

As stated in my previous answer to Mr. Clapham, the URS report will contribute to the Local Plan preparation and matters of this type will be considered in that process.

Supplementary Question

Mr Overall asked what steps were being taken by L B Bromley to "deal with Transport for London (TFL)" in relation to growing problems at the Keston Mark junction (Junction 1.1)

Reply

As the Deputy Leader and Portfolio Holder for the Environment had sent apologies for not being able to attend the meeting, the Portfolio Holder for Renewal and Recreation offered to pass on details of the question to the Deputy Leader.

The Portfolio Holder also highlighted that should a decision be taken to change the operating hours of the airport, flight movements would be capped at 50,000 annual movements. However, the issues related to junction 1.1 in the URS report did not appear to be related to the airport.

From Peter Slevin, Keston Residents' Road Safety Group

Pages 102 to 124 of the URS Report cover the 'Transport Impacts of the Masterplan'. What is the Masterplan and what are the fundamental aspects?

Reply

As stated in the URS report at paragraph 6.1, the "Master Plan" was prepared for the Strategic Outer London Development Centre (SOLDC) by Nathaniel Lichfield & Partners. The "Master Plan" identified the growth prospects for Biggin Hill Airport. Section 6 of the URS report was considering the traffic impacts that could arise from such proposals. I am not sure what you meant by "fundamental aspects" but I would refer you to paragraph 6.2 of the URS report which identified six junctions which could require improvements if the proposed growth were to be delivered. If development proposals are submitted for Council consideration, transport impacts of the type referred to in the URS report would of course need to be addressed through the normal planning process.

Supplementary Question

Mr Slevin asked whether the "Master Plan" is a public document and who would be responsible for promoting it.

Reply

The Portfolio Holder for Renewal and Recreation thought the document might be in the public domain and the Leader added that it might be associated with the GLA. The position would be clarified and confirmation (or otherwise) provided to Mr Slevin.

From Giuliana Voisey

(1) Taking the information available to us, it appears that LBB would be raising a maximum incremental income from BHAL of £1.4m by 2030, much less before then. How do you think that this figure justifies granting a 27% increase in operating hours and undertaking an unspecified amount of infrastructure and service costs?

Reply

It is too soon to speculate on how much income the Council will receive as a consequence of agreeing to change the operating hours. As indicated in the report, the supplementary community payments proposed by BHAL are not considered to be commensurate with the increased level of business activity that the additional hours will facilitate or the noise generated at antisocial hours. This is the subject of further discussions with the Airport, the results of which will be reported back to Members in due course.

Supplementary Question

Giuliana Voisey submitted that the maximum possible amounts of income suggested by BHAL and Cole Jarman would still be some 40% to 50% less than the average income per square hectare of land in Bromley today, and this was before any infrastructure and service costs. In light of this she questioned why BHAL's proposal was being considered.

Reply

The Portfolio Holder for Renewal and Recreation indicated that financial motive was not behind the consideration of BHAL's proposal adding that if the Council were considered unreasonable in withholding consent, it could be taken to arbitration.

(2) Does the Executive not see the contradiction in terms that the principle of a 'community fund' or an 'out of hours' fund represents? It would mean that LBB is encouraging more and more disruption to people's sleep in order to increase its income. How can this be an acceptable concept?

Reply

The Council must be seen to be acting reasonably in its capacity as a landlord under the lease when considering proposals from the Airport to amend the lease. We also have to consider the interests of our residents across the borough as a whole and not just those most affected by any potential changes. Within these confines the Council is doing all it can to ensure that residents' quality of life is not disrupted any more than is necessary. The Council is not seeking to encourage more disruption to people's sleep in order to increase its income. Rather we are seeking to mitigate as far as possible any further disruption to people's quality of life and to include enforceable noise controls within in any potential variation which will, if adopted, give greater control than exists at present. The Council's noise expert recognised the rationale of additional fees and/or compensation for movements that were outside the core working hours as defined by the Government. This was potentially considered to be part of the mitigation that should be sought from the Airport for any variation to hours. As stated in my previous answers, this is the subject of further negotiations with the Airport, and this will be a matter for further consideration by Members in due course.

Supplementary Question

Giuliana Voisey referred to the recommendation from consultants Cole Jarman that a proposed unit of surcharge be applied to flight departures and arrivals (higher fees to be paid at times when individuals are most sensitive to aircraft noise). She suggested that an average surcharge of two units at a maximum of £250 per unit would only provide an increase of £500 per flight, out of hours. She asked how this would be a disincentive for an elite clientele that could afford private flying from New York.

Reply

The Portfolio Holder for Renewal and Recreation indicated that negotiations with BHAL are continuing and that this type of payment and the result of those negotiations will be reported back to Members.

(3) How is the Council monitoring that the passengers on the now frequent Global Express, from Teterboro to use an example, are business and not fare-paying passengers?

Reply

I can confirm that there are no scheduled flights from Teterboro Airport. All flights are consistent with the lease. They are business-related and no individual tickets are sold. Flights are either whole aircraft charters or solely-owned aircraft. The Council does not currently have the capacity to undertake independent monitoring of all aircraft movements. BHAL is fully aware of the restrictions in the lease and we take specific matters up with them if we are made aware of any potential breaches. I should add that BHAL is acutely aware of the implications of a breach of lease conditions which potentially risk forfeiture of their enjoyment of the lease. It is therefore not in their commercial interest to allow any breaches. This is a matter that the Council and Airport take very seriously.

Supplementary Question

Giuliana Voisey enquired whether the Council had asked BHAL to monitor larger aircraft to check that they were being used by a business for its business purposes and that they were not being used by individual fare paying passengers.

Reply

The Portfolio Holder for Renewal and Recreation was uncertain whether such a request had been made of BHAL but suggested that monitoring could be undertaken if necessary.

EXECUTIVE MEETING ON 10TH JUNE 2015

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR ORAL REPLY

From Mrs Andrea Stevens, PWDRA Committee member

(1) Have you run any projections on how many students the aviation college would attract and, considering that the Airport has stated that Bromley Council will be financing the college, how many places would be reserved for students whose families live in Bromley?

Reply

As no proposal has been submitted, it is not possible to speculate on funding requirements or student profiles.

Supplementary Question

What amount of funding would the Department for Education be allocating to the new college?

Reply

The Portfolio Holder responded that this would be a matter for the Department for Education to consider.

(2) What type of courses will be offered at the new college and what NVQ level would these be?

Reply

No proposal has been submitted to the Council.

Supplementary question

Would courses at the college be private and paid for by the students or are they going to be financed by state grants? If private, who would receive the income? Ms Stevens also asked if the Portfolio Holder had any idea of the time-frame.

Reply

The Portfolio Holder responded that no proposal has been submitted to the Council and that he had no idea what the time-frame would be.

From Penny Denby

(1) As the NAP is based on noise measurements over a 16-hour period, why do you believe that the NAP is more beneficial to residents during the requested unsocial hours than the provisions in the Lease, which ask for 'individual flight' measures?

Reply

The Council is very keen to see better, more reliable flight path and noise monitoring arrangements which are transparent to everyone, including residents, to ensure that local residents are less bothered by flight movements. The provisions in the Lease remain unaltered and will stay in force: the provisions in the NAP seek to impose more stringent noise limits than those contained in the Lease. The Airport's proposals would serve to strengthen not dilute current management arrangements to achieve this aim. In considering the Airport's proposals, the Council must seek to achieve a reasonable balance between the needs of residents and the Airport, and this will be the subject of a further report to Members in due course.

Supplementary Question

Ms Denby suggested that the terms being proposed were less beneficial than in the lease and this was unacceptable.

Reply

The Portfolio Holder disagreed.

(2) The Airport have stated that their clients do not necessarily want to fly late at night or early in the morning but they want to know that they can, then why are flights in the first half hour between 6.30 and 7.00 increasing from 31 in 2014 to 730 by 2030?

Reply

The Airport's proposal is based on the need for greater flexibility in hours to attract new investment and jobs (730 flights being an annual figure.) The proposed flights in the extended hours are intended to achieve this. The proposal amounts to an annual average of not more than 2 flights in each early morning 30 minute period.

Supplementary Question

As a supplementary question Ms Denby stated that business clients would need some certainty about knowing that they could fly when they wanted.

From Dr Nicola Stevens

(1) Given that BHAL have stated that the planes arriving and departing are now larger, compared to 10-15 years ago, what revised emergency procedures are in place to cope with any incident at Biggin Hill airport and the nearby locality?

Reply

All aircraft are categorised as requiring specific levels of Rescue and Firefighting Capability (RFF) at any aerodromes they use. Categories range from Category 1 (a light aircraft) to Category 10. The maximum RFF required at Biggin Hill is RFF Category 4 but can, with 1 hours advance notice, provide RFF Category 6. The equipment, staffing and training required to meet this level of RFF cover is laid out in regulatory documentation and BHAL is audited regularly by the CAA to ensure that they meet the required standards. Their Task and Resource Analysis is reviewed annually and includes liaison with the emergency services. Responses to all potential scenarios, both on and off airfield, are considered and agreed where necessary with relevant emergency services. Periodic exercises are held to test that response. The last major "all services" exercise was held in late 2013 which involved some 200 personnel and which was widely reported in the local press. There have been numerous smaller exercises since. The major exercise is normally bi-annual.

BHAL's emergency response requirements follow the same protocols and regulation as is employed at all major UK and EU airports, subject to European Aviation Safety Agency regulations.

Any changes in aerodrome operation or aircraft type or size drive review of the RFF response and resource. For instance, any new operating hours will necessarily require a review and doubtless an increase in resources.

Supplementary Question

Dr Stevens asked whether the Princess royal University Hospital (PRUH) had been involved in any discussions about the airport.

Reply

The Portfolio Holder was not aware, but offered to find out.

(2) What will the £3.5 million allocated to the airport be used for?

Reply

The Portfolio Holder stated that he was not sure what the £3.5m figure referred to. It was suggested that this could be money set aside in the Growth Fund for development in the Biggin Hill Area – i.e. not for the airport.

Supplementary Question

Dr Stevens asked what the impact of this investment would be.

Reply

The Portfolio Holder clarified that rateable income would increase, but it was not possible to quantify this at present.

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR WRITTEN REPLY

From Richard Barnes

(1) Could the Director for Finance please list how much Bromley Council has paid in connection with the Airport since the signing of the lease, including but not limited to the provision of reports by consultants?

Reply

Since the lease was signed on 6th May 1994, the Council has spent a total of £1,768k in connection with Biggin Hill Airport. This comprises £185k revenue expenditure, and £1,583k capital expenditure, a breakdown of which is provided in the table below.

	1994/95- 1998/99	1999/00- 2003/04	2004/05- 2008/09	2009/10- 2013/14	2014/15-	Total
Revenue Expenditure						
Pumping Station Repairs	10,462	0	0	0	0	10,462
Minor Grounds Improvements	0	0	0	7,980	0	7,980
Insurances	636	0	0	0	0	636
Legal Expenses	363	12,820	0	0	0	13,183
Noise Monitoring	34,590	24,220	17,632	15,088	1,635	93,165
Noise Survey	8,214	0	0	0	0	8,214
Consultancy Fees	16,486	169	0	0	9,000	25,655
Survey/Consultation Costs	0	0	0	0	25,500	25,500
Capital Expenditure						
Runway Resurfacing	1,500,850	0	0	0	0	1,500,850
Lighting Improvements	82,619	0	0	0	0	82,619
Total	1,654,221	37,209	17,632	23,068	36,135	1,768,264

(2) As the Airport is pledging to ban the noisiest aeroplanes during the requested unsocial hours, will the Council ask that helicopters are also banned during those hours (with the exception of medical emergencies)?

Reply

The lease does not require that helicopter movements are treated differently to any other aircraft movements. In considering the Council's response to the proposed increase in operating hours, we will need to ensure that we are acting reasonably in the interests of both residents and the Airport. It is recognised that the subject of helicopters is sensitive and was specifically referred at the meeting of the Executive in March 2015. Noise mitigation to be applied to all types of aircraft movements are matters currently under consideration in further discussions with the Airport, the outcome of which will be reported to a further meeting of Members.

EXECUTIVE MEETING ON 15TH JULY 2015

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR ORAL REPLY

From David Clapham

(1) I realise that jobs matter, for any council, even if in Bromley unemployment is at the absolute minimum it can be. However, who within the Council has ascertained that the assumptions are reasonable?

Reply

The projected growth in employment numbers is based on evidence from other operational sites and these have been critically assessed by the Consultant team and officers from the Council's Renewal team. It is considered that the range of projected employment numbers are reasonable and are within the employment range for these industrial employment types.

Supplementary Question

Mr Clapham suggested that the additional 2,300 jobs by 2031 was reliant upon 69,000 sq metres employment floor space (equivalent of ten football pitches). Mr Clapham highlighted that the URS (page 52) suggested that the Nathaniel Litchfield and Partners work should be revisited. Mr Clapham asked if the Portfolio Holder agreed - there did not appear to be a direct link and reliance upon the additional hours.

Reply

In his reply, the Portfolio Holder highlighted that development with aircraft related industries was envisaged. Without the necessary flexibility in airport operating hours, the Portfolio Holder had been informed by BHAL that a number of companies connected with aircraft related industries would see Biggin Hill as an unattractive location for investment.

(2) The access improvements for West Camp are a vital part of enabling West Camp developments; do the Executive consider the LBB plans for West Camp are also specifically dependent upon additional operational hours for the airport?

Reply

The future redevelopment options for the West Camp Estate are indeed linked to the need for considerable investment in enabling infrastructure. The current Growth Plan advocated by BHAL envisages that much of the long term growth across the wider West Camp Estate will be dependent upon attracting in additional Original Equipment Manufacturers (OEMS) and Aircraft Operating Companies (AOCs) who are stressing to BHAL the importance of more flexibility in operational hours.

Supplementary Question

Mr Clapham referred to the URS suggesting that the LPA *'undertakes a detailed infrastructure assessment feeding into the infrastructure delivery plan'*. He asked if the Executive agreed and who would fund any alterations.

Reply

The Portfolio Holder highlighted that pre-application discussions would take place; in regard to funding, the Council would need to be satisfied that necessary infrastructure costs are met via S106 contributions.

From Mrs Penelope Denby

(1) Why is the Director for Regeneration and Transformation, who is responsible for developments in Bromley, also allowed to negotiate on behalf of affected residents? Is that not an unsustainable conflict of interests?

Reply

No, I do not believe the Director for Regeneration and Transformation has a conflict of interests. He is the Council's lead officer with responsibility for the Airport and our other commercial interests. The lease first and foremost is a commercial agreement and he is negotiating on behalf of the Council with the other party to the lease. It is entirely appropriate that he undertakes this work and makes recommendations to the Executive. Members and not officers will make the decision.

Supplementary Question

Mrs Denby sought further clarification on how the Director could remain impartial.

Reply

The Leader, however, felt that the Portfolio Holder had satisfactorily responded on this point.

(2) Biggin Hill Airport already has longer hours than City, Farnborough and Northolt airports. Biggin Hill say that they want to compete with Luton for business aviation. Why does Bromley Council want to transform our residential borough into another Luton?

Reply

No, we do not want Bromley to become another Luton (one is quite enough). We are, however, required to conduct our negotiations with the Airport in a reasonable manner, carefully weighing up the pros and cons of any proposals they may wish to make. This is what we are doing and in the interests of both our residents and the Airport.

Supplementary Question

Mrs Denby sought to understand why Biggin Hill airport compared itself with other 24-hour operators, such as Luton, if Biggin Hill was not regarded as another Luton.

Reply

In responding, the Portfolio Holder included reference to business aviation at Luton being squeezed out, and he considered that Biggin Hill was not like Luton, not having any scheduled flights unlike Luton which has many.

From Tony Trinick

(1) Cllr Carr promised me personally that residents would be given the results of negotiations with the airport weeks ahead of any decision-making Council meetings. What date will that be please?

Reply

It is always difficult to be precise on dates when discussing matters of this type. However, I hope the Council will have concluded discussions with the Airport in/by September and we will allow the appropriate time before the decision making meeting.

Supplementary Question

Mr Trinick asked to be kept informed of a date when known, and suggested that residents affected by the flight path would be able to provide a better arrangement with the airport for residents (in the lead flight path) – Mr Trinick felt that what was being offered was not a better deal.

Reply

The Portfolio Holder suggested that it was necessary to await the outcome of negotiations.

(2) Do you agree that the GPS system to Runway 03, if approved, is not a benefit for the residents, but to the airport, so it can attract larger aircraft from the States and further afield, which find the current visual approach difficult?

Reply

The new GPS system to Runway 03 will provide the all-weather guidance for aircraft currently using the airport and will not only be a significant enhancement for safety, but will also be of considerable environmental advantage by keeping aircraft higher for longer and following a consistent track unlike at present. The removal of 35% of flights from the runway 21 system can only be seen as a benefit to those residents living under that flight path.

Supplementary Question

Mr Trinick questioned how this could be of benefit to residents – larger aircraft would be attracted and Mr Trinick gave examples of areas where he considered the aircraft would fly over.

Reply

The Portfolio Holder indicated that this was part of negotiations with the airport, keeping the interests of residents in mind in so doing.

(3) What changes to the flight path route into Runway 021 are being negotiated with the airport, as moving this away from residential areas is one essential element for residents if extra operating hours are to be considered?

Reply

There are no changes proposed to the flightpath route into Runway 21 other than those already announced (raising the vectoring height over Petts Wood and Chislehurst). This is a long established route and widely seen as the safest one from the upper airspace into Biggin Hill.

The Airport is continuing to progress plans for a new approach procedure into Runway 03. They are following a formal process called an Airspace Change Proposal which is the formal process by which the airport submits its plans to the Department of Airspace Policy, the CAA, and National Air Traffic Services as well as consulting other stakeholders. This formal process is already underway. As part of this, residents groups and Councillors have attended focus groups as have pilots, air traffic and airspace providers. Once the output of these focus groups has been considered, the designs will be finalised for consultation. This is expected in the autumn.

As a result of the changes being proposed, inbound traffic into Runway 03 will certainly be higher than before.

The new 03 approach is also expected to reduce the number of flights using Runway 21 by around 35%.

Significant investment will be required to deliver the necessary changes to the runway environment and approach lighting to enable the new procedures to be implemented once they have been formally approved. The Airport has given an undertaking to make this investment as part of their negotiations over the change to the Airport's operating hours.

Supplementary Question

Concerning the flightpath route into Runway 21, Mr Trinick indicated that it would be necessary to see how higher the elevated flight path route would be (above the existing flight path).

In his question, Mr Trinick enquired whether the Council accepted a pledge made by Biggin Hill airport – in this context Mr Trinick made reference to Formula 1 – and there being no need to increase operating hours.

Reply

In response, the Portfolio Holder indicated that he did not see the connection.

From Giuliana Voisey

(1) The Portfolio Holder for Renewal and Recreation has said that “income to the Council” is not the driving force in the negotiations with the Airport. Then could you please explain why are you pursuing the concept of the community fund, which has the effect of encouraging flights at unsocial hours?

Reply

A community fund will follow on from any change in operating hours and not the other way around.

If any such flights are permitted it makes sense to seek to attract a payment from the Airport for such movements as part of the mitigation measures.

Supplementary Question

Giuliana Voisey questioned how it was possible to consider that Councillors were representatives of affected families by negotiating on noise envelopes and a community envelope.

Reply

The Portfolio Holder indicated that Members were taking forward negotiations for all of the borough, keeping all matters in balance.

(2) Could you please explain what the grant of £398,000 from LBB to BHAL recorded in BHAL's accounts for 2007 refers to?

Reply

The way BHAL's accounts are constructed is a matter for them. I can confirm that the only money LBB has spent was on resurfacing of the runway at a cost of £1.5m in 1994 prior to the lease being signed.

Supplementary Question

Giuliana Voisey asked how it was possible for Councillors to refer to *reasonable* when imposing anguish to residents without any tangible benefit.

Reply

The Portfolio Holder suggested that if the Council were to receive some income from the Community Fund, so much the better.

(3) Could you please explain why you think that the 'noise envelopes' being negotiated protect the residents more than the clauses in the Lease because they do not appear to do so?

Reply

If the areas around the Airport that are adversely affected by aircraft noise are reduced, that would be a good thing. The noise envelopes do not substitute the noise restrictions set out in the Lease, they augment them.

Supplementary Question

In her supplementary question, Giuliana Voisey sought to understand why it was necessary to have a capped number of flights at unsociable hours. Although the flights might be more productive for the economy, she indicated that residents would be stressed (possible sleep disturbance etc) and not strong.

Reply

The Portfolio Holder felt that such concerns were matters of judgement which would be taken into account.

From Anthony Barnes

(1) The map on P 13 of the NAP shows routing for rwy 03 similar or the same as that which has been in place for many years. Is it intended that the routing, if the GNSS approach is adopted, will be much higher than hitherto, if so, how high?

Reply

The Airport is continuing to progress plans for a new approach procedure into Runway 03. They are following a formal process called an Airspace Change Proposal which is the

formal process by which the airport submits its plans to the Department of Airspace Policy, the CAA, and National Air Traffic Services as well as consulting other stakeholders. This formal process is already underway. As part of this, residents groups and Councillors have attended focus groups as have pilots, air traffic and airspace providers. Once the output of these focus groups has been considered, the designs will be finalised for consultation. This is expected in the autumn.

As a result of the changes being proposed, inbound traffic into Runway 03 will certainly be higher than before.

Significant investment will be required to deliver the necessary changes to the runway environment and approach lighting to enable the new procedures to be implemented once they have been formally approved. The Airport has given an undertaking to make this investment as part of our negotiations over the change to the Airport's operating hours.

Until these changes have been approved and implemented, aircraft will continue to use the current route into Runway 03. It would therefore be misleading to use the map with the new route in the Noise Action Plan until these changes have been finalised.

Supplementary Question

Mr Barnes sought to clarify whether negotiations on a new approach to Runway 03 were based on a completely different routing. There would be a higher level for inbound flights and if the approach to the runway was to be completely different, Mr Barnes sought further information in regard to the approach.

Reply

The Portfolio Holder understood there would be a steeper approach to the runway and would arrange for Mr Barnes to have the necessary technical information in writing.

(2) If the proposed GNSS approach to land on rwy 03 is adopted, will larger jet and turbo prop aircraft be routed at high level (say 2,400' amsl) to somewhere like or near Kenley to commence the approach to land?

Reply

The new 03 route will certainly be to the west of the airfield and be higher than at present. Once established the route will be followed by all aircraft making an instrument guided approach, whatever type of aircraft that may be.

(3) Advice to me from the CAA is that procedures for approach and landing are a matter for the aerodrome and its operators, NOT the CAA. In light of this advice will LBB insist that jet and turbo prop aircraft approaches to land on rwy 21 are straight in on the extended centre line and not via low level circuits above local rooftops?

Reply

The airport manages flights within its own air traffic zone surrounding the airport. The Biggin Hill aerodrome traffic zone is a circle centred on the mid-point of the main runway with a radius of 2.5 nautical miles. It extends from ground level up to the base of the London Terminal Area at 2,500 feet above mean sea level. Outside this area is managed by National Air Traffic Services.

The Runway 21 ILS approach is used for 99% of all jet and turbo prop aircraft using runway 21 which normally make a straight in approach using the ILS for guidance. However traffic arriving low level from the west (normally positioning from Farnborough Airport, Hants) will usually arrive by means of a right hand visual circuit to runway 21 and this takes them over the area of Hayes. This is a procedure that has been in constant use since the aerodrome was built. This saves fuel and hence emissions. They consequently do not cross the area of the borough further to the north east so this gives an advantage elsewhere in the borough.

The numbers of aircraft are very small (less than one per day). However, the proposed new track keeping system can be set to monitor aircraft heights such that aircraft do not drop below a standard 3 degree approach slope at any point during the approach phase.

Supplementary Question

Mr Barnes indicated that his focus was about circuit rather than approach.

Reply

The Portfolio Holder would consult further with Council officers and given the level of technical detail (including mapped information) related to the matter, the Portfolio Holder offered Mr Barnes the opportunity of a meeting to discuss his concerns further. Accordingly, an approach would be made to Mr Barnes to arrange such a meeting.

EXECUTIVE MEETING ON 9TH SEPTEMBER 2015

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR ORAL REPLY

From Mrs Annick Tuesley

(1) Why do we feel that the Council is not being open with residents most affected by the increase in hours? Would it not have been better to work with those residents rather than agree an approval in principle when even Councillors were not given sufficient time and information before the meeting of 25th March?

Reply

The Council has sought to be as open and transparent as possible with local residents and this is reflected in the Council-run consultation exercise, the largest ever conducted by the Council. I also do not accept that Councillors were not given sufficient time and information prior to the meeting on 25th March.

The subject of airport operating hours along with the proposals put forward by the Airport which were debated at the meeting of 25th March 2015 had been in the public domain for well over 6 months and had been the subject of two extensive public consultations, one conducted by the airport operator and one conducted by LBB. It is not credible to suggest that the matters debated at that meeting were not understood by members. The number of individual opinions expressed by members from both sides of the argument, expressed at that meeting, suggest that the proposition was well understood and that the decision to enter into further discussions with the Airport was reached in accordance with due process and normal practice.

Supplementary Question

Referring to the existence of a VRS report and a potential M25 related expansion, Ms Tuesley asked why these matters were not covered even though jobs were.

Reply

The Portfolio Holder was unable to comment.

(2) Why do the Council feel that these increased hours, that will devastate the lives of those under the flightpath, are so instrumental in the expansion of BHAL? What proof do you have of it?

Reply

The Council's own plans and strategies recognise the Airport as one of the Borough's key employment growth areas. This is also reflected in the Mayor of London's designation of the Airport as a Strategic Outer London Development Centre (SOLDC). The Airport is not unreasonably putting to the Council their opinion that the hours, which were set twenty years ago, are impacting the realisation of the Airport's true potential as a business and general aviation airport and need to be reviewed. The Council is keen to remove any potential obstacles to growth where it is reasonable to do so. Indeed, the Council is working assiduously to ensure that both the Airport and residents' interests are properly considered.

Experience has shown that an increase in airport operating hours is an important issue to potential inward investors including aircraft maintenance companies and aircraft operators. Presently, aircraft operators have a choice of 6 London Airports – Luton, Stansted, Farnborough (Hants), Northolt, Southend and Biggin Hill. Luton, Stansted and Southend are open 24/7 whilst Northolt and Farnborough (Hants) both enjoy optimal road links to the West End.

It is against this background that Biggin Hill must compete. The airport's business case is based upon obtaining a better financial yield from each aircraft movement as opposed to simply increasing in the number of movements at the airport. The Airport's proposals are firmly based on remaining in the Business and General Aviation sector and, as we understand it, do not rely upon attracting larger or noisier aircraft, but rather upon attracting newer generation, quieter, cleaner aircraft. This seems to be a desirable direction of travel for the Borough.

If aircraft operators are to use Biggin Hill as a base for their aircraft, we understand that they will require more flexible operating hours. Aircraft based at Biggin Hill will require parking and hangarage, aircraft maintenance and refurbishment services, cleaning and catering services, flight planning services and a variety of ground handling services. This creates a range of valuable jobs along with increased revenues.

Statistics show that business jet aircraft based at Biggin Hill, on average, make less than 25 departures per annum and spend much of their time conducting business overseas before returning to base. This is in contrast to visiting aircraft which might stay for a day or two whilst purchasing significantly fewer services during such a visit. The airport business plan therefore appears to be consistent with encouraging economic growth and this is consistent with the aims of the SOLDC designation afforded to the airport and surrounding industrial area which is intended to stimulate just such growth.

(3) Why have the Council spent so much time and effort meeting and liaising with the airport but we affected residents have had to battle to even have meetings with Cllr Carr and other members of the Council? Why is the Council overall showing such evident bias for BHAL?

Reply

The Council has engaged technical consultants in order to ensure that the controls and mitigations to be put in place are clearly identified and fit for purpose. The subject of environmental control and mitigation is very much a matter for experts, which is why the Council elected to appoint expert advisors Cole Jarman. The Council conducted a very substantial consultation over the airport proposals and a substantial majority of residents supported the proposals. On this basis, the Council agreed in March, to have further discussions with the Airport on such controls and concessions as it might reasonably be able to require and as you would expect, this is precisely what the Council has been doing since March 2105. It is very appropriate that the Council has put time and effort into this process in order to ensure that the subject has been fully considered and the best solutions identified.

Supplementary Question

Ms Tuesley suggested that the same amount of time and effort put into discussions with the Airport should be applied to engaging with residents affected by the BHAL proposal.

Reply

In response the Leader was resentful of any suggestion that Members were not meeting residents.

From David Clapham

1. We know that the Council has spent a total of £1,768,264 (£185k revenue and £1,583k capital) in connection with Biggin Hill Airport since the 6th May 1994. Could the Director of Finance please list, by year would be helpful, the rental income the Council has received during the same period.

Reply

Since the lease was signed on 6th May 1994, the Council has received a total of £2,434k rental income in connection with Biggin Hill Airport, a breakdown of which is provided in the schedule before you (Annex to this document).

(2) We see that you will be launching a new consultation. Will all the letters sent by residents since the 25th March to Councillors and Council Officers be counted? Residents will probably not write again as they will believe that they have already sent in their objections.

Reply

We have not yet decided on the final form of any further consultation with residents, but it is likely to be web-based, encouraging residents to inform the Council of any views they may have on the report to be considered by the Executive. Resident Associations will also be written to inviting their comments. We do not envisage the consultation to include Yes/No votes as previously.

The Leader added that all communications would be fed into the further consultation.

Supplementary Question

Mr Clapham suggested that weighting be applied to the assessment of consultation responses in recognition that some respondents would be located outside of the area immediately affected by any change in BHAL operating hours.

Reply

The Leader acknowledged that it would be different for those residing at the end of the flight path compared to those residing in other parts of the borough. There was also benefit to be considered for all in the borough alongside recognition that residents under the flight path are concerned.

From Bruce Anderson

(1) It has become clear that a substantial proportion of the revenues in BHAL's plans, and the consequent income for the LBB, comes from hangarage and ground services. Does the Council now agree that there is little justification for the extended hours considering (a) the impact on the local community and (b) the required infrastructure expenditure, for little financial return?

Reply

As was stated in the report to the March Executive meeting, it is claimed that without the changes to the hours, inward investment is much less likely. This is one of the issues that the Executive must assess.

(2) Even under the current lease it is permissible for planes such as the Boeing Business Jet/Boeing 737 to visit. However, we are sure that, as this is a residential borough, both the Council and the airport will have concluded that planes of this size/noise should not take off and land in the requested extended, unsocial hours. Can we assume that, in your negotiations this undertaking was sought and that this assurance has been freely given?

Reply

Under the current lease, the airport can theoretically handle up to 125,000 annual movements by Boeing 737 sized aircraft because the only formal noise controls in the lease relate to the specific noise signature of aircraft concerned. If the noise signature falls below the set limit, and the Boeing 737 does, then the aircraft is permitted to use the airport as often as may be required. The proposed Noise Action Plan currently under consideration would deliver, for the first time, real controls on the noise that the airport can make in the community, offering protections for the future that do not currently exist. This limit is to be policed by a state-of-the-art Noise Monitoring and Track keeping System. Aircraft unable to comply with the set limits will not be allowed to use the airport at all. Different models of the Boeing 737 create different noise signatures – later models being significantly quieter than earlier models - so it is difficult to say whether or not certain models of any aircraft type will or will not comply with the proposed noise limits, which mirror current government guidelines and best practice. Any aircraft using the airport at any time of day will need to comply with the limits set out in the proposed Noise Action Plan.

I am pleased to confirm that the airport has entered into the process of agreeing the Noise Action Plan willingly and cooperatively and has engaged fully in arriving at suitable solutions designed to minimise noise nuisance as far as may be practically possible. It has been a long and highly detailed process.

(3) According to a report from an independent Airport Noise Consultant which has been made available to the Council, the new proposals by the Airport do not appear to be as stringent as those already in the lease, which also do give the Council the right to monitor noise. On this basis, is it the case that the Council may view the offer by the airport of the proposed new system, less effective than the current lease for affected residents, as a poor negotiating point on behalf of BHAL?*

Reply

Since the revised Noise Action Plan has not yet been published it is difficult to understand how the plan might have been assessed by an “independent expert”. In any case, such advice is at odds with that received from Cole Jarman, who are retained to advise the Council on the subject of airport related noise and who have been close to the matter throughout the process of designing and specifying the required noise controls and mitigations.

* Reader’s note - the question at (3) above was submitted in the belief that the Council had a copy of the report from the independent Airport Noise Consultant but it was subsequently found that the Council had not received the report from Flightpath Watch.

From Giuliana Voisey

(1) Councillors are probably aware that the reason why the Airport intends to install GPS is to attract larger aircraft from further afield who would find it difficult to land on runway 03 with only visual approach. Do you accept that GPS is an aid for airport development, not a benefit for the residents?

Reply

There is no evidence to support the suggestion that a GPS approach is designed to attract larger aircraft. Indeed recent press in the Times highlighted the important part that new GPS tracks play in reducing aircraft noise and emissions. I do not accept that GPS is provided for any other reason than best practice, enhanced safety of aircraft and improved noise routing.

Supplementary Question

Highlighting that larger aircraft would not use the airport without GPS and a previously installed Instrument Landing System (ILS), Ms Voisey suggested that the situation would be compounded should the airport operating hours be varied as requested by BHAL.

Reply

In his reply, the Portfolio Holder referred to a GPS approach being able to track aircraft and identify aircraft that are off track in their approach and to keep a record of such occasions.

(2) Mr Curtis keeps stating that the NMTK (Noise Monitoring and Track Keeping) system costs £250,000 and can only come as 'part of a package', i.e. with longer hours. In view of the fact that precision tracks are objectionable and under investigation by Aviation Minister Goodwill, and noise monitoring will only demonstrate that 737s are within the limits, is the Council still thinking that NMTK is a suitable quid-pro-quo for longer hours?

Reply

The Noise Monitoring and Track Keeping System is a specific recommendation of the Council's airport noise consultant. The system will deliver real benefits to local residents by identifying any aircraft that do not abide by prescribed procedures, allowing action to be taken against the operators of those aircraft which may include sanctions or even total exclusion from the airport. In the same way that speed cameras are used to improve the behaviour of drivers, so the NMTKS will improve adherence to set procedures and limits.

There is no statutory legal requirement for an airport the size of Biggin Hill to adopt a Noise Action Plan or indeed a Noise Monitoring and Track Keeping System. Under government guidelines, Biggin Hill would need to carry out approximately five times the number of jet traffic movements it handles today before a Noise Action Plan would be a mandatory requirement.

Despite this, the Council have required the adoption of a Noise Action Plan as a condition of considering the application to vary the airport hours and have appointed expert consultants, Cole Jarman, to ensure that the Noise Action Plan is adequate in scope and content.

Supplementary Question

Ms Voisey suggested that a resident awoken by a Boeing 737 at 11pm would not find it helpful on complaining to be advised that the aircraft noise, following monitoring, was within limits.

Reply

The Portfolio Holder suggested that a balance was needed and it was necessary to keep track of aircraft.

(3) Is it correct that the Council intends to spend tax-payers' money on infrastructure so that BHAL can attract companies, largely from abroad, of the type of Rizon Jets?

Reply

The Council currently has no such plans. Infrastructure costs related to any new development/planning applications will be considered by the Council in the normal way.

Supplementary Question

In her supplementary question, Ms Voisey claimed that Rizon jets and its sister hangarage company had paid no tax in the UK. Ms Voisey also referred to where she understood that a purchaser of some of Rizon's activities was incorporated. Ms Voisey suggested that taxpayer's money was being used for the benefit of such companies.

Reply

The Portfolio Holder advised that tax matters were not within his remit.

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR WRITTEN REPLY

From Mr Matthew Coates to the Portfolio Holder for Renewal and Recreation

1. We have reports of different numbers of companies operating at the airport. The Airport website lists 52. Mr Curtis says 65, NLP 60 and Jones Lang Salle 30. Could you please provide the correct list of all the companies located at Biggin Hill airport and the adjacent industrial area, with their names?

Reply

If you have a specific interest in the number of companies based at the airport then you will find that the airport website contains a list of resident companies. You should note that

the wider Biggin Hill Strategic Outer London Development Centre (SOLDC) area also contains companies on the adjoining industrial estate, such as Formula One Management. Of course, you might expect the number of companies based at the airport to change from time to time as a result of the normal ebb and flow of business just as is the case elsewhere in the UK economy.

2. Following on from the question above, could you please list the number of the employees each of the above companies has on its payroll (full time and part time)? This is an essential piece of information on which to base forecasts for future jobs.

Reply

The Council does not hold up-to-date information on the employment status of employees at the Airport.

Annex

Breakdown of £2,434k rental income received by L B Bromley in connection with Biggin Hill Airport.

Year	Income Received £
1994/95	45,034
1995/96	50,000
1996/97	51,881
1997/98	58,214
1998/99	80,125
1999/00	74,638
2000/01	75,093
2001/02	82,863
2002/03	87,478
2003/04	91,094
2004/05	88,039
2005/06	98,380
2006/07	113,475
2007/08	132,791
2008/09	177,831
2009/10	181,258
2010/11	162,791
2011/12	176,831
2012/13	193,038
2013/14	204,980
2014/15	208,528
Total	2,434,362

EXECUTIVE MEETING ON 14TH OCTOBER 2015

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR ORAL REPLY

From Mr Bruce Anderson to the Portfolio Holder for Renewal and Recreation

1. Has the Exec's assessment of the claim that additional hours would attract inward investment included:

a) Scrutiny of provisional commitments of additional business, given by companies, as a consequence of the expectation of extended hours

Reply

Both the Council and the GLA have recently been involved in assisting BHAL in pitching for inward investment by a multi-national, blue chip, aircraft maintenance provider to whom airport hours were the number one concern. The Airport's current operating hours ultimately led to a decision on the part of that company to invest elsewhere. The Council is aware of other potential opportunities and must take into account research shared with the Council which shows that airport operating hours are a key driver to attracting inward investment from the business aviation sector in the future. (This research has been shared with the Council on the basis that it is Private and Confidential and Commercially Sensitive).

b) Study of those companies that comprise BHAL's potential market, becoming accessible with the new hours, assessing the level of business that might be attracted?

Reply

The Council received a substantial piece of work commissioned by BHAL from independent market research consultants, Wing X of Switzerland (this research has been shared with the Council on the basis it is Private and Confidential and Commercially Sensitive). It clearly shows airport hours are important if BHAL is to succeed in attracting inward investment in the future. Furthermore, it is very unlikely that any airport owner would wish to be open longer than business demand required because the costs of opening longer must be offset by a business case. If the business case for longer opening hours proves to be invalid, it would follow that BHAL would choose to discontinue that policy and return to shorter hours for purely financial reasons.

Supplementary Question

Mr Anderson suggested that it would be true to say that there are many outsiders (with interest in investment) and he enquired whether the Portfolio Holder was content that those companies and the wider market was not available to Biggin Hill without extra operating hours at the airport.

Reply

The Portfolio Holder indicated that from discussions with companies it would appear they would not come without the extra operating hours and that it was difficult to plan without such hours.

2. Is the Executive able to share with us the Agenda it is pursuing with BHAL on extended hours given that it is unlikely to be a financial one as, by 2030, the rental income to LBB would seem to be equivalent to less than £5 pa, per Bromley household on Council Tax?

Reply

The direct revenues to the Council by way of rent and rates are only part of the Council's considerations and should not be viewed in isolation.

The potential benefits to the local economy and residents of the Borough do not stop at rental and rates income. Airport and Council consultants agree that Gross Value Added to the local economy – that is to say additional spend in the local economy as a result of additional economic activity at the airport - is predicted to amount to some £230 million per annum by 2030. It is estimated that up to 2,300 new jobs and apprenticeships will be created, offering valuable career opportunities to Bromley residents.

Notwithstanding any rent/rates and employment benefits, it should be borne in mind that the Council does not have a “free hand” in determining the application, as the relationship between the Council and BHAL is regulated by the lease. The lease enables the Airport to seek variations or amendments to the Operating Criteria which includes hours of operation, and the Council cannot unreasonably withhold agreement.

3. What happens to BHAL's business if you do not grant the hours (assuming arbitration/courts also turned them down)?

Reply

If the extended operating hours are not approved, it seems likely that BHAL would gradually lose market share in business and general aviation to other airports such as Farnborough, Southend and perhaps even Oxford and Cambridge who would instead benefit from inward investment and cluster effect, leaving Biggin Hill with a shrinking market share and potentially seeking other options in order to survive. Against a backdrop of increasingly congested runway capacity in London, that may ultimately lead to a challenge to re-introduce the types of flight that we have previously deemed unsuitable for the airport and which we continue to believe are unsuitable. Against this backdrop BHAL are seeking our support to enable them to gain a market share to cement their position as a business aviation airport. It appears from market research reports submitted by the airport to the Council and indeed from the Council's own experience and interaction with potential overseas investors in facilities at Biggin Hill, that airport hours are important to the sustainability of Biggin Hill in the business aviation sector.

Supplementary Question

Mr Anderson referred to the record of entrepreneurial activity by owners of operations at Biggin Hill and he asked whether they had a “Plan B” with additional workplace development. Mr Anderson asked whether there was an understanding of what a “Plan B” might be and whether that had been measured against the feeling of some 100,000 flight path residents, most of whom were against an extension of airport operating hours.

Reply

The Portfolio Holder replied that he was not sure of the detail of any “Plan B” but it was necessary for businesses to thrive and survive. The Portfolio Holder had not had an assessment of a “Plan B” as details were not known. The Portfolio Holder felt that any type of “Plan B” envisaged would be much worse than now and worse for residents.

From David Clapham to the Portfolio Holder for Renewal and Recreation

4. As it seems likely that the application by BHAL for additional hours will be decided before the Draft Local Plan is finalised, can the Executive please confirm that the decision will be made with full obligation to the existing UDP objectives and in particular number 1 and note 12.1.

Reply

The Council is making a decision as landlord not as Planning authority. However, it should be noted that the proposal includes a reduction (50%) to the noise levels currently permitted by the existing Local Plan.

Supplementary Question

Mr Clapham asked when the Council intended to make the forthcoming report (to Council and the Executive) public?

Reply

The Leader indicated that the report (which would be subject to amendment) would be available within the next day or two – possibly on Friday 16th October 2015.