

Report No.
HPR2022/001

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: EXECUTIVE

Date: Wednesday 12 January 2022

Decision Type: Non-Urgent Executive Key

Title: BIGGIN HILL AIRPORT NOISE ACTION PLAN REVIEW

Contact Officer: Matthew Amer, Airport Monitoring Officer
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Chief Officer: Director of Housing, Planning, Property and Regeneration

Ward: (All Wards)

1. Reason for report

Five years after the signing of the Deed of Variation on their lease with the Council, Biggin Hill Airport Ltd (BHAL) has submitted a Noise Action Plan review, as required. The Council has obtained independent reports on the review. The BHAL's NAP review and comments on the review are presented in this report together next steps for further improvements. The report also considers BHAL's overall compliance with the Noise Action Plan.

2. RECOMMENDATION(S)

The Executive is recommended:

- 2.1 To note that Biggin Hill Airport Ltd (BHAL) has completed a review of the Noise Action Plan (NAP), as required by the NAP and the Management Information Letter (MIL).**
- 2.2 To note the Flightpath Watch report and the work undertaken by the Council in conjunction with and following external legal advice, as requested by Flightpath Watch.**
- 2.3 To note the reports of RSK Acoustics dated 8 September 2021 and the Civil Aviation Authority dated 20 December 2021.**
- 2.4 To note that the Council has forwarded the above reports to BHAL and they have acknowledged receipt of the same.**
- 2.5 To authorise officers to work in association with BHAL to progress from a review of the NAP to a revision of the NAP and that this revision is carried out using best industry practice, as recommended by the CAA and as proportionate to the size of the airport.**
- 2.6 To note that the work referred to in para 2.5 above is to include:**
 - a) The suggestions made within the attached reports, including the updating of noise modelling software, as recommended in paragraph 56 of the CAA report**
 - b) Consideration of noise levels as monitored by noise contours with regard to governmental guidelines, as suggested in para 2.8 of the RSK Acoustics report**
 - c) Limiting hours when circuits can be flown as suggested in para 9.3 of the RSK Acoustics report**
 - d) Agreeing the process by which recommendations in this report would be endorsed in the revised NAP**
- 2.7 To authorise officers to request BHAL provide additional and ongoing evidence of adherence to the existing Noise Action Plan, particularly through the forum of the Airport Consultative Committee.**
- 2.8 To authorise officers to request that BHAL continue to take actions to reduce and restrict noise contour levels for the benefit of the residents who are affected and ensure the contour limits are met.**
- 2.9 To authorise officers to request that BHAL provide information and produce a timetable for the implementation of the outstanding "reasonable endeavours" provisions as part of the revision of the NAP.**

2.10 To note that a further report will be presented to the Executive in autumn 2022 detailing the progress as outlined in the NAP review and progress against the recommendations identified in this report.

Impact on Vulnerable Adults and Children

1. Summary of Impact: N/A
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Corporate Policy

1. Policy Status: Existing Policy
 2. BBB Priority: Excellent Council Vibrant, Thriving Town Centres Regeneration
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Financial

1. Cost of proposal: Not Applicable
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: N/A
 4. Total current budget for this head: £N/A
 5. Source of funding: N/A
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Personnel

1. Number of staff (current and additional): N/A
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: No Statutory Requirement
 2. Call-in: Applicable
-

Procurement

1. Summary of Procurement Implications: N/A
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): N/A
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? As this is a Borough Asset individual Wards have not been consulted, however this report has been circulated to all Councillors.
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

Table of documents attached.

Attachment Number	Title of document
1	NAP Review as submitted by BHAL
2	RSK Acoustics Report on the NAP Review on behalf of the Council
3	CAA Report on the NAP Review commissioned by the Council
4	Flightpath Watch Report
5	The Council's response to Flightpath Watch review of the Noise Action Plan
6	Minutes of the Executive Meeting, June 2016

Background

- 3.0 Biggin Hill Airport Ltd (BHAL) hold a Lease granted by the Council for a term of 125 years commencing in 1994 for London Biggin Hill Airport (LBHA). The Council owns the freehold of the Airport.
- 3.1 A key part of the Lease is The Third Schedule which sets out the Operating Criteria. This includes key requirements and restrictions on how BHAL operates the airport including limitations on hours of operation. The Council is obliged under the terms of Clause 2.11 of the lease to consider requests to vary the Operating Criteria. Approval must not be unreasonably withheld or delayed. If consent isn't granted Clause 2.11 includes a dispute resolution facility. When BHAL applied to vary the Operating Criteria to extend its operating hours in 2015, the council agreed to the extension subject to several conditions which required it to commit to a further series of measures to reduce the impact of aircraft noise on Bromley residents. These measures are known as the Noise Action Plan (NAP) and the Management Information Letter (MIL). The Council and the Airport entered into a Deed of Variation to the lease on 13 July 2016 which made it clear that the NAP, together with the MIL were incorporated as terms of the lease.
- 3.2 The NAP, as created in 2015, approved by the Council on 15 June 2016, and incorporated in the lease on 13 July 2016 includes a description of current noise levels at that time at LBHA, predictions for future noise levels and a list of noise action measures to which BHAL would commit to diminish the noise disruption experienced by Bromley residents. These measures include, but are not limited to, the installation of a noise monitoring and track keeping system, the setting of noise envelopes, limits on movements at specified unsociable times of the day and introducing a new approach to Runway 03.
- 3.3 The MIL sets out the practical ways these measures would be introduced by BHAL.
- 3.4 The Deed of Variation of Operating Criteria relating to the Lease of Biggin Hill Airport was signed on 13 July 2016. This altered the Operating Criteria of the Lease to increase BHAL's operating hours. It also appended a copy of the NAP and MIL to the Lease. Any such changes, or further changes, to the Operating Criteria of the Lease, and this is taken to include the Noise Action Plan, can only be made with the consent of the Council at Landlord.

- 3.5 BHAL did not begin operating its extended hours until 1 May 2017.
- 3.6 Para 4.32 of the NAP states that “following formal adoption of the NAP, LBHA, in association with the Council, will review the NAP every five years or whenever it is considered that a major event of material change has the potential to create wider noise implications for local residents.”
- 3.7 This is reiterated in para 20 of the MIL, which adds in a note that: “opportunities to minimise the environmental impact of airport activities will be considered at each review”.
- 3.8 In line with para 4.32 of the NAP, BHAL has undertaken to review the NAP this summer. In July, a document was shared with the Council, along with BHAL’s Airport Consultative Committee, Noise and Safety Sub-Committee and Safety and Noise Abatement Review Board. These committees all include Council representatives, however those Council representations cannot bind or commit the Council as landlord. The Council provided informal feedback which, along with feedback from the committees, was used to create the Review of the Noise Action Plan 2016-2020 document that has been published on Biggin Hill Airport’s website.

Summary of the Review of the Noise Action Plan 2016-2020

- 3.9 BHAL’s Review of the NAP 2016-2020 includes background on the history of the NAP, a review of the Airport’s performance against the commitments made in the NAP, a summary of complaints received, a consideration of key areas of interest, future predictions and points on how LBHA moves forward.
- 3.10 Within the document, BHAL lists Key Achievements of the last five years as: remaining within the 57db limit set for daytime hours; only 17 occasions individual aircraft noise limits have been exceeded; producing an assessment of dwellings eligible under the Airport’s residential sound insulation scheme, though no dwellings were eligible; keeping within the early morning and late evening movement limits.
- 3.11 Of the 22 points laid out in the NAP’s Monitor and Manage table (Table 2.4), the Review of the NAP 2016-2020 categorises 21 as “Completed and Ongoing Activity”, with just 10a, 10b and 10c, which refer to the introduction of a new approach to Runway 03 and the removal of the VOR beacon as, “Ongoing Activity”.
- 3.12 Of the 11 points laid out in the NAP’s Research and Reporting table (Table 2.5), the Review of the NAP 2016-2020 categorises 2 as “Completed,” 5 as “Completed and Ongoing Activity”, and 4 as “Ongoing Activity”.
- 3.13 The tabled breakdown of the commitments and whether they have been achieved are brief and do not include much evidence with regards to the statements made.
- 3.14 In Review of the Noise Action Plan 2016-2020, BHAL categorises the five most prevalent type of complaint made by resident as Off track, Noise, Low Flying, Noise & Low Flying and Increase in Flights. They state that since the extension of hours they have banned four operators, fined one, issued 145 initial warning letters and 7 final warning letters.
- 3.15 The Biggin Hill Airport Review of the Noise Action Plan 2016-2020 goes into greater detail on areas that have been among the most discussed by residents.
- 3.16 The Report offers an explanation of the delay to the Airspace Change Procedure (ACP) to the arrival to Runway 03 as being due to the complexity of airspace to the south and unpredictability of consultations that have led to further alterations being needed, points to an investment of £450,000 into the process and states that the process is now in the final stage.

- 3.17 The Report expresses the Airport's confidence in the Webtrak noise monitoring and track-keeping system and offers an explanation of flights missing from the system due to suppressed Secondary Surveillance Radar (SSR) codes.
- 3.18 The Report offers explanations for the delays to the removal of the BIG VOR beacon and the introduction of a GPS guidance system. It also offers explanations of Noise Sensitive Areas (NSAs), Track Violation Limits (TVLs), the operation of helicopters and how BHAL believes it has improved its communications strategy.
- 3.19 In its predictions for future growth, BHAL has forecast 54,750 annual movements for 2025. The Airport has stated it can accommodate this many movements without breaching the 57db noise contour as set out in the NAP.
- 3.20 In Review of the Noise Action Plan 2016-2020, BHAL has made commitments for the next five years including: Completion of NAP commitments still outstanding, considering further restrictions on circuit flying and ground noise, continuing to monitor track violation limits, working with helicopter operators to further reduce noise disturbance, encouraging further use of the mobile noise monitor and following ICCAN recommendations.
- 3.21 When considering BHAL's proposal regarding the variation of the Operating Criteria to extend the Airport's operating hours, the Council consulted with acoustic, aviation and legal experts to provide informed analysis and advice on which it could base its decision. The Council has sought similar advice in considering Review of the Noise Action Plan 2016-2020.

RSK Acoustics review

- 3.22 RSK Acoustics are consultants in acoustics, noise and vibration who have worked on projects with London City Airport, Coventry Airport, Liverpool John Lennon Airport. They amalgamated with Cole Jarman, who were employed as acoustic consultants by the Council when BHAL applied to extend their operating hours.
- 3.23 RSK were employed by the Council to provide an independent professional opinion on LBHA's Review of the NAP. Due to the timing of RSK's report, they were provided with a draft version of BHAL's document that has subsequently been updated.
- 3.24 RSK summarises at para 6.1 of its report (Attachment 2) that: "It does appear that LBHA are following the existing NAP, and the relatively low number of individual complainants suggests measures are working reasonably."
- 3.25 At para 6.4, RSK go on to say that there are commitments in the NAP, and referenced in the NAP review, about which "we would request additional information (if not already available by existing means) to enable greater scrutiny of the existing NAP which can then assist in the development of the new NAP." These include controls on aircraft permitted to use the airport, controls on flying training, changing the height of arriving and departing aircraft, controls in the new shoulder period, level of fines and helicopters.
- 3.26 RSK state that: "It is noted in the report that the noise contours (2020 contour contained in Appendix 1) are being produced based upon the agreed methods as set out in 2016," (Pt 3.2) adding, "This method is fair to ensure like for like comparison and consistency, however we note that at some point in the future (and perhaps the new NAP is a good time) it may be prudent to update the noise model used to newer software. INM (version 7.0d) is now out of date and more recent software from the FAA (AEDT) has been available for some time" (Pt 3.3)
- 3.27 At Pt 3.12 of their document, RSK note: "Section 2.7 of the report notes the airport are achieving the limits for areas of 57dB contour in morning and evening. They say they are within the 16-hour

day area by 50% of the UDP envelope. This along with the quarterly reporting contours suggest the airport have met all the requirements of the NAP”

- 3.28 Among other points, RSK Acoustics draw attention to the fact that: “Section 5.2 of the report suggests the airport is looking for economic growth which will likely lead to an increase in flights.” (7.2). They add: “It is imperative that the historic 2020 contour envelope is not exceeded and that a suitable ‘best endeavours’ contour is proposed. As a worst case the existing best endeavours contour should be used, however potential reduction of the contour areas should be considered where appropriate in relation to latest guidance as to aviation noise attitude studies and other relevant guidance. To ensure the NAP area or contour limits are met, it is likely the 50,000 movement cap will need to be retained.”
- 3.29 It is a theme of the RSK report that greater detail would be appreciated in illustrating the explanations and comments offered by BHAL in their response to the commitments made in the NAP.
- 3.30 Similarly, with the action points for the future, RSK offer suggestions of more detailed plans than the broad commitments offered in the BHAL review document.
- 3.31 The RSK report also offers suggestions about how BHAL could have gone further in their attempts to diminish noise disturbance to Bromley residents. In particular, they highlight more up-to-date guidance on the onset of significant community annoyance which could be taken into account when creating noise contours (see Recommendation 2.6 b), plotting single noise incidents and limiting hours on circuits (see Recommendation 2.6 c).
- 3.32 If authorised by the Executive as recommended in para 2.5, officers will seek comments from BHAL on this report and its recommendations, and work in association with BHAL to consider which are proportionate to the size of the airport and actionable.

Civil Aviation Authority report

- 3.33 The Environmental Research and Consultancy Department (ERCD) of the United Kingdom Civil Aviation Authority (CAA) was also appointed by the Council to undertake a technical review of the Biggin Hill Airport Review of Noise Action Plan 2016 – 2020.
- 3.34 The CAA was asked to ascertain if Biggin Hill Airport have effectively fulfilled the commitments made in their Noise Action Plan and whether the process to review it has been conducted thoroughly, in the fashion expected, adhering to all processes and protocols necessary. Seven specific questions were posed.
- a) Has the Noise Action Plan, as agreed with LBB, been adhered to? Specifically, with reference to Appendix 2 of the NAP, has the NAP review adequately demonstrated compliance. If not, what evidence needs to be submitted?
 - b) Has the review process been completed in an appropriate fashion, adhering to all industry and governmental procedures?
 - c) Specifically, should a new NAP or a new version of the NAP have been delivered at the end of the process, or does a review document suffice?
 - d) Does the review document adequately reflect Biggin Hill Airport’s adherence and attempts to adhere to the Noise Action Plan?

- e) Does the review document adequately incorporate the latest industry standards and processes at other airports to improve the situation for residents affected by the airport?
- f) Does the review document adequately reflect any improvements in technology that could improve the situation for residents affected by the airport?
- g) Would you advise any other noise minimisation measures that might reasonably be considered to be included in the review document?’

3.35 The CAA report concluded at para 68: “that in producing the 2021 NAP review, BHAL has followed the scope set out in the original Noise Action Plan dated 28 August 2015 and Management Information Letter dated 19 May 2016”.

3.36 As with the RSK Acoustics report, the CAA report suggests that while BHAL may have met the commitments made in the NAP, the evidence presented within the Review of the Noise Action Plan 2016-2020 is lacking. It states at para 17 that there are some commitments “where we were not able to determine whether the requirement had been met without significant effort”. The report recommends that in these cases “LBB requests that BHAL provide substantive information”.

3.37 The report also notes that while LBHA does not meet the threshold tests set out by the Environmental Noise (England) Regulations 2006, they would recommend BHAL carry out the review of the NAP following statutory guidance.

3.38 Similarly, the CAA report states that while BHAL meet the requirements of the NAP and MIL by delivering a review of the NAP, best practice would have been to undertake a revision following DEFRA guidelines.

3.39 The CAA report concludes at para 28 that “the NAP review, as drafted, is indicative of a “do minimum” approach to meet its obligations to LBB, though not necessarily to meet the expectations of its wider stakeholder audience”.

3.40 More specifically, the CAA report suggests that BHAL’s Review of the Noise Action Plan 2016-2020 should set targets that are specific, measurable, achievable, realistic and timely.

3.41 Like the RSK Acoustics report, it raises the point that aircraft noise policies have altered, setting different noise levels for the onset of community annoyance which should be taken into account.

3.42 On specific points, the CAA report states that: the Webtrak noise monitoring and track keeping system is industry standard and routinely used at large commercial airports; noise-related charging of aircraft could be considered; and that greater use of the website be used to engage local stakeholders.

3.43 As with the RSK report, the CAA report points out that the noise modelling software used to produce noise contours should be updated (see recommendation 2.6 a) and the Residential Sound Insulation Scheme (RSIS) reviewed.

3.44 The conclusions in the CAA report are set out in full for ease of reference:

- a) In producing the 2021 NAP review, BHAL has followed the scope set out in the NAP and MIL and therefore agreed with LBB. It appears that BHAL has met the majority of its obligations according to the NAP actions. The level of information provided as evidence, is not however, in ERCD’s view, adequate to demonstrate to its readers that BHAL has met its obligations according to the NAP.

- b) Established industry precedent and governmental guidance to airports for producing a NAP require a greater level of detail, supported by evidence, than that demonstrated in the BHAL NAP review.
- c) Best practice would be for BHAL to undertake a revision following the Defra guidance for revising a NAP. Whilst this is not however strictly necessary, as London Biggin Hill Airport is not within the scope of the Environmental Noise Regulations, it would represent industry best practice. ERCD notes that BHAL has already adopted, and is taking steps to introduce, or is considering standards, processes and technology which reflect those used at other airports. We have made some suggestions which BHAL and LBB may also wish to consider at an appropriate time.

3.45 If authorised by the Executive as recommended in para 2.5, officers will seek comments from BHAL on this report and its recommendations, and work in association with BHAL to consider which are proportionate to the size of the airport and actionable.

Flightpath Watch and other residents’ views

3.46 Since residents have been aware that the NAP review was due this summer, and since the publication of BHAL’s Review of the Noise Action Plan 2016-2020, a number of interested residents have contacted the Council with their concerns. These emails and letters have come from both individuals and from groups, including Flightpath Watch who state that they represent Bromley residents affected by the work of Biggin Hill Airport.

3.47 Flightpath Watch supplied the Council with their review of the Noise Action Plan that covers many of the common areas that have been referenced by Bromley residents. The Council received this document after the terms for the reviews by RSK Acoustics and the CAA had been agreed. As such, this document was not available for those consultants. As requested in their document, the Council consulted independent legal counsel about the issues raised in the Flightpath Watch document.

3.48 Senior Officers of the Council met with Leading Counsel to review the report form Flightpath Watch, BHAL’s overall compliance with the NAP and their internal review. Below is a summary table of issues raised by Flightpath Watch and (in the last column) the advice given in consultation by Counsel. A more detailed response is attached as **Attachment 5**.

Issue	LBB’s reference	BHAL’s Reference	Expert required	Action required	Counsel’s advice
Cap on movements	<ul style="list-style-type: none"> - Minutes of approval as per Executive meeting 25.11.2015, p. 4 and 5 - Minutes of Executive meeting 15.6.2016 - Correspondence with the former Leader of the Council - Understanding as expressed on Planning note 20.9.2021 	NAP Review, 2.4, p. 4 and 5.4, p.19	LBB’s legal counsel to investigate discrepancy between LBB’s approval and references in the MIL, 7 and 20	Suspension of the extended hours	It is not appropriate to suspend the extended hours

New approach to R03	Minutes of Executive meeting 25.11.2015, p. 3, "Noise Envelopes and Limit on annual movements", 2nd paragraph.	NAP 2.16, 4.26-4.28, MIL 11 and 13 NAP Review 4.3, 4.14	LBB's legal counsel to investigate the discrepancy between statements in the MIL, 11 and 13 and statement by BHAL's consultant Cyrrus and the CAA	Suspension of the extended hours	There is no cause to suspend the extended hours, but the Council is pushing for more information on reasonable endeavours being undertaken to deliver this asap
New hours of operation	Full Council's minutes 25.11.2015, Cl. 3.2 (2)	MIL 4 and 14	LBB's legal counsel to investigate the discrepancy between the hours approved and statements in the MIL 4 and 14	Correction of MIL	Agree that MIL should be corrected to reflect NAP
Noise	<ul style="list-style-type: none"> - Minutes of Executive meeting 25.11.2015 p 4, - Lease, Third Schedule, e) ii) b. - Approval of misaligned positioning of monitor (Planning 19/04375/FULL1) 	NAP Review 2.8 i) and ii), 4.3	LBB's legal counsel to confirm the validity of Cl. e) ii) b of the Third Schedule of the Lease	<ul style="list-style-type: none"> - Lowering of the 57dB Laeq16h measure to 51dB LAeq16h - Request adjustment of noise calculations in view of misalignment of Northern monitor 	<p>Clause e) ii) b does not apply.</p> <p>Requests not applicable to Counsel.</p> <p>Lowering of noise measurement is being raised.</p>
Maximum Noise Contour	Minutes of Executive meeting 25.11.2015 p. 5	<ul style="list-style-type: none"> -Appendix 5, Cl. 3, and related map by Bickerdike Allen Partners, cyan colour, readings of July 2021 - Cl 5.6 of the NAP Review 2016-2020 	<ul style="list-style-type: none"> - LBB's legal counsel to challenge BAP's opinion that the Maximum Noise Contour is "indicative" - LBB's legal counsel to confirm that the review of the NAP is a matter between BHAL and 	<ul style="list-style-type: none"> - Lowering of the 57dB Laeq16h measure to 51dB LAeq16h - Request adjustment of noise calculations in view of misalignment of Northern monitor - Suspend the extended hours in case of breach – this is a Maximum 	<p>Lowering of noise measurement is being raised.</p> <p>'Indicative' should be replaced with 'Maximum'</p> <p>'Flights' should be replaced with 'movements'</p>

			LBB, not the ACC	Noise Contour - Re-establish the reference to “movements” as defined and suppress the use by	
Non-compliance with the noise-abatement route for departures to the North	- Lease, Third Schedule, Cl. j iv) - UK Aeronautical Information Publication (AIP)	- Table 2.4, 15 - Appendix 3 - MIL, 15 - AP 4.37	- LBB’s legal counsel to investigate repeated breaches to Lease, Third Schedule, j iv) [LBB already has proof but more can be provided] - CAA to confirm UK AIP if not already available to LBB	Rescind the Lease in view of repeated and worsening non-compliance	It is not appropriate to rescind the lease
NMTK system – WebTrak	- Report DRR15/097, Condition 17	- NAP Review 2016-2020 Table 2.4, 1, 7, 15 - NAP Review 2016-2020 4.84.11 - MIL, 17 - NAP 4.21 and 4.37	LBB	LBB to request the removal of automatic reliance on WebTrak and demand that residents are listened to	The information from the Council is that residents have always been listened to and their complaint and enquiries researched and responded to.
Corridors		- NAP Review 2016-2020 4.20 - Standard response to complaints	LBB’s legal counsel to rebut the excuse of corridors and declare non-compliance with Lease, Third Schedule, j iv)	Rescind the Lease as BHAL has been in default for a number of years and shows no intention of keeping operators at the airport compliant with this very important Noise-	It is not appropriate to rescind the Lease

				Preferential Routing	
Non-compliance with the noise preferential routing for Circuits	- Lease, Third Schedule, j iv) - Reference map	NAP Review 2016-2020, Table 2.4 8b	LBB's legal counsel to rebut the suggestions made by BHAL as non-conforming with the Lease	Rescind the Lease if non-compliance persists	It is not appropriate to rescind the lease
Helicopters and light aircraft		MIL, Appendix 3	LBB's legal counsel to confirm that language of Code of Conduct cannot be amended unilaterally as it is a condition of approval of the new operating hours	Suspend the extended hours if BHAL does not keep helicopters and light aircraft in compliance with the Code of Conduct	It is not appropriate to suspend the extended hours
Overall government noise policy	- Noise Policy Statement for England - LBB's annual statements of income		- LBB policy makers - LBB auditors	- Ensure compliance with the policy vision (i.e. enforce conditions) - Publicly quantify and monitor whether economic advantages (considering public expense) are commensurate to social damages	Updates to government policy have been raised by independent consultants and will be raised with Biggin Hill Airport.

3.49 Flightpath Watch, in their own review of BHAL's Noise Action Plan 2016-2020, which they supplied to the Council say: "We believe that we have given LBB sufficient reasons to consider BHAL's NAP Review 2016-2020 as inadequate, misleading and lacking in the fundamental areas where, five years after the granting of extended operating hours, it has yet to comply with the terms of approval." They add: "Residents are not requesting new conditions or new legal clauses – they are just requesting that those already in existence are enforced."

3.50 At the time that LBHA began operating its extended hours, the Council agreed that many of the commitments set out in the NAP and the MIL had been met. In relation to those that had not, there were various obligations requiring BHAL to take steps towards achieving.

3.51 Since the signing of the Deed of Variation, and subsequently the extending of LBHA's operating hours, the Council has been active in ensuring the commitments made in the NAP and MIL have

been adhered to. The Council is actively represented on the Airport Consultative Committee (ACC), Noise and Safety Sub-Committee and Safety and Noise Abatement Review Board (SANARB), while also regularly liaising with the airport and residents outside these structures. An Airport Monitoring Officer (AMO) has been employed to oversee this work.

- 3.52 Where residents have raised queries and complaints about LBHA with the Council, it has taken these issues to BHAL and asked for action. Subsequently, BHAL has reacted to this in ways including undertaking its own investigation of the Noise Monitoring and Track-Keeping system, reducing the time delay on using the Webtrak system and improving its communications.
- 3.53 Council representatives sitting on SANARB have seen flying practices questioned by the aviation experts on the committee and the experts' own peers subsequently warned, fined or banned. Similarly, Council representatives sitting on the Noise and Safety Sub-Committee have raised issues about confusing terminology and responses to complaints that have been taken on board and improved the complaints process.
- 3.54 Over the five years since the signing of the Deed of Variation, the Council has not been in a position to take action against BHAL for not delivering a commitment made in the NAP or the MIL. For example, 50,000 movements was exceeded before the extended hours were in operation. As such, the hours could not have been suspended while the commitments of the NAP were reviewed.
- 3.55 Some aircraft have broken the track violation limits set for the noise preferential routes or transgressed into NSAs. This does not, in itself, constitute a breach of lease or NAP, provided BHAL investigate and take action if the infringement is not justifiable on grounds of safety. The Council has seen this process take place. It is also part of this process through committee representation.
- 3.56 While the Council may hold the opinion that the commitments made in the NAP have been adhered to, to a greater or lesser extent, and reasonable endeavours made where appropriate, it shares the opinion of, and is led by the expertise of, both RSK Acoustics and the CAA that greater detail and evidence would be helpful in the Review of the Noise Action Plan 2016-2020 and that, in respect to para 20 of the MIL, there are further "opportunities to minimise the environmental impact of airport activities" that should be considered.

Key topics

50,000 movement limit

- 3.57 On the subject of 50,000 movements per annum, which is one of the key issues raised by residents, there is a timeline:
- 3.58 5/11/2015 Minutes of the approval by the Executive: It is stated that: "No more than 50,000 movements per annum will be permitted without triggering a review of the Noise Action Plan and in these circumstances the Council reserve the right to suspend the extended hours if it considered it appropriate to do so.
- 3.59 15/06/2016 Minutes of the Executive meeting: It is minuted that since the November 2015 meeting, discussions had taken place with BHAL. At this meeting it is stated that "Should the cap of 50,000 annual movements appear likely to be breached (or was breached) in the first five years of the NAP, the NAP would be reviewed and the Council could suspend the extended hours pending completion of the review."
- 3.60 The MIL, at para 20, states that: "Whilst the number of flights authorised in the 1994 Lease with the airport has not been changed, LBHA does not anticipate that, following the adoption of the

NAP, it will exceed the level of 50,000 flight movements for some time, and certainly not for the first five years. Therefore, the Council may suspend the extended hours if the number of movements exceeds 50,000 per annum during this period. Thereafter, when LBHA anticipates that the airport will become busier than 50,000 annual flights, it will review the NAP with LBB to see what further improvements can be made to the noise abatement measures.”

- 3.61 In 2016 and 2017, as stated in Biggin Hill Airport’s NAP Review, the Airport recorded 50,891 and 50,060 movements. These numbers reflect a period of time before the extended hours had been implemented at the Airport. Since the Airport’s extended hours have been operational in May 2017, the benchmark of 50,000 movements has not been passed. This question was addressed by the Portfolio Holder for Renewal and Recreation in June 2016, when it was stated: “The Airport are operating quite legitimately under the existing lease where they are perfectly entitled to use up to 125,000 movements annually. When or if these proposals are in place, I anticipate that volume will actually reduce from today’s levels.”
- 3.62 The CAA, at para 49 on their report, support this stance, stating: “Given that the maximum exceedance in 2016 was by only 1.7%, followed by subsequent action to reduce movements, and finally movements in 2020 amounting to 57% of the forecast, the decision not to bring forward a review would appear to have been appropriate.”
- 3.63 In Biggin Hill Airport’s review of the Noise Action Plan, they do not suggest or reference a new movement limit. Instead, a forecast is given of an increase to 54,750 movements by 2025. The BHAL NAP review also includes predicted noise contours for 2025. The NAP requires BHAL to provide a forecast and they have complied by doing so. Currently BHAL have remained below the 50,000 movements.
- 3.64 At para 7.4 of the RSK Acoustics report, it states: “To ensure the NAP area or contour limits are met, it is likely the 50,000 movement cap will need to be retained. If any change to this cap is proposed it must be justified by corresponding contours demonstrating compliance and full disclosure of fleet mix used in the assumption (as the 2025 contours are in the BAP note in Appendix 3 of the report).

Helicopters

- 3.65 Helicopters are often cited as a particular problem for Bromley residents. They can cause more annoyance for residents due to their different noise profile and the altitude at which they fly, which is generally lower than planes.
- 3.66 Helicopters are not mentioned specifically by name anywhere in the Noise Action Plan. However, helicopters are subject to the same rules and guidelines that are applied to all aircraft in the NAP.
- 3.67 The MIL, as part of para 10, states: “Light aircraft and helicopter operators do not normally follow jet aircraft routes and predominantly operate pursuant to Visual Flight Rules (VFR) on a “see and avoid” principle and are generally responsible for their own terrain separation and for their own separation from other traffic. Navigation in the 3 mile radius around the airport is under the direction of Biggin Hill Air Traffic Control but beyond that distance navigation is generally by reference to ground features although GPS is now widely used.”
- 3.68 Para 21 of the MIL states: “The Airport will be required to use the most noise efficient routing for helicopters, which would include rising to 1,000 feet or another specified height in appropriate circumstances before leaving the boundary of the Airport. Helicopters normally follow light aircraft routes and the noise preferential routings allocated to light aircraft. Upon adoption of the NAP, a Code of Conduct (appended to this document) will be applied. It will be communicated to all operators based at LBHA and will be included in the UK AIP and other flight briefing material such that all operators of light aircraft and helicopters will take it into account whilst flight planning.

Where safe to do so, Air Traffic Control (ATC) will allocate best routings dependent upon time of day and weather conditions. If conditions permit it and aircraft performance is not a critical factor, helicopters will be expected to climb to the highest practical altitude within the airport boundary before setting course. Where possible and without prejudice to safe operation and air traffic separation, helicopters will be expected to remain over open countryside whilst in transit to or from Biggin Hill Airport.”

- 3.69 Helicopters must adhere to the same Code of Conduct (MIL Appendix 3) as light aircraft, following noise preferential routes where appropriate and avoiding NSAs, entering only where instructed or for reasons of safety. Infringements should be treated by BHAL following the prescribed actions for complaints and breaches of noise abatement procedures.
- 3.70 Outside of Air Traffic Control (ATC) management, if they are flying in Class G airspace (below 2,500ft), as long as they are following CAA rules, helicopter pilots have a wide scope to fly as and where they consider appropriate. This also applies to light aircraft. While there are specified routes for helicopters to take across London, these do not extend to Biggin Hill.
- 3.71 Bromley Council has no jurisdiction over flights, including flights below 2500ft.
- 3.72 At Para 4.19 of BHAL’s Review of the Noise Action Plan, it states: “Given the generally lower altitudes and the nature of noise generated from rotors, helicopter operations remain a concern for some residents. Helicopters normally follow light aircraft routes and the associated noise preferential routes. The Airport will continue to develop appropriate routes for helicopter operations. The Airport will continue to work with helicopter operators to investigate measures to further reduce noise disturbance wherever possible.”
- 3.73 Within the table of future commitments, the Airport states at para 13: “Continue to work with helicopter operators to investigate measures to further reduce noise disturbance.”
- 3.74 The CAA makes no specific reference to helicopters within its report on the Biggin Hill Airport NAP review.
- 3.75 RSK Acoustics, in its report on the Biggin Hill Airport review, states that more information should be given on Biggin Hill Airport’s attempts to meet the commitments of the MIL regarding helicopters.
- 3.76 The Council is encouraged that Biggin Hill Airport has stated it will do more to investigate reducing the noise disruption created by helicopters but would draw attention to RSK Acoustics’ suggestion and impress that efforts continue to be made to ensure current guidance is strictly applied to ensure NSAs are not encroached by helicopters.

Summary of requirements of the NAP and review responses to them

3.77 Below is a table that summarises point-by-point the commitments made in the ‘Monitor and Manage’ table of the Noise Action Plan shown alongside a summary of the comments made about them in BHAL’s Review of the Noise Action Plan, the RSK Acoustics and CAA reports, Flightpath Watch’s report and any additional evidence known to the Council.

NAP point	BHAL NAP Review	RSK Acoustics	CAA	Flightpath Watch	Additional evidence
Operate and maintain a noise and track-keeping system to (NMTK)	A Noise Monitoring Track Keeping System is in use at the Airport.	No specific comments made.	Evidence provided in NAP review to support BHAL’s claim	Webtrak not fit for purpose. LBB should request the removal of	Webtrak launched in April 2017 and has been running since.

monitor aircraft operations	Completed & Ongoing activity.		that the action has been met.	automatic reliance on Webtrak and demand that residents are listened to.	BHAL has undertaken recent review of WebTrak
Produce noise contours, based on five year forecast of air traffic	The latest is attached to the NAP review. Completed & Ongoing activity.	No specific comments made.	Evidence provided in NAP review to support BHAL's claim that the action has been met.	'Maximum Noise Contour' should be labelled as such rather than 'Indicative Noise Contour'	Noise contours have been regularly produced for Airport Consultative Committee.
Undertake regular reviews of procedures to minimize noise disturbance with BHACC.	The Airport has conducted a series of reviews to minimise noise disturbance. Completed & Ongoing activity.	No specific comments made.	Evidence exists to support BHAL's claim that the action has been met, but it is not included in the NAP review.	No specific comment made.	Minutes of Airport Consultative Committee support that this has happened.
Undertake community noise surveys using NMTK.	The Airport conducts noise surveys through the deployment of a mobile noise monitor at the request of residents. Completed & Ongoing activity.	No specific comments made.	Evidence could not easily be found to support BHAL's claim that the action has been met.	No specific comment made.	LBB has seen results of four deployments of Biggin Hill Airport's mobile noise monitor. Other deployments are referenced in ACC minutes.
Investigate, log and respond to all complaints relating to London Biggin Hill Airport, reporting details to BHACC on a quarterly basis.	The Airport investigates and logs all noise complaints and the complaints, together with the Airport's response, are scrutinised at the Noise and Safety Sub Committee of the BHACC. Completed & Ongoing activity.	No specific comments made.	Evidence provided in NAP review to support BHAL's claim that the action has been met.	Flightpath Watch does not believe the Airport investigates or replies appropriately to complaints	Evidence of this can be found in ACC minutes. LBB also sites on SANARB and Noise & Safety Sub-Committee, at which complaints are discussed.
Calibrate NMTK on an annual basis.	The noise monitors are calibrated annually by a Bruel & Kjaer (B&K) contractor.	No specific comments made.	Evidence provided in NAP review to support BHAL's claim that the	No specific comment, though Flightpath Watch claim Webtrak is not fit for purpose.	LBB has seen calibration details for 2021 and 2020, which references

	Completed & Ongoing activity.		action has been met.	LBB should request the removal of automatic reliance on Webtrak and demand that residents are listened to.	October 2019 calibration.
Monitor the track-keeping and maximum noise level compliance and takes actions as necessary.	Maximum noise level compliance is measured by the two monitors located in the approach and departure paths for both runways. Completed & Ongoing activity.	No specific comments made.	Evidence exists to support BHAL's claim that the action has been met, but it is not included in the NAP review.	Flightpath Watch do not believe that BHAL are doing this efficiently and that aircraft are regularly in breach of the noise abatement route for departures to the north and for circuits	Evidence of this can be found in ACC minutes. LBB also sites on SANARB and Noise & Safety Sub-Committee, at which complaints are discussed.
Implement a scheme to incentivize operators of light and training aircraft to install noise suppression equipment or to replace noisy aircraft.	The airport continues to work with operators of light training aircraft to incentivize the installation of exhaust noise suppression equipment. Completed & Ongoing activity.	No specific comments made.	Evidence could not easily be found to support BHAL's claim that the action has been met.	No specific comment made.	The scheme is outlined in Appendix 2 of the MIL, though evidence of its application has not been seen.
Implement a scheme to restrict circuit training to certain operating hours.	All circuits, other than for flight training, are approved by the Senior Air Traffic Control Officer (SATCO) or Chief Executive Officer (CEO). Completed & Ongoing activity.	Requires further consideration	Actions not stated to have been met.	Flightpath Watch do not believe aircraft follow a noise preferential routing for circuits.	Efforts to reduce circuit training are referenced in ACC minutes, though not by hours.
Monitor the aircraft movements comprising details of movement numbers in each hour each day, and Runway use.	Every flight is logged into the Stonefield system by air traffic control. These movements are reported to the BHACC on a quarterly basis.	No specific comments made.	Evidence provided in NAP review to support BHAL's claim that the action has been met.	No specific comment made.	Aircraft movement figures are supplied in the NAP review and regularly to the ACC, though not to the detail level of each hour.

	Completed & Ongoing activity.				
Implement introduction of a Global Positioning System (GPS) based Runway guidance system.	In progress. Ongoing activity	No specific comments made.	Actions not yet complete.	Flightpath Watch highlight point made by BHAL consultant Cyrrus that throws doubt on initial projected timeline for this commitment.	This has not yet been achieved. Progress can be charted through ACC minutes.
Implement altered 03 - Instrument approach procedures.	In progress. Delay in implementation of the 03 RNAV approach. Ongoing activity	No specific comments made.	Actions not yet complete.	Flightpath Watch highlight point made by BHAL consultant Cyrrus that throws doubt on initial projected timeline for this commitment.	This has not yet been achieved. Progress can be charted through ACC minutes.
Work with National Air Traffic Services (NATS) and others to secure the early removal of the VOR beacon at Biggin Hill.	In progress. Ongoing activity	No specific comments made.	Actions not yet complete.	No specific comment made.	This has not yet been achieved. Progress can be charted through ACC minutes.
Operate controls on requested aircraft operations to contain movements to those aircraft meeting the Biggin Hill noise limits.	Maximum noise level compliance is measured by the two monitors located in the approach and departure paths for both runways. Completed & Ongoing activity.	No specific comments made.	Evidence provided in NAP review to support BHAL's claim that the action has been met.	No specific comment made, though FPW point out a misalignment of the northern noise monitor and its possible effects.	No additional evidence
Limit airport operating hours to 06.30-23.00 on weekdays, and on Saturdays, Sundays and Public Holidays limit operating hours to 08.00-22.00.	The Airport has clearly published its opening hours in aeronautical publications such that they are clearly understood by aircraft operators worldwide. These limits have not been breached.	No specific comments made.	Evidence provided in NAP review to support BHAL's claim that the action has been met.	FPW point to possible discrepancy in MIL Points 4 and 14 with regard to operating hours.	These hours came into effect and have been operated since May 2017.

	Completed & Ongoing activity.				
Operate the Airport to ensure that the resultant noise, expressed in the form of Summer Daytime noise contour area does not exceed that specified, namely 4.3 km ² at 57 dB LAeq,16h.	Noise contours are produced Quarterly by Bickerdike Allen and reported to the BHACC. The Airport has successfully kept the footprint within the reasonable endeavours target. Completed & Ongoing activity.	No specific comments made.	Evidence exists to support BHAL's claim that the action has been met, but it is not included in the NAP review.	Flightpath Watch questions the use of the LAeq16h measure, the position of the northern noise monitor, the 57 db level and that it represented a 50% reduction in 2015. They do not question whether BHAL stayed within this limit.	Evidenced in noise contours presented to the ACC.
Operate the Airport using reasonable endeavours to achieve actual noise contours for daytime, early morning, and late evening less than the 2020 forecast noise contours.	Noise contours are produced Quarterly by Bickerdike Allen and reported to the BHACC. The Airport has successfully kept the footprint within the reasonable endeavours target. Completed & Ongoing activity.	No specific comments made.	Evidence exists to support BHAL's claim that the action has been met, but it is not included in the NAP review.	Flightpath Watch questions the use of the LAeq16h measure, the position of the northern noise monitor and the 57 db level. They do not question whether BHAL stayed within this limit.	The noise contours attached to each Airport Consultative Committee minutes show that each quarter they have been reported, the contours have been within the reasonable endeavours limit.
From 1 January 2016 operate a ban on fixed wing aircraft which are not fully compliant with ICAO Chapter 3 or above noise certification numerical standards.	The Airport has limited use of the airport to those aircraft types that meet the ICAO Chapter 3 standard. Completed & Ongoing activity.	Requires further consideration	Evidence provided in NAP review to support BHAL's claim that the action has been met.	FPW reference that their acoustic expert points out there has been a ban on movements by non-Chapter 3 compliant aircraft since 2002.	UK AIP does state that aircraft using Biggin Hill Airport must be ICAO Chapter 3 compliant or better
Operate a ban on fixed wing aircraft that do not meet the ICAO Chapter 4 noise certification numerical standards between 06:30	For new based and non-based aircraft operations, the Airport has limited the use of the airport to those aircraft types that meet ICAO Chapter 4	Requires further consideration	Evidence could not easily be found to support BHAL's claim that the action has been met.	No specific comment made.	No additional evidence

and 07:00 (except for existing based aircraft)	standard. Completed & Ongoing activity.				
Operate the airport using reasonable endeavours to ensure that these Chapter 4 aircraft operate within a maximum noise level set by the noise characteristics of the Learjet 35 or a comparable aircraft	The Airport has used all reasonable endeavours to ensure that Chapter 4 aircraft operate within a maximum noise level set by the noise characteristics of the Learjet 35 or a comparable aircraft. Completed & Ongoing activity.	Requires further consideration	Evidence provided in NAP review to support BHAL's claim that the action has been met.	No specific comment made.	No additional evidence
Manage compliance with the preferred noise routes and tolerance limits using the NMTK system.	The NMTKS incorporates an automatic detection tool and any breach of track violation limits or penetrations of any Noise Sensitive Areas (NSAs) are recorded and acted upon. Completed & Ongoing activity.	No specific comments made.	Evidence provided in NAP review to support BHAL's claim that the action has been met.	Flightpath Watch do not believe that this has happened and cite aircraft regularly breaching northerly take off NPRs and circuit NPRs	Evidence of this can be found in ACC minutes. LBB also sites on SANARB and Noise & Safety Sub-Committee, at which complaints are discussed.
Operate the Airport in accordance with the noise abatement procedures delineated in the UK AIP.	All limitations are set out in full in the UK AIP (which automatically confers inclusion in all IFR and VFR flight guides) such that operators understand the noise abatement measures applicable to the Airport. Completed & Ongoing activity.	No specific comments made.	Evidence could not easily be found to support BHAL's claim that the action has been met.	Flightpath Watch do not believe that this has happened and cite aircraft regularly breaching northerly take off NPRs and circuit NPRs	Procedures are set out in the UK AIP. Aircraft breaching NSAs & NPRs have been warned and sanctioned.
Discourage the use of aircraft reverse thrust except where its	The airport has published in the UK AIP the following: UK	No specific comments made.	Evidence provided in NAP review to support	No specific comment made.	Referenced in UK AIP

use is required for safety reasons	AIP: EGKB AD 2.21 NOISE ABATEMENT GENERAL instructions: Paragraph (C) Pilots are requested to avoid the use of reverse thrust or reverse pitch above idle power settings on landing, consistent with the safe operation of the aircraft. Completed & Ongoing activity.		BHAL's claim that the action has been met.		
The airport will put in place a sound insulation scheme for residential properties (RSIS) relating to exposure to noise in the early morning	The Airport has put in place a scheme for certain residential properties in order to mitigate the effects of aircraft noise during the period 06:30 to 07:00 (the Early Morning Period). Completed & Ongoing activity.	No specific comments made.	Evidence provided in NAP review to support BHAL's claim that the action has been met.	No specific comment made.	Scheme set out in MIL Appendix 1
Provide information and services to the London Biggin Hill Airport Consultative Committee (BHACC).	On a quarterly basis the Airport provides a detailed report to the BHACC. Completed & Ongoing activity.	No specific comments made.	Evidence provided in NAP review to support BHAL's claim that the action has been met.	No specific comment made.	ACC minutes show this to be the case.
Monitor and report progress against Noise Action Plan actions to BHACC, provide statistics in the Performance Monitoring Report.	On an annual basis the Airport Issues a Performance Monitoring Report (PMR) on actual summer contours. Completed & Ongoing activity.	No specific comments made.	Evidence could not easily be found to support BHAL's claim that the action has been met.	No specific comment made.	ACC regularly updated, though not specifically about NAP points.
Engage with local planning authorities to ensure	The Airport works closely with LBB to advise against	No specific comments made.	Evidence could not easily be found to	No specific comment made.	A member of London Borough of Bromley's

awareness of aircraft operations is considered in land use development, for instance with LBB over future work on the local plan.	and also discourage residential and other noise sensitive development close to the airport boundaries or in areas likely to be affected by aircraft noise. Completed & Ongoing activity.		support BHAL's claim that the action has been met.		planning team regularly sits on the ACC and feeds in updates about planning policy.
Provide an information pack to local Estate Agents, and to those seeking information on local conditions prior to relocating to near the Airport or its departure and arrival tracks.	The Airport tailors information packs to local estate agents relating to a specific property enquiry. This on request pack will identify how a specific property may be affected by the Airport operations. Completed & Ongoing activity.	No specific comments made.	Evidence provided in NAP review to support BHAL's claim that the action has been met.	No specific comment made.	No additional evidence

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

There is no impact to Vulnerable Adults and Children in respect of the services the Council delivers in this regard.

5. POLICY IMPLICATIONS

An Authority that manages its Assets well.

6. FINANCIAL IMPLICATIONS

6.1 The current revenue budget for Biggin Hill Airport is £89k, net of rental income generated from the lease.

6.2 There are no direct financial implications as a result of this report.

7. PERSONNEL IMPLICATIONS

Not Applicable

8. LEGAL IMPLICATIONS

8.0 Biggin Hill Airport Ltd (BHAL) hold a Lease granted by the Council for a term of 125 years commencing in 1994 for London Biggin Hill Airport (LBHA). The Council owns the freehold of the Airport.

- 8.1 The Third schedule of the lease sets out the Operating Criteria which governs key aspects of BHAL's operation. When the Deed of Variation was entered into in July 2016 the view of the Council's officers was that the NAP and MIL were effectively incorporated into the Operating Criteria. This view has been confirmed by Leading Counsel although she has pointed out that the fact that the Noise Action Plan is largely a narrow and descriptive document means that not everything in the document is to be treated as an operating criterion and there may be grey areas in relation to the question of which parts of the document are to be regarded as giving rise to operating criteria. Therefore, BHAL cannot unilaterally make changes to the NAP or MIL in relation to those matters which are properly regarded as operating criteria.
- 8.2 Clause 2.11 of the lease deals with the procedure for changes to the Operating Criteria. The Council must not unreasonably delay or withhold consent and if it refuses consent the matter can be referred to arbitration. There the arbitrator needs to consider whether the refusal is so unreasonable that no reasonable local authority would have refused its approval. Therefore, as the test relates to a reasonable local authority the Council is entitled to take into account more factors than a private landlord would which can include impact on the wider community. The terminology employed in the proviso to clause 2.11 is an acknowledgment that whilst ever the Council is the landlord under the Lease, recognition must be had to its character as a public body and the obligations and duties to which the Council is subject in that capacity. However, any refusal must be evidence based and must only take material factors into account and clause 2.11 of the Lease does not override the private law limitations which apply when a landlord grants or refuses consent. So, for example, the Council would not be able to refuse consent by reference to any policy or objective, whether held for political reasons for otherwise, which had nothing to do with its role as landlord and had nothing to do with the Lease.
- 8.3 Clause 5.21 of the Lease contains the following covenant on the part of the Tenant: "To observe and perform or procure observance and performance by its Airport Manager or others of the Operating Criteria and to supply the Landlord with all necessary information on a regular basis to enable the Landlord to monitor compliance with this obligation."
- 8.4 Therefore, the Council is entitled to seek information to demonstrate compliance with Schedule 3 and also the NAP and MIL.
- 8.5 The lease through Clause 5.10, for example, provides that the Council can recover costs it incurs in dealing with certain applications made by BHAL under the lease.

9. PROCUREMENT IMPLICATIONS

Non applicable

10. PROPERTY COMMENTS

Non Applicable

Non-Applicable Sections:	Financial, Personnel, Procurement and Property
Background Documents: (Access via Contact Officer)	See attachments listed above.