

Report No.

# London Borough of Bromley

## PART 1 - PUBLIC

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**Decision Maker:** Executive  
Following Pre-Decision Scrutiny by ERC PDS 25<sup>th</sup> March 2024

**Date:** 27<sup>th</sup> March 2024

**Decision Type:** Non-Urgent Executive Key

**Title:** BIGGIN HILL AIRPORT NOISE ACTION PLAN UPDATE

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**Chief Officer:** Director of Housing, Planning, Property and Regeneration

**Ward:** All

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### 1. REASON FOR REPORT

- 1.1 At the meeting of the Executive on 8 February, officers, in consultation with the Portfolio Holder for Resources, Commissioning and Contract Management, were authorised to work with Biggin Hill Airport Limited (BHAL) regarding the Noise Action Plan (NAP), with the objective of agreeing measures to improve the situation for residents under the flightpath.
- 1.2 An update was provided back to the Executive on 20 September which noted that correspondence with BHAL was ongoing. It was agreed that a further update would be provided back to the Executive after six months in 2024 and that if no substantive progress had been made by this point, alternative options for progressing matters would be reported.
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### 2. RECOMMENDATION(S)

- 2.1 Note that BHAL are expected to shortly submit a revised proposal for an alternative instrument approach to runway 03 to the Civil Aviation Authority (CAA), which would be understood to have noise reduction benefits for residents under the flightpath.
- 2.2 Note the progress that BHAL have made towards a NAP review and that an assessment has been made of this progress and remaining requirements for completing the NAP review.
- 2.3 Note that a series of meetings were held between the Council and BHAL but that no agreement was reached between the two parties, although the option for further meetings remains open.
- 2.4 Note that following the meetings with BHAL, the Council has written to BHAL to reiterate the Council's requirements for completing the NAP review. The Council outlined that the NAP review is not considered to be complete without meeting these requirements and that while the NAP review is incomplete, the 50,000 aircraft movements cap remains in force at the airport.

- 2.5 Agree that if BHAL exceed 50,000 movements without the NAP review being complete, the Council will take legal action to protect the Council's position and in support of residents, as detailed in Part 2.

## Impact on Vulnerable Adults and Children

1. Summary of Impact: N/A
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## Transformation Policy

1. Policy Status: Existing Policy
  2. Making Bromley Even Better Priority
    - 1) For children and young People to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.
    - (2) For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
    - (3) For people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
    - (4) For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.
    - (5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
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## Financial

1. Cost of proposal: Not applicable
  2. Ongoing costs: Not applicable
  3. Budget head/performance centre: N/A (*insert budget head*)
  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): 1
  2. If from existing staff resources, number of staff hours: N/A
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## Legal

1. Legal Requirement: Statutory Requirement
  2. Call-in: Applicable
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## Procurement

1. Summary of Procurement Implications: N/A
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## Property

1. Summary of Property Implications: N/A
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## Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: N/A
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## Customer Impact

1. Estimated number of users or customers (current and projected): Residents in wards overflowed by aircrafts using Biggin Hill Airport are affected by its operations.
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## Ward Councillor Views

Have Ward Councillors been asked for comments?

This report has been circulated to Councillors in Biggin Hill, Bromley Common and Holwood, Chelsfield, Darwin, Farnborough and Crofton, Hayes and Coney Hall, Orpington and Petts Wood and Knoll.

### **3. COMMENTARY**

#### **3.1 Update on runway 03**

- 3.1.1 In December 2022, the Civil Aviation Authority (CAA) published its decision not to approve the airport's proposed Instrument Approach Procedure for runway 03 on safety grounds. As such, the visual flight procedure or 'circling approach' has remained in place.
- 3.1.2 Following this decision, BHAL have considered the CAA's objections and revised their proposal through continued engagement with the CAA, whilst seeking to achieve the same objectives and fulfil their commitment from the Noise Action Plan (NAP). BHAL are expected to submit a trial plan for a new approach by the end of March 2024. The trial could then commence by September and is expected to last for six months, to then be assessed by the CAA.
- 3.1.3 The Council will review the details of the revised proposal to ensure they still deliver the expected benefits to residents under the flightpath. Assuming that following review this conclusion is reached, then the Council will look to support this plan to help ensure the noise reduction benefits of a new approach to runway 03 are delivered for residents. The airport indicated that they will be seeking the support of resident groups for the proposal as part of this plan, with further information being made available as part of this in due course.

#### **3.2 Discussions with Biggin Hill Airport Limited**

- 3.2.1 Following the Executive Committee on 8 February, the Council has been in correspondence with BHAL around the Noise Action Plan. Progress on these discussions was reported to the Executive Committee on 20 September.
- 3.2.2 Since this meeting, correspondence with BHAL has continued and four meetings were held in the latter months of 2023 and early 2024.
- 3.2.3 While agreement was ultimately not reached from these meetings, discussions were productive and are leading to more positive engagement with BHAL going forward that should allow the NAP review to be completed. The Council was represented at these meetings by the Portfolio Holder for Resources, Commissioning and Contract Management, the Chief Executive, the Director of Housing, Planning and Regeneration, and the Airport Monitoring Officer. Given the landlord/tenant relationship involved, discussions were held without prejudice and in confidence, so their contents cannot be reported.
- 3.2.4 Following these meetings, the Council wrote to BHAL to reiterate the Council's requirements for completing the NAP review. These requirements are summarised in section 3.4 below. The Council does not consider the NAP review to be complete without meeting these requirements and while the NAP review is incomplete, the 50,000 aircraft movements cap remains in force at the airport. This follows advice received from the Council's noise consultants who advised maintaining the cap as part of the measures to minimise noise thereby protecting the amenity of residents under the flightpath.
- 3.2.5 At the Airport Consultative Committee in July, BHAL reported that in the first six months of 2022 there were 19,510, a reduction from 2022 when there were 22,209 movements in the first six months which then led to 46,097 movements for the year.
- 3.2.6 The Council will continue to encourage BHAL to consider outstanding actions and discuss measures needed to complete the NAP review and explore what can be mutually agreed. Any

agreement reached will be reported back to the Executive, with residents under the flightpath being given the opportunity to provide feedback.

### 3.3 NAP review progress

- 3.3.1 The Noise Action Plan (NAP) was approved by the Council in 2016 and incorporated into the lease. It includes a description of airport noise levels at that time, 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. A commitment is also included for BHAL to review the NAP every five years in association with the Council.
- 3.3.2 BHAL produced a document titled “Review of the NAP 2016-2020”, which included 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, and future predictions and actions.
- 3.3.3 An extensive analysis of BHAL’s review of the NAP was undertaken and reported to the Executive on 12 January 2022. RSK Acoustics, consultants in acoustics, noise and vibration, were appointed to provide an independent professional opinion; the Civil Aviation Authority (CAA) were appointed to undertake a technical review; and much feedback was received from interested residents, including from Flightpath Watch.
- 3.3.4 Since producing their review of the NAP, BHAL have continued to make some progress towards completing the NAP review, including against the action points they set out in that document to further reduce noise disturbance. Further evidence was received by the Council from BHAL in support of their review of the NAP, in particular to address comments reported by the CAA, including in relation to circuits, Chapter 3 aircraft operations, and the review of noise minimisation procedures. The Council’s current assessment of the completion of the specific NAP measures and action points reported in BHAL’s review of the NAP are summarised in **Appendix 1**.
- 3.3.5 As a result of the NAP, the airport operate a complaints handling process, with the easiest route for residents to report their complaints about the airport being through their WebTrak system <https://webtrak.emsbk.com/bqh2>. After hearing the concerns of residents, the Council asked BHAL to further investigate the accuracy of WebTrak. Following that investigation, the weight of evidence that the Council has been presented with does not suggest there are any significant inaccuracies in the WebTrak system. BHAL have also worked with navigational service providers Pooleys and Sky Demon who have updated their systems to correlate positional data with WebTrak.
- 3.3.6 Much work has also gone into improving the airport’s complaints handling process including over recent months, with the reporting of complaints and infringements to the Airport Consultative Committee (ACC) under review to seek improvements through a more automated process using the airport’s ANOMS systems and to ensure the clear presentation of accurate data.
- 3.3.7 Responses to complaints are also regularly reviewed to improve and expand explanations, including through the Safety and Noise Action Review Board (SANARB) and the Noise and Safety Sub-Committee which are attended by the Council’s Airport Monitoring Officer. Further input is also being received by the airport from residents and residents’ associations. Responses to complaints now show diagrams of Noise Sensitive Areas and Track Violation Limits where appropriate to aid resident understanding. Further information about airspace structure, procedures, and terminology has been made available from the airport’s website,

with complaint responses often providing links to this for residents to use, with this online information continuing to be developed as needed.

- 3.3.8 BHAL report progress on the use of mobile noise monitors to ACC, with two monitors in operation that can be deployed in residents' premises as requested.
- 3.3.9 BHAL also report progress with Airspace Change Procedures to ACC, such as the ANAV Airspace Change Proposal for runway 21, with the Council making representations in the associated consultation in September 2023 to reinforce considerations for residents under the flightpath.
- 3.3.10 BHAL have made progress in respect of ground noise and ground running. Trials are continuing to look at the location and orientation of aircraft when conducting preflight checks that require ground power units or the aircraft's own Auxiliary Power Units (APUs). BHAL are also investigating the possibility of reducing the time APUs and ground power is used without increasing safety implications. Benefits will be adopted into the airport's Ground Noise Action Plan.
- 3.3.11 In respect of helicopters, BHAL have also produced a draft Helicopter Code of Conduct to encourage good behaviour from helicopter pilots. This document is being reviewed by the Council to ensure that guidance builds on the principles outlined in the NAP for helicopters.

#### 3.4 Completing the NAP review

- 3.4.1 The NAP review should complete outstanding actions from the specific NAP measures reported in BHAL's review of the NAP, in accordance with the Council's assessment as outlined in **Appendix 1**.
- 3.4.2 The Council also requires further substantive improvements to the airport's operations to complete the NAP review, in order to protect the amenity of residents under the flightpath.
- 3.4.3 These required improvements reflect much of the feedback of residents and resident groups that has been shared with the Council, including as reported to the Executive on 8 February 2023 and since this meeting. These measures also reflect additional input from Vanguardia, the Council's specialist aviation consultant who has advised on effective noise reduction and abatement measures.
- 3.4.4 A movement cap is essential for the NAP review to protect residential amenity under the flightpath. The Council would be willing to consider retaining this at 50,000 movements, but is open to discussions with BHAL on further considerations for heritage, military and emergency service aircraft.
- 3.4.5 Aircraft are given noise classification by the International Civil Aviation Organization based on the noise levels they produce. Aircraft must currently meet Chapter 3 standards at the airport and before 7am they must meet Chapter 4. BHAL also use 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. A ban on Chapter 3 aircraft (those that do not meet Chapter 4 standards) should be introduced in the NAP review, as well as a ban on Chapter 4 aircraft (those that do not meet Chapter 14 Standards) in the hours of 6:30-7AM and 10-11PM. BHAL should also work towards a full ban on Chapter 4 aircraft through a system of progressively higher tariffs year on year to incentivise faster introduction of an increasing proportion of chapter 14 aircraft each year. Alternatives to these tariffs that achieve a similar result would be considered.

- 3.4.6 BHAL's review of the NAP document currently commits to all circuits, other than for flight training, needing approval from the Senior Air Traffic Control Officer or Chief Executive Officer, with extended restriction on circuit activity and encouragement of larger aircraft to undertake circuits at other airports being reported to ACC. Further detail of permissible circuit routes clearly defined with diagrams, should be included in the NAP review, with these routes entirely avoiding NSAs to take place over rural spaces to the south of the airport, with no exceptions for aircraft that cannot fly these circuits. The penalty system should also be adjusted so that violations by circuits into NSAs carry a greater penalty sanction than other movements.
- 3.4.7 The NAP review should introduce a fixed arrival and departure route for helicopters between Central London and Biggin Hill that avoids built-up areas to the maximum extent possible. If there are operational challenges with achieving this, details should be given to explain these challenges and an alternative proposal brought forward to achieve the intended result. The Council would be willing, for instance, to consider an alternative of introducing further Noise Sensitive Areas for the areas worst affected by helicopter movements, such as Hayes and Coney Hall.
- 3.4.8 Track Violation Limits (TVLs) are the set areas either side of departure routes at Biggin Hill Airport that give a margin of error for the flightpath. It is noted the TVLs used by the airport mean aircraft overfly Noise Sensitive Areas in certain situations during departures to the north. The NAP review should see TVLs altered to avoid NSAs entirely, which could be compensated for by moving these southwards i.e. away from built-up areas. If there are operational challenges with achieving this, then details should be given to explain these challenges and an alternative proposal brought forward that achieves the intended result.
- 3.4.9 BHAL currently produce noise assessments against 57 dB, with a set area for this noise contour representing a maximum noise limit. The NAP review should see this limit reduce to 51 dB, inline with best industry standard. More specifically and following advice from the Council's noise and aviation specialist Vanguardia, BHAL should set a noise limit against 51dB for the average LAeq,16 hr noise contours for both the 92-day summer average of mode of operation and of the single modes of operation of the airport i.e. LOAEL, and consider the "footprint" of the noisiest aircraft likely to use the airport on both departure and approach.
- 3.4.10 Even at 51dB, this approach could be improved since aircraft noise is not experienced in an average fashion, meaning the effects of aircraft noise are not all effectively considered if only averaging metrics are used. Therefore, the following measures should also be considered to help, monitor and control the impacts of aircraft noise:
- Time Above (TA) - The amount of time in minutes that aircraft sound exceeds a given decibel level during a typical day, night or 24-hour period.
  - Number Above (NA) - The number of times that aircraft sound exceeds a given decibel level during a typical day, night or 24-hour period.
  - Respite - The amount of time in minutes that aircraft sound does not exceed a given decibel level during a typical a day, night or 24-hour period.
- 3.4.11 For noise modelling, BHAL currently use the Integrated Noise Model (INM) version. This should be updated to FAA Aviation Environmental Design Tool (AEDT) version 3d, as proposed by RSK Acoustics.
- 3.4.12 It is welcome that BHAL reported never exceeding the eight movements limit for aircraft in the early and late periods of 6:30-7AM and 10-11PM in their Review of the NAP. Given the



resident disturbance caused by movements during these periods, BHAL should introduce a premium tariff for using the airport during the hours of 6:30-7AM and 10-11PM, with the funds raised to be earmarked in a reserve administered by the Council for community projects in the eight southern wards. The Council would be willing to consider an alternative approach that achieved a similar result.

- 3.4.13 The Council considers that the existing diagram of the Noise Sensitive Areas (NSAs) should be updated with a clearer diagram that at least covers the area set out currently in Appendix 3 to the Management Information Letter. If the airport currently operates to a NSA that does not align with this area, this should be expanded to cover the full area from the existing diagram, with the exception of the ILS that is currently not shown. The airport should continue to show the NSA and further flight details in response to complaints.
- 3.4.14 BHAL operate system of fines and controls for infringements of the airport's rules around aircraft noise, with sanctions considered by the Safety and Noise Abatement Board (SANARB) and outcomes reported, including in BHAL's Review of the NAP. Penalties to date have tended to focus on pilots rather than operators. The NAP review should refocus this system on the operators of the pilots making these breaches. Fines should also increase in line with inflation and be allocated to a fund to be administered by the Council for community projects in the eight southern wards. Alternative approaches that achieved a similar result could be considered.
- 3.4.15 BHAL should look to increase the glidepath angle on the ILS from 3% to maintain higher flying over residential areas, also known as 'fly higher for longer'. While it is understood this cannot be achieved without CAA approval, BHAL should thoroughly explore the possibility with the CAA, in association with the Council. It is understood and to be confirmed that the proposed plan for the alternative approach to runway 03 will include an increased glide angle of 3.5%.
- 3.4.16 The NAP review should also include a trial of low power, low drag approaches to achieve the lowest noise configuration for a given speed and/or altitude during the approach, to be made permanent if safe and effective at reducing noise.
- 3.4.17 A system of discouraging early deployment of landing gear and late raising of landing gear, while maintaining safe procedures should be trialled, to be made permanent if safe and effective at reducing noise.
- 3.4.18 It is noted that BHAL are currently trialling air quality monitoring at the airport. While the Council is currently awaiting these results, BHAL should commit to a system of air quality monitoring at the airport and at key points under the flightpath, such as at the Princess Royal University Hospital. These systems should be monitored by BHAL, with results shared with the Council for consideration and with the wider public.

## 3.5 Conclusion

- 3.5.1 While agreement has not yet been reached between BHAL and the Council to complete the NAP review, the Council has made its requirements to BHAL clear and it is hoped that improved relations from recent meetings will mean that constructive discussions will soon resume so that this process can be completed, for the benefit of all involved, particularly residents under the flightpath.

3.5.2 While future discussions would have to remain private and confidential given the tenant/freeholder relationship between the two parties, residents will be given the opportunity to provide feedback on any agreement reached, which would be reported back to the Executive in due course.

3.5.3 It is also hoped that progress from BHAL with CAA on delivering the revised approach to runway 03 will lead to the expected noise reduction benefits for residents under the flightpath.

#### **4. IMPACT ON VULNERABLE ADULTS AND CHILDREN**

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

#### **5. POLICY IMPLICATIONS**

5.1 For children and young People to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.

5.2 For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.

5.3 For people to make their homes in Bromley and for business, enterprise and the third sector to prosper.

5.4 For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.

5.5 To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.

#### **7. LEGAL IMPLICATIONS**

7.1 Detailed legal advice is contained in Part 2. However, as mentioned in the recommendation if BHAL exceed 50,000 movements without the NAP review being completed, the Council will take legal action to protect the Council's position and in support of residents.

#### **Non-Applicable Sections:**

Financial, Personnel, Procurement and Property

Background Documents:  
(Access via Contact Officer)

Executive Reports on Biggin Hill Airport  
Noise Action Plan dated:  
Wednesday 20 September 2023,  
Wednesday 8 February 2023; and  
Wednesday 12 January 2022