

NEWSLETTER

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We would like to thank all those who have written in the past week to congratulate us on the runway result. But it would obviously be wrong to attribute too much credit to GACC – the result was mainly due to the inherent disadvantages of Gatwick.

In turn we would like to thank you, our members: GACC could not exist without you. Thank you to our committee who have worked hard in their various roles. Thank you to all those who have turned out for protest meetings, and who have delivered leaflets. Thank you to our letter writing team. Thank you to all those who have undertaken various special tasks at our request, not least the authors of our series of research studies on the impact of a second Gatwick runway.

In addition to our individual members and supporters, we have as members over 50 parish councils, which give us a democratic respectability. Thank you for your unwavering support despite the efforts by Gatwick and others to persuade you otherwise.

We also have as members over 40 community groups, varying from the CPRE branches in Surrey, Sussex and Kent, each with over 2,000 members, through the recently formed plethora of local aviation protest groups, to town and village amenity societies. CAGNE has campaigned vigorously alongside us and One's Enough have provided invaluable support in Crawley but most of the other aviation groups have concentrated on flight path issues, leaving the runway battle to GACC. But we have been grateful to them for their support in principle and for their help in distributing our literature to their many members.

The GACC annual general meeting will be held on Friday, 11 November, at 7.00 pm for 7.30 pm at the Copthorne Hotel, RH10 3PG.

The meeting, which will be open to the public, will be a good occasion to discuss the runway decision, and flight path issues.

We look forward to seeing you.

It has been disappointing that we have had only lukewarm support from most county and district councils – despite almost all of them voting to oppose the runway.¹ In the 1993 runway campaign all the district councils combined to lobby the Government, to distribute 100,000 leaflets and to support protest rallies. In 2003 the GACC campaign was run jointly with West Sussex County Council, and five district councils each contributed £5,000 to GACC: this time only Mole Valley District Council did so.

The runway decision

On 25 October the Secretary of State for Transport announced that: *'The government has decided to accept the recommendation [of the Airports Commission]. We believe that the expansion of Heathrow Airport and the north-west runway scheme – in combination with a significant package of supporting measures of the scale recommended by the Airports Commission - offers the greatest level of benefit to passengers, business and to help us deliver the broadest possible benefit to the whole of the UK.*

It delivers the greatest economic and strategic benefits to our economy; it strengthens connectivity for passengers right across the UK; it offers a major boost to freight operators; it can be delivered within carbon and air quality limits; and crucially, it comes with world leading measures to limit the impacts on those living nearby.

*Mr Speaker, in addition to the benefits identified by the commission, this scheme will deliver the connectivity and hub capacity the UK needs to compete with fast growing European and Middle Eastern hubs. The airport's location means it is more accessible to business and the rest of the UK both by road and rail. Access to Heathrow is more resilient and it is better placed as the national freight hub.'*²

What next ?

The procedure is laid down in the Planning Act 2008. The Government will publish a draft National Policy Statement (NPS) early in 2017. There will then be a 16 week consultation probably concentrating on the detail of the runway plan, and on the conditions to be imposed. After examination by a Commons Select Committee the draft NPS will be voted on by Parliament in late 2017 or early 2018.

If perchance there were a vote for Gatwick instead, it would be necessary to start the whole procedure again from the beginning. Back down the snake to square 1.

Given a positive vote by Parliament, Heathrow Airport Ltd would then be free to submit a planning application (with yet more consultation), and there would be a public inquiry limited to six months and confined to detail. That looks like coinciding with the next election in May 2020. The new runway is forecast to open in 2025-29.

Judicial reviews

Four London Boroughs have threatened legal action, and Gatwick Airport is considering it. It is not, however, possible to ask the Courts to overturn a Government decision just because you don't like it. Judicial review is only permitted if it can be proved that the decision was illegal; irrational; taken by the incorrect procedure; or contrary to legitimate expectations.³

'Illegal' can include being based on incorrect facts, and currently there is discussion in the press of whether alternative estimates of the economic benefit of the new runway show only a small advantage over Gatwick.

To prove that the Government decision was 'irrational' it would have to be shown that it was "so outrageous in its defiance of logic or of accepted moral standards that no sensible person who had applied his mind to the question could have arrived at it." That seems unlikely.

Although the press complain about delay, the Government is obviously following the correct procedure. 'Incorrect procedure' may include 'bias' for instance if it could be proved that one

of those taking the decision had a personal interest. Some members of the public near Heathrow may have purchased or improved their houses on the 'legitimate expectation' that Heathrow would abide by its promise never to build a third runway, but the courts might decide that their cases could be resolved by compensation.

It is understood that any legal challenge can run in parallel with the consultation, and may therefore cause little or no delay, unless it goes all the way to the Supreme Court. An adverse judicial review judgement could only quash a Government decision but cannot change it. The Government might have to start the process again but there is nothing to prevent it reaching the same conclusion.

No rejoicing

As an environmental organisation GACC cannot rejoice in this decision which will cause huge environmental damage around Heathrow. As we said in our press release, we have great sympathy with all those who will be adversely affected. In line with all the national environmental organisations – CPRE, RSPB, FoE, Greenpeace, WWF – we have always supported the policy of no new runway.

The need for a new runway has been exaggerated by the aviation industry for its own commercial purposes. The oft repeated sentence that no new full length runways have been built since the 1940's is untrue: the Gatwick runway was built in 1956-8. The statement that Stansted will be full by 2040 is only true if it is assumed that the limit on passenger numbers imposed by Uttlesford District Council cannot be raised.⁴

Heathrow, Gatwick, Stansted and Luton have 5 runways. If over the coming 25 years the number of passengers per aircraft doubles, that would be equivalent to two and a half new runways.

It was ironic that on 18 October the international airline association, IATA, forecast that with a hard Brexit the number of UK air passengers could be around 25 million fewer than forecast by government – or more than the entire annual traffic of Stansted.⁵

GACC deplores the NIMBY attitude of London Mayor Sadiq Khan, and the four London Boroughs which support a new runway at Gatwick. We trust that Zac Goldsmith, who is well known as an environmentalist, will in his forthcoming by-election resist the NIMBY line and support no new runway. His Lib Dem opponent, Sarah Olney, if she sticks with the official Lib Dem party policy, will do the same.

A hard battle

Since GACC was formed in 1968 we have fought four campaigns against a second Gatwick runway: in 1970, 1993, 2003 and in 2014-16. In many ways this has been the hardest. Previously we were up against the BAA which owned all three main London Airports and did not mind hugely which was selected for a new runway, and the Department for Transport which was open to rational persuasion.

But this time Gatwick was in private ownership, owned by a pushy American hedge fund which desperately wanted to secure a big profit on their investment. Never before had we faced an airport willing to spend £40 million on advertising and lobbying. Moreover the legal agreement banning a new runway before 2019, which was a crucial factor in the 1993 campaign, was no longer relevant.⁶

So it felt like a real David and Goliath re-run. For the record we have listed some of the main events of our campaign but, in order to prevent this newsletter becoming too long, have put them in a separate document.

What will GACC be doing now?

On the runway issue we will remain on guard, ready to repel any attempt to resurrect the Gatwick option. We will be ready to correct any mendacious propaganda from Gatwick, as we did earlier this month when we had to correct a misleading letter to MPs from Gatwick's chief executive, Stewart Wingate.⁷

We will try to ensure that the second runway is dead and buried so that the blight can be lifted from this area. One way to do this would be to return to normal use the land safeguarded for the second runway.

And we will revert to our traditional role of seeking to improve the environment for the whole area around the airport. This will involve pressing the Government to change their policy on flight paths so as to permit dispersal rather than encouraging concentration. We have a press release ready to be published demanding a better system for handling complaints. We will be responding intelligently to the forthcoming consultation on night flights – and will be seeking your views. We will be examining the conditions which the new Aviation Policy Statement lays down for the new Heathrow runway, and seeing which should also be applicable to Gatwick.

We will be encouraging Gatwick to abandon their over-blown ambitions and concentrate on being a quieter and cleaner airport more sensitive to the local community.

¹ For details of their votes see www.gacc.org.uk/the-runway-issue

² <https://www.gov.uk/government/collections/heathrow-airport-expansion>

³ https://en.wikipedia.org/wiki/Judicial_review_in_English_law

⁴ The limit, imposed as a planning condition, is 35 million passengers a year. The full capacity of Stansted, like Gatwick, is 45 million.

⁵ https://www.theguardian.com/world/2016/oct/18/hard-brexite-reduce-need-airport-expansion-heathrow?CMP=twi_gu

⁶ The debate in 2003 was whether the Government should introduce legislation to overturn the legal agreement.

⁷ *Lies and half-truths.* www.gacc.org.uk/latest-news