

THE LONDON HELIPORT CONSULTATIVE GROUP

Agenda for the meeting to be held on Monday, 7th June 2010 at 7.00 p.m. at Wandsworth Town Hall (Room 123), Wandsworth High Street, London SW18 2PU

MEMBERS

Chairman

Mr. Roger Bird

Users' representatives

Capt Ian Field
Capt Ian Rose
Capt Robin Renton
Capt Paul Watts

Residents' representatives

Wandsworth

Mr. Alan Fairleigh (Battersea Reach Residents' Association)
Mr. Jonathan Harris (Prices Court Residents' Association)

Hammersmith and Fulham

Sir Peter Jennings

Kensington and Chelsea

Ms. Eryl Wrage

Local Authority Representatives

Hammersmith and Fulham

Councillor Jane Law (Sands End Ward)

Kensington and Chelsea

Councillor Maighread Condon-Simmonds (Cremorne Ward)

Wandsworth

Councillor Tony Belton (Latchmere Ward)
Councillor John Hallmark (St. Mary's Park Ward)

AGENDA

1. Minutes (23rd November 2009)

The Consultative Group are asked to confirm that they approve the draft minutes of the last meeting of the Consultative Group held on 23rd November 2009 (Attached – Paper A).

The draft minutes were circulated to all members of the Consultative Group and to all on the circulation list for Consultative Group papers, and have been published on the Council's website.

Upon approval, the minutes will be signed by the Chairman as a correct record of the meeting.

The Chairman will then invite members to raise any matters arising from the minutes.

2. Monitoring of Helicopter Movements

The Consultative Group have previously agreed a programme of on-site monitoring of helicopter movements, proposed by Mr. Steve Mayner, the Council's Head of Corporate Affairs, and Mr. Colin Stanbury, the Council's Aviation Consultant.

3. Information on Helicopter Movements

Summary information on helicopter movements at the London Heliport in Quarter 4 of 2009 and Quarters 1 and 2 (April only) of 2010, provided by Capt. Forrest, is included herewith for information. (Attached - Paper B).

Detailed information on helicopter movements at the Heliport, as provided by the Heliport on a monthly basis to the Council and the Civil Aviation Authority, from October 2009 is available from the Heliport. In view of the purely statistical nature of this document, and also because of its size – and hence in the interest of economy – this document has not been circulated with this agenda. However, electronic copies will be made available by the Heliport or the Secretary to the Consultative Group, upon request.

4. Noise Complaints

Information on noise complaints received and on the action taken in response by the Heliport, during the period October 2009 to May 2010 inclusive, is included herewith for information. (Attached – Paper C).

5. CAA Consultation - Updating the Regulatory Framework for Aviation

A copy of the Council's response to the Civil Aviation Authority (CAA) consultation on proposals to update the regulatory framework for aviation is attached. (Attached – Paper D)

6. Police Helicopter Activity

To consider information relating to Police helicopter movements. (Attached – Paper E and E1)

This item was deferred at the last meeting and updated information will be available.

7. Note of Meeting at Department of Transport

The notes of the meeting at the Department of Transport in March 2010 on effective monitoring of London-wide helicopter activity are attached. (Attached – Paper F)

8. Section 35 Designation

To consider implications of Section 35 Designation for London Heliport. (Attached – Paper G)

9. Helicopter Noise Rating System

Mr. Stanbury will advise the Group on proposed research relating to a helicopter noise rating system.

10. UKACCS Annual Meeting - June 2010

The Chairman will update the Group on the UKACCS Annual Meeting held on 2nd and 3rd June 2010 at London City Airport.

11. Mayor's London Plan

The Group will receive an update on the relevant details of the Mayor's London Plan.

12. Battersea Power Station

The Group will be advised of the latest position on the use of Battersea Power Station for helicopter landing.

13. Any Other Business

The Chairman will ask members of the Consultative Group whether there are any other matters they wish to raise.

14. Date of Next Meeting

The Consultative Group are asked to determine the date of their next meeting.

Refreshments

Sandwich refreshments will be available for members of the Consultative Group in the Committee Room (Room 123), prior to the meeting.

Contact:

Martin Newton (Secretary to the Consultative Group),
Administration Department, Wandsworth Borough Council, The Town Hall, London
SW18 2PU.

Tel: 020 8871 6488 Email: mnewton@wandsworth.gov.uk

28th May 2010

THE LONDON HELIPORT CONSULTATIVE GROUP

Minutes of the meeting of The London Heliport Consultative Group held at Wandsworth Town Hall (Room 123), on Monday, 23rd November 2009 at 7 p.m.

PRESENT

Chairman

Mr. Roger Bird

Residents' representatives

Mr. Jonathan Harris

Sir Peter Jennings

Ms. Eryl Wrage

Local Authority representatives

Councillor John Hallmark

Councillor Jane Law

Users' representatives

Capt Ian Rose

Capt Ian Field

Mr Peter Norton (deputising for Capt Robin Renton)

Observers, advisers and officers

Capt. Christopher Forrest (Operations Director, PremiAir Aviation Services Limited)

Mr. Simon Hutchins (The London Heliport)

Mr. Steve Mayner (Wandsworth Borough Council)

Mr. Colin Stanbury (Wandsworth Borough Council)

Mr. Bob Leuty (Wandsworth Borough Council)

Mr. Martin Newton (Wandsworth Borough Council)

APOLOGIES

Apologies for absence from the meeting were received from Councillor Belton, Councillor Maighread Condon-Simmonds, Capt Robin Renton, Capt Paul Watts, Inspector Phil Whitelaw, Mr. Alan Farleigh and Mr. Richard McGreevy.

Minutes (27th April 2009)

On item 1 (Paper A), the minutes of the last meeting of the Consultative Group held on 27th April 2009 were approved and signed by the Chairman as a correct record.

There were no matters arising from the minutes that members wished to raise.

Monitoring of helicopter movements

On item 2, the Chairman informed the Group that a (Paper B) would not be circulated. In place of this paper, and with regard to the monitoring of helicopter movements, Mr. Stanbury showed the Group a recording of movements taken from the camera based at Wandsworth Bridge on 14th July 2009.

Discussion then took place on (Paper C) and Mr. Stanbury reminded members that this item had arisen following a request from the Group that noise levels from the heliport be investigated with regard to encouraging quieter aircraft. It was noted that a new European Aviation Safety Agency (EASA) is now responsible for administering noise certification processes throughout the European Union and that the new EASA database provides a comprehensive noise ranking of nearly 300 helicopters which will assist in the extensive task of assimilating database records with the current list of aircraft using the heliport. An analysis would be verified with the heliport operators and a further report prepared for the Group, providing a better reporting system for noise performance of differing craft.

In response to a question from Councillor Hallmark about number of movements for the List B helicopters, Capt Forrest confirmed that the limit of 1,500 annual movements for these types of helicopter is not close to being reached.

Capt Forrest then updated the Group on the last open day held on 8th May 2009, that had been attended by Councillor Belton, Mr. Fairleigh and Mr. deLima and also stated that the new facilities at Bridges Wharf were not yet completed and that an invitation to visit would be extended to all once they are finished.

The Group also noted the circulated list of 'special events' during 2010 that would be likely to add to helicopter traffic.

Information on helicopter movements

Item 3 (Paper D) was received as information.

Police helicopter activity

On item 4 (Paper E and tabled Paper E1), the Group noted that Capt Watts had been unable to attend the meeting, as had Inspector Whitelaw, and the Chairman asked that arrangements be put in place to ensure attendance from the Police at the next meeting in order to discuss these issues.

Noise complaints

On item 5 (Paper F), the Group had before them information on noise complaints and action taken by the heliport in response, between April and September 2009.

The Chairman made the point that he was encouraged that, of the issues raised during the report period, there appeared to be none that presented an imminent danger to life.

Mr. Harris said that a large number of complaints related to military aircraft movements and Capt Forrest stated that these cases were taken up with the appropriate bases with regard to 'educating' the pilots responsible and that it appeared that a change in attitudes was occurring in relation to more 'neighbourly' flying.

Discussion turned to the complaint submitted by Mr. Harris on 25th June, on a shallow approach made by a pilot, and the Group noted the reasons given for this and that pilots often accused of ‘cutting the corner’ were in fact complying with landing instructions to avoid other users.

Ms. Wrage welcomed the increased number of recorded complaints as she felt that this highlighted the success of the complaints measures now in place and the thorough way that these are dealt with. Councillor Law agreed with this point.

River routes - pilot instructions

On item 6, the Group were shown the DVD detailing pilots’ instructions on flying river routes and in particular the Gutteridge to London Bridge route.

Environmental information

On item 7 (Paper G), members noted the Civil Aviation Authority environmental information sheets.

Helicopter activity in Putney

On item 8 (Paper H), Mr. Mayner referred to the e-mail correspondence with Mr. Road relating to helicopter activity in Putney and asked members whether they would wish to consider matters of this kind in future, raising wider issues than the normal complaints before the Group, and with particular regard to opening up the Group’s discussions before a wider audience.

The Group discussed the points within the e-mail, during which Mr. Harris referred to the complaints reports that are currently considered and asked whether it might be possible to ‘name and shame’ those responsible for misdemeanours, with particular regard to the helicopters operated by the Harrods group. In response, Capt Forrest stated that Capt Renton was well aware of the fly neighbourly policy and would be unhappy with any of his pilots that did not adhere to the rules. He went on to say that he was of the opinion that it would not be necessary to ‘name and shame’ and that current arrangements were starting to ensure that best practice was being adopted. The Group also noted that a large percentage of the Harrods pilots are based at Stanstead. Capt Forrest also undertook to contact those pilots who head to the ‘wrong’ side of the river.

Helicopter activity at Battersea Power Station site

On item 9, Mr. Leuty advised the Group that investigations had taken place with regard to the unauthorised use of the Battersea Power Station site for helicopter landing and taking-off and that it had been decided to serve a Planning Contravention Notice in order for the Power Station owners to provide the Council with detailed answers to questions related to the unauthorised use. Mr. Leuty confirmed that Planning Contravention Notices might then be issued against individual helicopter operators, although it appeared that most of the movements were the result of 1 particular operator. The matter of the unauthorised use would then be considered by the Planning Applications Committee with the opportunity for the Council to invite a planning application. Mr. Leuty stated that the Group would be kept up-to-date with progress.

London in a spin - a review of helicopter noise

On item 10 (Paper I), Mr. Mayner advised the Group of the meeting at the Department of Transport and stated that, regrettably, the Department for the Environment, Food and Rural Affairs were not planning further work on noise. Mr. Mayner also said that the Greater London Authority had not set up a London-wide body to look at the issue either. After further discussion, the Group requested that Mr. Mayner write to the Greater London Authority; Deputy Mayor of London, Kit Malthouse; and London Assembly Member for Wandsworth and Merton, Richard Tracey to raise the issue of the need for a London-wide review of helicopter noise.

UKACC

On item 11 (Paper J), the Group noted with regret the response relating to the Group's request for associate or observer capacity in the Liaison Group of the UK Airport Consultative Committees.

Noise Action Plan

On item 12 (Paper K), Mr. Mayner said that the Department for the Environment, Food and Rural Affairs has responsibility for London but appeared not to recognise noise at London Heliport.

Mr. Mayner went on to explain that airports in urban areas giving rise to certain levels of noise should be 'mapped'. It was unclear whether London Heliport had been subject to this mapping and found to be below the 55LDEN threshold, or if it had been missed from the mapping exercise altogether. Within urban areas a noise level in excess of the threshold requires mapping and an action plan. He also commented, however, that an assessment of the noise impact of the heliport would be unlikely to result in a significant impact on the heliport's operations immediately.

After further discussion, the Group agreed that Mr. Mayner should write to the Greater London Authority and the Department for the Environment, Food and Rural Affairs expressing disappointment at the lack of action to date surrounding helicopter noise.

Any other business

On item 13, no other matters were raised.

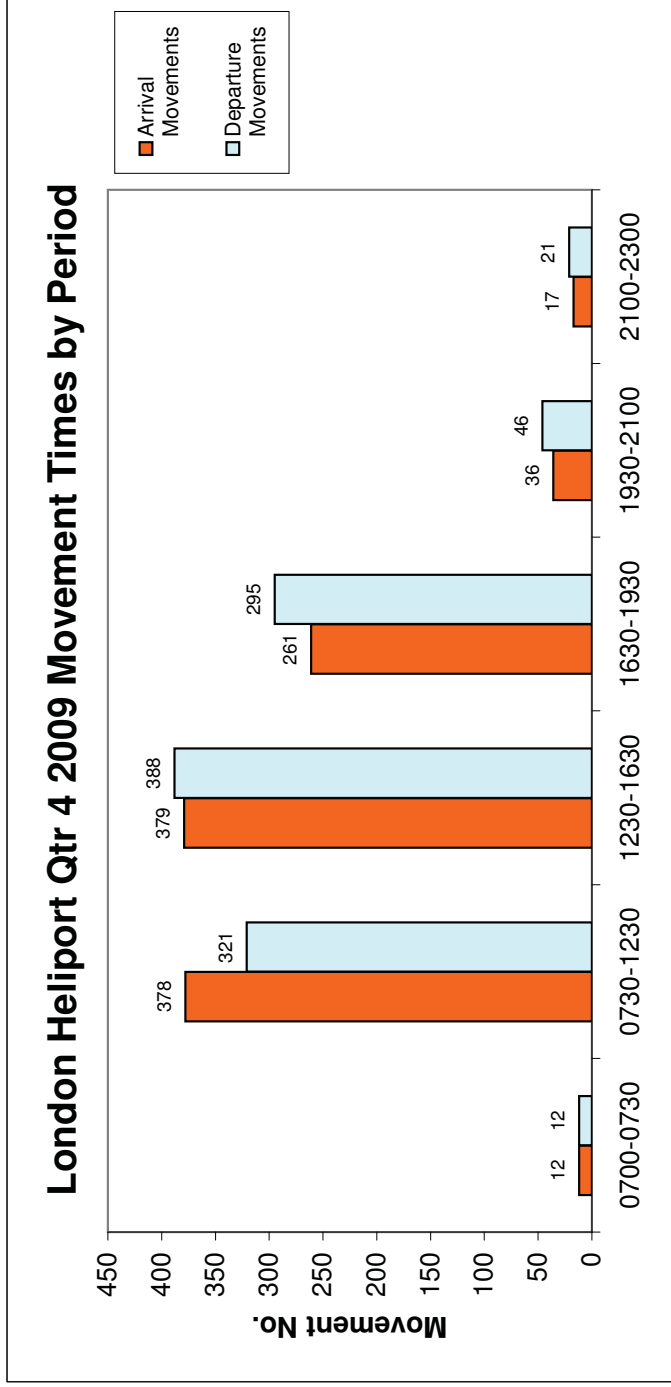
Date of next meeting

On item 14, the Group agreed to meet again on Monday, 7th June 2010.

The meeting ended at 8.33 p.m.

Qtr 4 2009 Movement Time Breakdown

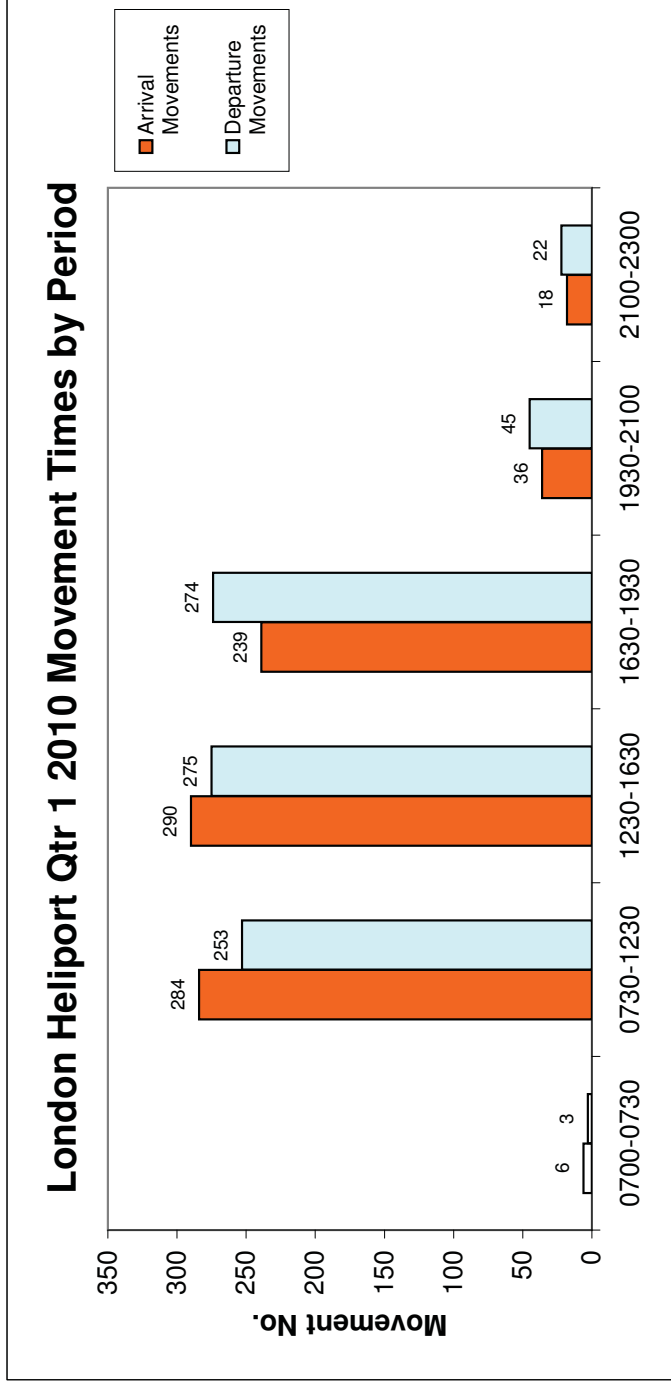
Time Band	Arrival Movements	Departure Movements	Total
0700-0730	12	12	
0730-1230	378	321	
1230-1630	379	388	
1630-1930	261	295	
1930-2100	36	46	
2100-2300	17	21	
Total	1083	1083	2166



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Qtr 1 2010 Movement Time Breakdown

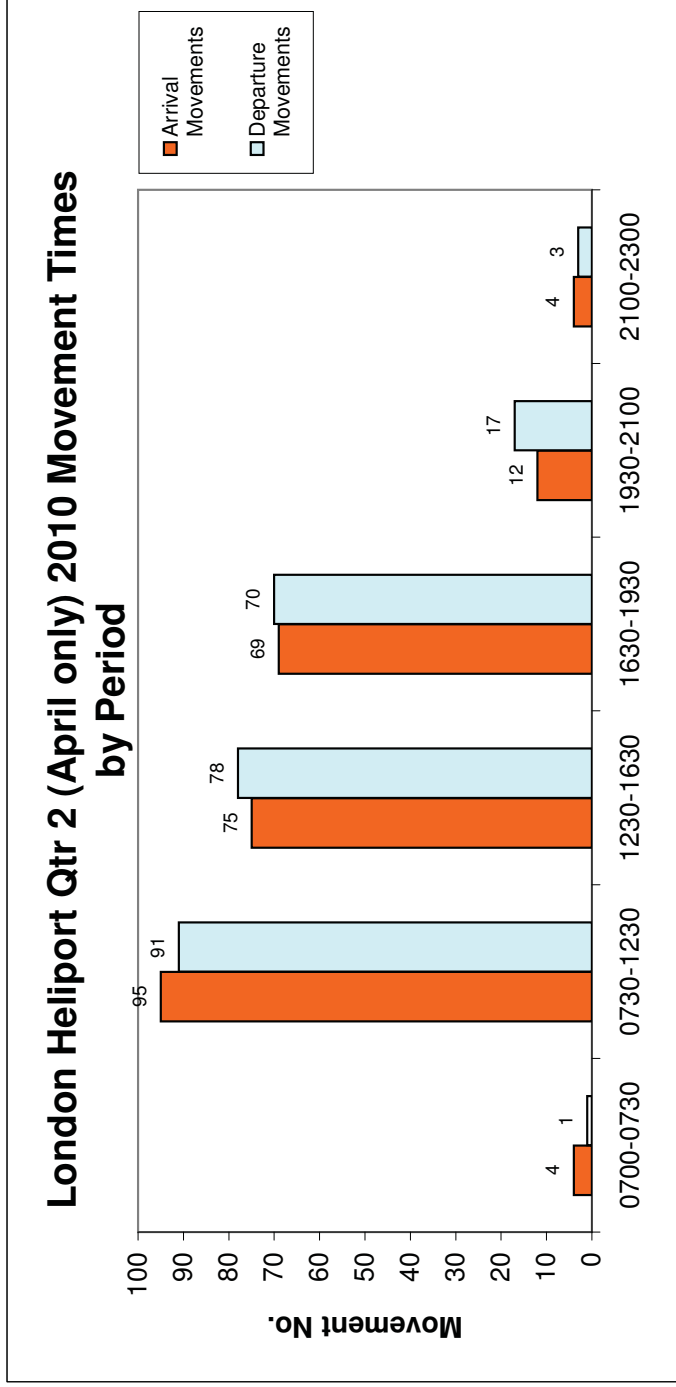
Time Band	Arrival Movements	Departure Movements	Total
0700-0730	6	3	
0730-1230	284	253	
1230-1630	290	275	
1630-1930	239	274	
1930-2100	36	45	
2100-2300	18	22	
Total	873	872	1745



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Qtr 2 (April Only) 2010 Movement Time Breakdown

Time Band	Arrival Movements	Departure Movements	Total
0700-0730	4	1	
0730-1230	95	91	
1230-1630	75	78	
1630-1930	69	70	
1930-2100	12	17	
2100-2300	4	3	
Total	259	260	519



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Complaint Reference	Date of Complaint	Time of Occurrence	Time of Complaint	Details of Complaint	Details of Investigation	Action Taken
09/035	04 Oct 09	12:29 S wood Court SW11 3UY	13:14 received via email	Helicopter departed at low rate of climb.	Complaint is logged as another made previously. GWIVI departed Heliport at 12:28 and complaint noted an even lower rate of climb, and therefore not.	Heliport Manager replied to complaints earlier complaint but no reply requested for the most recent complaint. Duly logged as requested by complaint.
09/036	02 Oct 09	General Chalmers House SW11 3QT	21:01 received via email	General complaint about noise and enquiry into if the Heliport offer grants to local residents (for double glazing) to compensate for noise levels.	As this was a general complaint about noise with no details on specific terms, investigation was unnecessary.	Email reply sent to complaint about availability (not held off).
09/037	18 Nov 09	10:45 and 12:00 Morgans Way SW11	10:45 and 12:00	Helicopter departed to cut the corner overhead complainants house. Said complaint was for the same reason.	S76 Helicopter GBOYF had just landed after complaints call. Squirrel G5MDJ had just arrived following scheduled call.	Complaint did not want any formal reply just reassurance that her complaints had been listened and will follow the normal process i.e. to the Cons. Comm.
09/038	25 Nov 09	General Complaint Tord Terrace SW 3AE	Various	Helicopter operating out of Battersea Power Station (daily) causing high level of noise and disturbance to resident.	Complaint is cognate with other complaints and also for Emergency services flights but the daily 'commute' of this one specific helicopter is causing a disturbance to her family.	Complaint emailed various bodies at the same time and the group as a whole will be looked into this.
09/038	25 Nov 09	14:36 Heliport Self Rating	14:36	craft observed to be low in altitude (possibly < 100ft).	RAF flight in A10. Pilot was asked to take corrective action to minimize approach profile	Pilot called heliport and spoke to heliport manager concerning procedures. Reminded of fly normally and reduction of helicopter noise footprint by making approach & departures as steeply as safely possible. Pilot claimed some mitigation due to high winds (not justifiable)
09/039	10 Dec 09	01:00 on 10 Dec 09 Ellerby Street SW6	10:00	Two helicopters landed at Fulham Football ground at 01:00. All of the pit flooding lights were on.	Heliport was closed at the time so would not have controlled the aircraft. Possibly was Air Harrods flights for owner (Momed al Fayed).	Gave complaint to the press office number for Air Harrods as we could be of no further help.

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WANDSWORTH BOROUGH COUNCIL

CORPORATE RESOURCES OVERVIEW AND SCRUTINY COMMITTEE -
17TH MARCH 2010

EXECUTIVE – 22ND MARCH 2010

Report of the Chief Executive and Director of Administration on the Civil Aviation Authority
(CAA) Consultation on Proposals to Update the Regulatory Framework for Aviation.

SUMMARY

Background

The Government is consulting on proposals for an enhanced regulatory role for the Civil Aviation Authority that would include responsibility for monitoring the environmental performance of the aviation industry. These build on proposals published in 2009 for the economic regulation of airports and follow the Government's support for a third runway and sixth terminal at Heathrow.

Policy

The Council is opposed to further growth at Heathrow. It believes that over the years insufficient strength has been given to the environmental impacts of decisions to expand the airport. This makes it vital that any new regulatory body should be independent of the Government and aviation industry and have sufficient powers to enforce compliance. Because the current system provides no such protection for individuals or communities, councils like Wandsworth have been forced to take on this role on behalf of their residents. The Council has campaigned for many years for an independent regulator for aviation and believes that this is best achieved by replacing the CAA with a new bespoke organisation.

Issues

This report summarises the Council's response. The CAA can point to expertise in air safety and licensing, but to date has had only limited environmental responsibilities. The consultation provides no clarification as to how the regulatory roles of both the CAA and the Environment Agency will be defined and separated. This is particularly relevant if the authority is to have the final say on whether expansion at Heathrow satisfies the Government's environmental conditions which would include noise and air quality limits.

Conclusion

The Leader has been consulted and he is concerned that the proposals fail to provide the essential assurance of an independent UK regulator for aviation. He is concerned that the deeply-ingrained pro-aviation culture within the CAA will continue to prevail. He supports a proposal for an entirely new independent regulator, which among other responsibilities, would have a statutory remit and duty to consider the impacts of aviation on the environment and the power to make its own decisions following consideration of expert advice from the Environment Agency.

GLOSSARY

ANASE	Attitudes to Noise from Aviation Sources in England
CAA	Civil Aviation Authority
DfT	Department for Transport

RECOMMENDATIONS

1. The Corporate Resources Overview and Scrutiny Committee are asked to support the recommendations in paragraph 3 below.
2. If the Corporate Resources Overview and Scrutiny Committee approve any views, comments or additional recommendations in this report, these will be submitted to the Executive for consideration.
3. The Executive is recommended to:-
 - a) agree that this report should form the basis of the Council's response to the consultation;
 - b) authorise the Chief Executive and Director of Administration to write to the Secretary of State restating the Council's longstanding opposition to the entrusting of any new environmental responsibilities to the CAA;
 - c) urge the Secretary of State to establish an entirely independent regulator for aviation, which could encompass, safety, licensing, consumer protection and environmental responsibilities with a duty of care to Parliament for protecting public interests from aviation; and.
 - d) authorise the Chief Executive and Director of Administration to use the information in this report to develop a coordinated response from the 2M Group of local authorities opposed to further growth at Heathrow.

INTRODUCTION

4. The Civil Aviation Authority (CAA) is currently the UK's aviation regulator. Its activities include economic regulation, setting airspace policy, safety regulation and consumer protection. The Authority was founded by the Civil Aviation Act 1971 and has the status of a public corporation. The CAA generates income from fees and charges to airlines and airport operators as well as through consultancy services. It receives no substantive direct funding or grants from central government and it has a wide range of duties:-
 - safety regulation of civil aviation in the UK;
 - determining policy for the use of airspace;
 - economic regulation of designated airports and en route air traffic services;
 - licensing of airlines in relation to their finances;
 - licensing of air travel organisers; and

Proposals for Updating the Regulatory Framework for Aviation

- provision of independent policy advice on aviation to Government.
5. In 2007 the House of Commons Select Committee on Transport recommended that The Department for Transport (DfT) should carry out a review of the Civil Aviation Authority. The Committee urged that the review should be undertaken ‘with a view to ensuring that the UK’s arrangements for aviation regulation and policy making are fit for purpose and able to meet current and future challenges’. The Committee highlighted in particular the lack of democratic accountability in the existing arrangements.
 6. Sir Joseph Pilling was appointed by the Secretary of State for Transport to undertake the review in 2007. His report (The Pilling Report) was published by the DfT in June 2008.
 7. The DfT are now consulting on a number of proposals for modernising the role responsibilities of the CAA as recommended in the Pilling Report. The current exercise builds upon proposals consulted on in 2009 in relation to reforming the framework for the economic regulation of the airports sector. It falls far short however of the kind of root and branch review of the CAA that the Council believes is necessary.
 8. The current consultation period runs from 10th December 2009 to 11th March 2010.

SUMMARY OF THE PROPOSALS

9. The Government proposes to reform the CAA’s statutory purpose around three main priorities: safety, consumers and the environment. The Authority would be expected to focus on:-
 - Pursuing the reasonable interests of consumers;
 - securing a high standard of safety; and
 - seeking environmental improvements in aviation where possible and appropriate when discharging its regulatory functions.
10. The consultation sets out the Government’s proposal to formally incorporate these objectives into a new set of statutory responsibilities for the CAA. The consultation document states initially that it will be for the CAA as an independent regulator to decide how it carries out its regulatory functions. However, this freedom to act is later qualified to mean only within overall policies and objectives set from time to time by Government.
11. On consumer protection the Government proposes to give the CAA new powers of civil enforcement to protect consumers, applying compliance notices and financial penalties to operators who act unfairly towards their customers. It is also proposed to give the CAA powers to collect and publish comparative information to enable consumers to judge operators’ relative performance. Areas of possible interest are identified as information on flight delays and baggage loss. The consultation document also suggests that this comparative information might include the relative environmental impacts of different flight options, thus enabling consumers to make informed choices about their flights. However, these proposals are also later qualified in the consultation document by a strong indicator that the CAA would only use these new statutory powers in cases where operators were unwilling to provide the information readily to consumers. The

Proposals for Updating the Regulatory Framework for Aviation

CAA would only exercise its new powers when it was able to demonstrate that benefit to the wider public interest outweighed the costs.

12. On environmental protection the Government proposes to extend the remit of the CAA to enable it to 'contribute towards the achievement of the Government's environmental policy goals.' This remit is however to be constrained within a framework of guidance and directions from Government.
13. The consultation summarises the Government's environmental objectives:-
 - Working with international partners to meet the global challenge of climate change. Although the consultation document confirms that the Government has set a domestic CO2 emission target for aviation to fall back to below 2005 levels by 2050, it is unclear how the CAA as regulator will be expected to drive delivery of this objective; and
 - Environmental challenges are now defined at local level to ensure that adverse impacts of aviation on communities are controlled and mitigated. These include aircraft noise, local air quality impacts, impacts on biodiversity and impacts on tranquillity and visual intrusion.
14. Appendix E of the consultation sets out what is described as a policy framework for environmental objectives. In context this adds little to the current position which acknowledges the CAA's expertise in relation to aircraft noise assessment and prediction and confirms its limited role currently in respect of air quality and carbon emissions.

COUNCIL RESPONSE

15. Whilst the Council acknowledges the CAA's role in relation to aviation safety and licensing, it does not believe it has the credibility to act as a champion for the environment. The Pilling Report did not see the CAA evolving into a campaigning body. The Council's long-held view is that while an environmental champion for aviation is exactly what is needed, this body must be able to demonstrate its independence. This can best be addressed by replacing the CAA with a newly reconstituted body with the same structures and duties of care as other regulators, such as those for rail, communications and the utilities. Such an organisation would both hold government to account and ensure that the often difficult balance between the demands of the aviation industry, and their impact on those they overfly, are fairly adjudicated. In a joint response from the 2M Group in June 2009 to the DfT consultation on economic regulation for airports the councils expressed their preference for an entirely new regulatory body with concurrent powers of price, competition and environment. While the Environment Agency would be a credible short-term alternative, this should only be considered as the first phase in the development of a new and fully independent regulator.

The London (Battersea) Heliport Consultative Group, which was formed by the Council in response to concerns about the lack of an effective regulatory body for heliport activities, has repeatedly pressed for a London-wide monitoring and complaints handling system for issues unrelated to Battersea. This role is notionally occupied by

Proposals for Updating the Regulatory Framework for Aviation

the CAA. In the absence of any proactive work by that body, the Consultative Group has set up and published local procedures which include regular reporting of complaints concerning heliport activities. The Group cannot respond to complaints which relate to flights that neither start nor end at Battersea – which comprise the majority of movements in the capital. In these circumstances complainants must contact the CAA. If this organisation was acting as an effective regulator it would have taken the lead in promoting awareness of helicopter noise issues throughout London and established transparent and accountable complaints procedures. As with many aspects of aircraft noise it has fallen to the Council, working through the Consultative Group in this case, to identify the shortcomings in the system, put forward solutions and lobby for change.”

LACK OF ACCOUNTABILITY

16. The consultation fails to deal with the Council’s previous concerns about the lack of democratic accountability within the CAA and its history of susceptibility to heavy aviation industry lobbying pressure. This had led to fears that important decisions such as future airspace changes would continue to be ‘rubber stamped’ by a senior CAA official (Director of Airspace Policy). The Council included this point in its response to proposals for a major realignment of airspace over southern England in 2008 (Paper No. 08-587).

COMMUNITY ATTITUDES TO NOISE

17. The Council is concerned that the regulatory framework for the CAA as proposed will mean that the regulator will be unable to challenge outdated Government policy.
18. This will mean for example that the CAA will continue to base its environmental decisions on the results of outdated noise studies such as the ANIS social survey which is now more than 25 years old. ANIS was based on a definition for the onset of significant community annoyance at the 57decibel Leq contour. The 2007 ANASE study reported evidence that this now occurs at a significantly lower level – perhaps as low as 50dB(A).

NO RIGHT OF APPEAL

19. The Council has previously commented on the lack of democratic process which surrounds some areas of the CAA’s operations. The consultation offers no prospect of any new effective appeal procedures in cases where the CAA as regulator will make final decisions affecting the lives of millions of people. This includes proposals for future air space changes where there will continue to be no right of appeal or public inquiry process to CAA decisions, other than by Judicial Review on points of public law.

LEADER'S COMMENTS

20. The Leader has been consulted. He comments that the consultation offers little prospect of there being a truly independent regulator for the aviation industry. He acknowledges the role of the CAA in the area of aviation safety and licensing (including consumer protection issues) but does not believe that it is the right organisation to be the sole regulator where environmental issues are at stake. The CAA is seen currently by most environmental campaigners as being on the side of the aviation industry rather than being an independent aviation regulator. During the development of proposals for the third Heathrow runway the CAA seemed too willing to go along with its paymasters

Proposals for Updating the Regulatory Framework for Aviation

and produce reports showing how expansion could meet the Government's guidelines. This is evidenced by its failure to point out that the Government's noise target was based upon the use of an outdated benchmark year of 2002 - when Concorde was still flying. The CAA's reports to government on its proposed contour target also failed to mention that, based upon the existing fleet mix at Heathrow, this target was unlikely to be met. This willingness to comply with the Government's policy objectives can be contrasted with the clear, independent voice offered by the Environment Agency in respect of existing and projected air quality exceedences around Heathrow.

21. The Leader is also concerned that, following the announcement of the Government's support for a third runway, the CAA would have the key role in deciding whether the environmental conditions in respect of noise and air quality were being met so that additional growth could be sanctioned. This highly confused aspect of the Government's decision was the basis for the Judicial Review brought by a number of local authorities and environmental groups. Given the history of broken promises on Heathrow expansion, it is hard to imagine any resident living under the flightpath having confidence that the CAA would prove a robust defender of either local interests or wider environmental concerns.
22. The Leader remains of the view therefore that the CAA should be dissolved and reconstituted as a fully independent regulatory body. With an appropriate constitution and duty of care arrangements the new regulator would be able to include environmental protection responsibilities in its wider remit.

CONCLUSION

23. The Government's response to the Pilling Review falls far short of what is needed to restore public confidence in the way the aviation industry is regulated. The CAA, as part of the problem, cannot seriously be considered as being capable of providing the solution. The Environment Agency is a more credible candidate for an interim role pending legislation to establish a proper independent regulator headed by a suitably experienced and qualified individual.

The Town Hall
Wandsworth
SW18 2PU

G.K. JONES
Chief Executive and
Director of Administration

9th March 2010

Background Papers

The following background papers were used in the preparation of this report.

1. Air Transport White Paper – The Future of Air Transport December 2003

Proposals for Updating the Regulatory Framework for Aviation

2. Report of the strategic review of the CAA (The Pilling Report) - DfT June 2008
3. DfT Consultation on Adding Capacity at Heathrow December 2007
4. 2M Response to DfT Consultation on Economic Regulation of Airports June 2009

All reports to Overview and Scrutiny Committees, regulatory and other committees, the Executives and the full Council can be viewed on the Council's website (www.wandsworth.gov.uk/moderngov) unless the report was published before May 2001, in which case the Committee Secretary (on 020 8871 6021) can supply it if required.

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Helicopter information for Wandsworth

I have examined the task records for this financial year to date (April - Sept) and report the following in relation to our tasking over Wandsworth WW BOCU.

We have attended a total of **127 incidents**
To do so we have flown for **40 hrs and 11 minutes**

The vast majority of these tasks were **Searching** with the following breakdown:-

Search for Suspects = 70 occasions resulting in **19 suspects located**
Search for Missing/Vulnerable Persons = 24 occasions resulting in **2 persons located**
Search for Vehicle = 6 occasions resulting in **2 vehicles located**

We also completed **9 Imagery tasks**

The remaining incidents were either pre planned crime reduction activities as requested by the BOCU or vehicle pursuits.

I have looked at the tasking at night and find that we flew **15 hrs and 8 minutes between Midnight and 0700hrs**. During these night time flights we attended a total of **50 tasks** again primarily search related and reducing the risk to officers on the ground.

I have examined the tasks specifically looking at the times of deployments to see if there is any trend apparent, it is fair to say that during September 2009 we did attend the Wandsworth area on 10 occasions after midnight with some of them grouped together. Such a volume of night tasking in one area is not typical and if we look at the volume of flying hours and the spread across the MPD we are not focussing on any specific area night after night unless specifically requested to do so.

Overall I would be happy to stand up and account for our deployments here, they are almost all aimed at risk reduction, the average task time is 18 minutes and whilst the noise during that time can be significant the following measures are used to minimise it:-

1. Flying a wide orbit to minimise focus of noise in one geographical area.
2. Flying as high as Air Traffic Control permit to again minimise noise impact on the ground.

As a final point of note I think we should also bear in mind that Wandsworth is next to the river and a primary helicopter route through London and also has Battersea Heliport located within it. Both of these factors unfortunately mean that the residents of Battersea are subjected to perhaps more helicopter noise than most.

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EFFECTIVE MONITORING OF LONDON-WIDE HELICOPTER ACTIVITY

Brief note of meeting held at the Department for Transport, Horseferry Road, SW1 on Friday, 11th March 2010 at 11.00am

Present: Frank Evans (DfT), Roy Strapp (DfT), Roger Bird (LHCG), Colin Stanbury (LHCG), Steve Mayner (LHCG) and Martin Newton (LHCG)

Mr. Evans welcomed everyone to the meeting and Mr. Bird then outlined the establishment of the LHCG and current arrangements for monitoring activity at Battersea.

Mr. Evans referred to the possible designation of further airports and raised the question of the LHCG achieving consultative committee status under section 35 of the Civil Aviation Act. It was noted that this would not require fundamental change to the way that the Group currently operates, but would be advantageous in that the Group would be statutorily consulted on, for instance, other proposals for heliports in London. It was agreed that the DfT would look into this and also investigate the possibility of the LHCG being invited to attend the consultative meeting to be held at London City Airport in June 2010, where a focus on London issues would take place.

Discussion continued and Mr. Bird put forward the view that the present decline in the number of helicopter movements and complaints received is due more to economic circumstances, and that this number would be likely to rise again after the recession, and Mr. Stanbury highlighted the arrangements for handling and reporting complaints which had been adopted by LHCG. It was noted that a large proportion of complaints received by LHCG related to either police or armed forces operational movements or private and commercial operators that were not using London Heliport.

Mr. Mayner suggested that the GLA was the natural place for the co-ordination of London-wide monitoring, with the Civil Aviation Authority still collecting the relevant statistics and reporting to that body. Mr. Evans acknowledged that the GLA were well placed for this role and said that he would raise this issue with the GLA direct. Mr. Newton undertook to provide Mr. Evans with the names of appropriate GLA contact officers.

It was noted that a national web-site with data regarding movements would be labour-intensive and has therefore not happened.

During further debate and in response to a question from Mr. Bird about future heliports in London, Mr. Evans said that in relation to the 2012 Olympics the DfT were looking at the capacity and that it was feasible that flights into Farnborough might be used with a helicopter link into the Olympics utilising temporary helipads.

Mr. Stanbury raised the question of noisy helicopters and the need for a rating system and national model. He asked that the DfT put this into their work programme to review and said that the CAA had an embryo model which might be able to be progressed to review stage and updated. He said that London Heliport and Wandsworth Council would be keen to be involved in a pilot scheme. Mr. Evans indicated that a pilot scheme at London Heliport may be possible and asked whether

the LHCG would be prepared to contribute financially toward such a scheme. Mr. Stanbury agreed to raise this with the LHCG and Mr. Evans undertook to investigate the options further to clarify what would be involved and to confirm any findings if possible to the LHCG before their next meeting in June.

The meeting ended at 11.53am

Martin Newton
Secretary to the London Heliport (Battersea) Consultative Group

16th March 2010

Proposed Statutory Framework for Battersea Heliport Consultative Group

Summary

Section 35 of The Civil Aviation Act 1982 provides for the Secretary of State to require an airport to establish consultation facilities with users and relevant local authorities and organisations to alleviate any problems arising. This currently applies to all national and regional airports and also to some smaller airports. At the last review by the DfT in 2002 some 54 airports in the UK were designated for this purpose. A list of the "section 35" designated airports is attached as appendix A to this paper. A summary of the main sections of the statute are also included. It can be seen that this list encompasses the most important UK airports.

At a meeting on the 12th March 2010 between DfT officials and the Chairman of the Consultative group, DfT representatives indicated that it may be of the benefit to all parties involved if a formal order were made by the Secretary of State for Transport under section 35 of the Civil Aviation Act 1996 (as amended) to cover Battersea Heliport

Details

The Inaugural meeting of the Battersea Heliport Consultative Group was held on 5th December 2006. The group was established following discussions with Weston Homes plc (the then owners of the heliport) and Wandsworth Council as the local planning authority.

The initiative was in direct response to increasing numbers of complaints being received by the council from residents living on both sides of the Thames. The numbers of complaints concurrently triggered an investigation and review of London Helicopter operations in by the GLA (Environment Committee). The GLA investigation resulted in the publication of the first review of helicopter operations in London since proposals for a Central London heliport were dismissed following public inquiry in 1994.

The GLA report "London in a spin" made 14 separate recommendations for improvement in the management and operation of helicopters which serve London. One of these recommendations was specific in recommending that Wandsworth council and the Heliport operator should within 12 months of the publication of the report establish a London Heliport consultative group.

The constitution and terms of reference of the group was based on that adopted by Shoreham airport with the exception that all meetings of the group would be open to the public. The heliport operator currently provides funding for the groups activities and Wandsworth council provides the meeting accommodation, secretarial and technical support.

Reasons for Suggested Changes

Although it is considered that the group has been successful in tackling a number of local issues primarily relating to complaint handling and operations monitoring the fundamental issue of how to incentive operators to use quieter helicopters remains as

does the fact that Battersea is for the foreseeable future likely to remain as London's only heliport.

The above issues alone require significant research which neither the heliport operator or the council is able fund without the assistance of industry and / or government.

At the meeting of the 12th March 2010 DfT representative intimated that formal designation of the heliport under section 35 of the Civil Aviation Act would be an important first step in signaling the importance of Battersea to both government ministers and other airports in the UK. A formal designation under section 35 would provide the opportunity for DfT officials to be invited on a regular basis to Battersea Heliport Consultative group meetings.

A formal section 35 order has no resource implications for either any of the parties that currently contribute to the Battersea Heliport Consultative Group, neither should it be assumed that any new government funding for research will be guaranteed. However a section 35 designation would be seen by ministers and industry as indicative of the status of the heliport in terms of its place in the UK airport infrastructure. It is hoped that with this recognition applications for future research funding to government would be considered more favourably.

Recommendation

The committee are invited to authorise the Chairman to respond the DfT offer of section 35 designation for the heliport in a positive way.

Appendix

The Civil Aviation Act 1982

Section 35 of the Civil Aviation Act 1982 (as amended) provides for the designation of aerodromes for the purposes of consultation.

*"(1) This section applies to any aerodrome which is designated for the purposes of this section by an **Order** made by the Secretary of State*

(2) The person having the management of any aerodrome to which this section applies shall provide:-

(a) for users of the aerodrome,

(b) for any local authority (or, if the person having the management of the aerodrome is a local authority, for any other local authority) in whose area the aerodrome or any part thereof is situated or whose area is in the neighbourhood of the aerodrome, and

(c) for any other organisation representing the interests of persons concerned with the locality in which the aerodrome is situated,

adequate facilities for consultation with respect to any matter concerning the management or administration of the aerodrome which affects their interests.

(3) The reference in subsection (2)(b) above to any local authority includes in relation to the area of Greater London a reference to the Mayor of London acting on behalf of the Greater London Authority"

The Order designating aerodromes under **section 35** of the 1982 Act is the:

The Aerodromes Designation (Facilities for Consultation) Order 1996 (SI 1996/1392) as amended (SI 2002/2421)

The aerodromes are listed in current amending order (2002) amending order are as follows:

Aberdeen	Edinburgh	Newcastle
Biggin Hill	Elstree	Northampton (Sywell)
Birmingham	Exeter	Norwich
Blackbushe	Fairoaks	Oxford (Kidlington)
Blackpool	Filton	Perth (Scone)
Bournemouth (Hurn)	Glasgow	Plymouth City
Bristol (Lulsgate)	Gloucestershire	Prestwick
Cambridge	Headcorn	Redhill
Cardiff	Humberside	Rochester
Carlisle	London City	Shoreham
Chichester (Goodwood)	London Gatwick	Southampton
Coventry	London Heathrow	Southend
Denham	London Luton	Sumburgh
East Midlands	London Stansted	Teesside
Inverness	Lydd	White Waltham
Leeds Bradford	Manchester	Wolverhampton
Liverpool	Manston	Wycombe Air Park

* Belfast International, Belfast City and Derry airports Derry are also designated

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