

The case against Heathrow expansion

A coalition of local councils, green groups and local residents, representing millions of people, has brought a legal challenge against the Government's decision to give the green light to third runway at Heathrow airport. The case is due to be heard at the High Court on February 23.

The Government and BAA claim that a third runway won't breach air and noise quality limits, and won't undermine the UK's fight against climate change. But the facts suggest otherwise.

Bolting on an airport the size of Gatwick to the existing airport at Heathrow will certainly destroy local communities, and increase noise, air pollution and greenhouse gas emissions. In an attempt to contain this environmental damage, the Government has proposed limits in all three areas – but meeting these limits would require operating restrictions that destroy the economic case for a 3rd runway. There is no such thing as a green runway, and the Government has misled the public [and Parliament] by claiming there can be.

The legal case in a nutshell

Lawyers representing the coalition will argue that the Heathrow decision which the government announced in January 2009 is fundamentally different from the proposals on which the Government originally consulted, meaning the consultation was deeply flawed and the decision illegitimate.

After a high-profile campaign leading to reported splits and arguments in cabinet, the decision announced by Geoff Hoon included a number of additional measures presumably designed to appease the green lobby.

The Government now say they will allocate extra capacity via something they call "green slots" which, they argue, would only allow the most efficient planes to use the new runway, and they have promised to limit growth according to carbon reduction targets, announcing a new target to keep UK aviation emissions below 2005 levels by 2050.

The Government also announced to Parliament that only half of the capacity of the new runway will be used, pending a review in 2020 of whether environmental conditions can be met with full use of the runway.

Finally, the government failed to properly consider how the millions of extra passengers generated by the runway would access Heathrow. The Piccadilly line, for example, would not be able to cope and expensive transport upgrades may well be required – though there were not considered in the consultation.

These and other issues call into question the rationale for the third runway – if the Government's promises are to be believed, they intend to build a runway without an economic case to support it, and with little resemblance to the proposal consulted on. If the Government's commitments are not legally binding, whoever is in power when the runway is built will come under enormous commercial pressure to abandon them in order to make the runway economically viable.

With the environmental case for airport expansion already fatally undermined by the Committee on Climate Change's report, which limited the allowable growth in flights to half of that proposed in the 2003 Air Transport White Paper (the policy justification for expanding Heathrow), the Government's incoherent, piecemeal and reactive approach to emission limits and aviation growth has led to a plan for a third runway with no solid democratic, economic or environmental rationale.

A history of broken promises

The aviation industry and Government already have a long track record of breaking promises and environmental commitments at Heathrow airport:

- In 1977, BAA submitted a planning application for a fourth terminal (T4), and in 1978, the Government approved T4 with a flight cap of 275,000 air traffic movements (ATMs) and said there should be no fifth terminal.ⁱ But by 1980 that flight cap had already been exceeded and in 1993 a planning application for T5 was submitted, for which permission was finally granted in 2001. At the time of T5 being approved, the cap was raised to 480,000 ATMs.
- Throughout the 1990s, BAA and the Government maintained they did not want a third runway. At the T5 planning inquiry and in a letter to local residents, BAA promised if they got permission for a fifth terminal, there would be no third runway and no further terminal expansion.ⁱⁱ In 1995, the then Secretary of State for Transport, Dr Brian Mawhinney said – “I am clear that BAA should not consider the options... for a third runway at Heathrow.”ⁱⁱⁱ
- In 2006 the Transport Secretary, Ruth Kelly, promised that a new runway would only be a short one – which would be suitable only for small planes. But the Government has allowed the runway to creep up in length so that it will be suitable for most types of large aircraft.
- In January 2009, the Transport Secretary, Geoff Hoon, announced the Government's decision to allow both a third runway and T6, expanding ATMs from 480,000 to 605,000 ATMs. He said that any further expansion would be subject to a Government review in 2020 and dependent on advice from the Climate Change Committee and other environmental conditions.

The consultation – a flawed process

In November 2007, the Government launched a consultation on building a third runway at Heathrow, adding 220,000 extra flights. The consultation claims that expansion would not compromise the Government's efforts to tackle climate change or impinge on the quality of life of hundreds of thousands of Londoners that live under the flight path or millions further afield.

- The area around Heathrow airport is already exceeding recommended levels of nitrogen dioxide and has done so for the last five years. These limits were given legal force in January when the EU Air Quality Directive became binding on EU members. The Government has consistently failed to address these breaches and is now desperately trying to seek EU agreement for more time to meet these legal limits.
- The Government's own environmental adviser, the Environment Agency, in its response to the Government's consultation said - “after full consideration of the documents ... we do not think the evidence presented is sufficiently robust to conclude that the proposed Heathrow development will not infringe the NO2 directive [EU Air Quality Directive], bearing in mind the uncertainties that need to be addressed.”^{iv}
- The Agency also noted that there would be serious health impacts as a result - “It is likely that worsened air quality will result in increased morbidity and mortality impacts.” Current rates of air pollution in the capital are already reducing life expectancy. It is estimated that there are more than 1,000 premature deaths a year in London because of poor air quality.^v

- Documents obtained by Justine Greening MP under the Freedom of Information Act earlier this year, suggest that the Department for Transport (DfT) and BAA may have recalculated forecasts of future levels of air and noise pollution to make sure that, on paper, a third runway fell within legal limits. In February 2010, the Information Commissioner announced that it was considering a criminal investigation of the DfT after evidence was revealed that key emails about Heathrow might have been deliberately deleted.

Heathrow expansion is at odds with tackling climate change

Building a third runway will seriously undermine the Government's recent policy and rhetoric on climate change. Due to huge public pressure, and the need to reconcile airport expansion with the newly passed Climate Change Act, the Government announced a new target for aviation emissions: that they would be no higher in 2050 than in 2005.

The Committee on Climate Change (CCC) recently reviewed how the Government's target to reduce aviation emissions to 2005 levels could be met. The CCC's conclusions make it clear that the target is incompatible with the Government's current aviation policy, and that airport expansion across the UK needs to be constrained^{vi}.

The CCC advised that, in order to meet recent Government targets for emissions from aviation, there could only be a 60% increase in demand compared to the 115% increase in demand on 2005 levels set out in the Government's Air Transport White Paper (2003), which forms the basis of national aviation policy and the consultation on the third runway. This figure could well be revised to reflect non-CO2 effects and emerging science, which would likely make the demand constraint greater...^{vii} The decision to approve a third runway at Heathrow was taken before the Committee's analysis. A new consultation is urgently needed to assess whether expanding Heathrow is the best use of constrained capacity, giving all stakeholders the opportunity to be consulted to determine whether it makes economic and environmental sense.

- Running at full capacity, an expanded Heathrow would become the single biggest source of CO2 emissions in the UK.^{viii} The airport would emit 23.6 million tonnes of CO2 every year – that's equivalent to the emissions of 54 of the least polluting countries combined^{ix}.

A questionable economic case

The Government's analysis of the economic benefits of Heathrow is based on some very optimistic assumptions. For example, the DfT predicts that the oil price will fall to \$53 a barrel and remain there indefinitely. It valued the cost of carbon emissions at half that recommended by Stern in his groundbreaking report – "The Economics of Climate Change." Although the Department of Energy and Climate has now adopted higher carbon prices, the Department for Transport is yet to publish its analysis of how these prices change the economic case for Heathrow.^x

When an independent consultant re-ran the Government's calculation using more reasonable assumptions about oil and carbon prices, the third runway generated a £5 billion loss, rather than a profit^{xi}. The economic benefits of a new runway would also reduce significantly if only half of the new runway were to be used, as promised by the then Transport Secretary, Geoff Hoon, when he announced his decision to Parliament in January 2009.

Every economic case for airport expansion completely ignores the net outflows from the UK economy as a result of expanding airports. For example, it is estimated that there is at least an £20 billion annual deficit in tourism – the difference between the amount of money spent abroad by Britons flying out of the UK and the amount visitors into the UK spend here.^{xii} This

has a negative impact on jobs and local economies, particularly in rural areas, and has been fuelled by the expansion of aviation in recent years.

Poor surface access

The Government has neglected to produce any plans detailing how the millions of extra passengers generated by a third runway would access the airport. The road and rail networks linking the airport are already at full capacity. The DfT's analysis relies on the Piccadilly line upgrade and Crossrail to meet the need for additional capacity. Yet once more DfT backtracked on past statements to make the evidence fit.

- In 2007, DfT predicted that the upgrade of the Piccadilly line would boost capacity by 25% against an expected increase of 50% in demand by 2020, and that was without a third runway.
- The DfT also downgraded the population forecasts used in the London plan produced by the Greater London Assembly, which were used as a basis for Crossrail. The difference between the GLA and DfT population forecasts is around 670,000 people by 2031 – a difference equivalent to a city the size of Glasgow.

ⁱ Lord Trefgarne, Col 327, Hansard 14th Feb 1980
<http://hansard.millbanksystems.com/lords/1980/feb/14/airports-policy>

ⁱⁱ John McDonnell MP, Westminster Hall Debate, Hansard, Col WH108 12th December 2007
www.publications.parliament.uk/pa/cm200708/cmhansrd/cm071212/halltext/71212h0006.htm#07121273000569

ⁱⁱⁱ Quote in Parliament 2nd Feb 1995 taken from Expansion of Heathrow, House of Commons Research paper, Feb 2009
www.parliament.uk/commons/lib/research/rp2009/rp09-011.pdf

^{iv} The Environment Agency Thames Region response to the government's Expanding Heathrow consultation, Nov 2007
www.environment-agency.gov.uk/static/documents/Research/heathrow_1980743.pdf

^v Environment Agency overview of air quality in London: www.environment-agency.gov.uk/research/library/publications/40987.aspx

^{vi} The CCC's Aviation Report, *'Meeting the UK aviation target – options for reducing emissions to 2050'* p8 (December 2009) states that a rising carbon price, together with the capacity constraints envisaged in the 2003 ATWP, could reduce demand by 2050 to 115%. However, a 60% reduction in demand is "a key implication for aviation expansion" to stay within this target (p138). This suggests that the ATWP is now out-of-date and cannot, as it stands, deliver the required target

^{vii} *'Meeting the UK aviation target – options for reducing emissions to 2050'* – Committee on Climate Change p120 (December 2009)

^{viii} The DfT's central forecast for carbon emissions from Heathrow in 2030 is 23.6 million tonnes: www.dft.gov.uk/pgr/aviation/aff/co2forecasts09/co2forecasts09.pdf. In 2005, Drax emitted 20.8 million tonnes of CO₂. The Energy Information Administration's website documents the emissions of countries across the world: www.eia.doe.gov/pub/international/iealf/tableh1co2.xls

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^x Stern Review on the Economics of Climate Change (2006)
www.hm-treasury.gov.uk/sternreview_index.htm

^{xi} Metropolitan Transport Research Unit: The Cost-Benefit Analysis of a Third Runway at Heathrow, an Independent Assessment Commissioned by WWF-UK (May 2008)

^{xii} In 2008, the UK spent £36.6 billion on tourism abroad compared with £16.4 billion spent by overseas tourists in the UK, a deficit equivalent to £20.2 billion. *'Briefing note: Economic aspects of aviation'* – House of Commons Scrutiny Unit for the Transport Select Committee. www.publications.parliament.uk/pa/cm200910/cmselect/cmtran/125/12513.htm