

Biggin Hill's Future

London Biggin Hill Airport

Biggin Hill is London's best Business and General Aviation airport. The airport is home to 65 companies and is one of the largest employers in the Bromley area, providing jobs for over 1,000 people. Biggin Hill airport has been identified as a strategic growth area by the Mayor of London – one that could create 2,300 jobs over the next twenty years.

The airport's management see its future as a business and general aviation airport – every business aircraft based here creates eight jobs. We are therefore proposing to expand business activity at the airport whilst staying within the current airport boundaries.

Biggin's consultation

Prior to submitting their application to the Council, the airport conducted a wide ranging consultation on their proposals to reduce noise and create jobs. Over 15,000 people responded, of which over 12,000 were residents of the London Borough of Bromley:

- 66% of respondents supported our proposed new opening hours, 17% supported with reservations and just 17% opposed
- 88% of respondents supported our noise reduction proposals, 10% supported with reservations and just 4% opposed

Following this local support, the airport put their proposals to the Council.

The proposal

The airport is seeking the Council's agreement to vary the airport's operating hours, which the existing lease allows. This application is being made because the airport needs more flexible opening hours, in order to be competitive and remain as a small, business and general aviation airport. If granted, this change will attract more business aircraft owners to base themselves at Biggin Hill, providing trade to new and existing businesses at Biggin Hill, increasing local employment. It will ensure the success of Biggin Hill, and facilitate updating the noise control of the airport in a Noise Action Plan that will lead to a 50% reduction in the size of the authorised noise footprint over the period of the plan.

Current opening hours are:

- 6:30am 10pm Mon Fri
- 9am 8pm Sat & Sun

Biggin Hill's proposed new opening hours are:

- 6:30am 11pm Mon Sat
- 8am 11pm Sun and public holidays

A plan to reduce noise

In return for the extended hours, the airport will introduce a new Noise Action Plan and other measures with an intention to reduce the agreed airport noise footprint by 50%, including

- No increase in flights over 2010 levels without reviewing the Noise Action Plan
- No new runways
- No scheduled and holiday charter airline services
- No expansion beyond the existing airport boundary
- New noise monitoring equipment with full public access to the data, and new noise limits enforced by the Council



- Better adherence to approved flight paths by light aviation
- New approach procedures keeping planes higher for longer
- Cap on the number of early morning and late evening flights
- Phasing out noisier aircraft

With more flexible opening hours and the implementation of this new Noise Action Plan, the proposals will create jobs and reduce noise for local residents.



Noise Action Plan



Contents

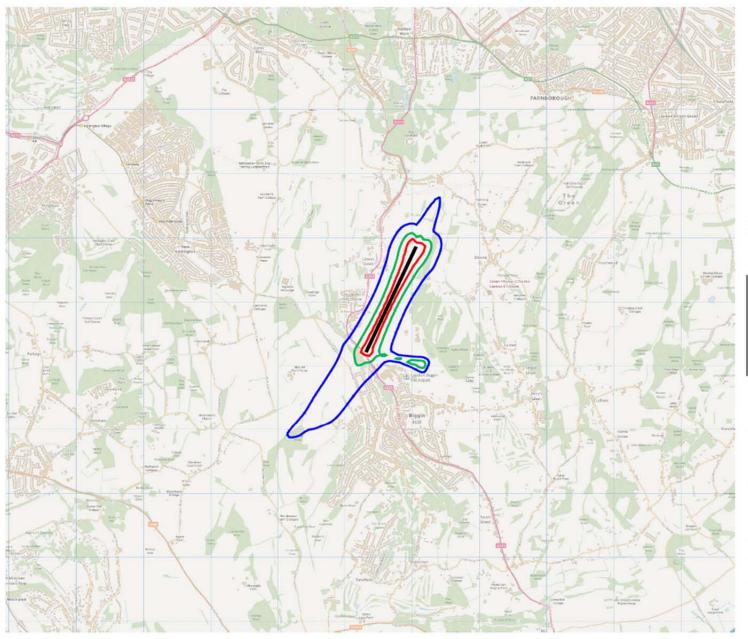
1.0	Introduction 1
2.0	Current Noise Levels 2
3.0	Future Predicted Levels 6
4.0	Noise Reduction Measures 10
	Noise monitoring and reporting10
	Control on types of aircraft permitted to use the airport
	Controls on flying training11
	Working with existing operators to reduce noise levels
	 Introduction of Global Positioning System (GPS) based runway
	guidance system12
	Changing the height of arriving and departing aircraft
	Changing the "03-Instrument Approach" 12
	Controls during the new shoulder hours period14
	Restricting noise sensitive development close to the airport
	• Sanctions for non-compliance with noise abatement measures
	Relocating the VOR beacon14

1.0 Introduction

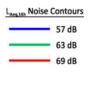
- 1.1 In order to make best use of this long established aviation facility, London Biggin Hill Airport plans to develop in order to attract more companies and this will require changes in operations as the Airport moves towards undertaking a more modern corporate and general aviation role. As part of this process the opportunity has been taken to update noise management measures at the airport.
- 1.2 The current controls were put in place over 20 years ago and are contained in the Operating Criteria of the Lease between the London Borough of Bromley and the airport. This requires that aircraft using the airport must comply with the Council's approved noise criteria set in 1994 which followed the most stringent ICAO Chapter 3 industry standards for modern turbo jets and turbo fans and used industry noise measurement limits for Side line, Take off and Approach. They also included a list of older and specifically approved aircraft, some of which are still in service. These earlier noise controls will be updated and the Airport has drawn on best industry practice to produce this voluntary Noise Action Plan (NAP). The aim is to ensure the Airport operates as quietly as possible and so has minimal effect on neighbours and has a process of regular reviews and improvements in place.
- 1.3 The key elements of the Plan relate to clarifying existing and future noise levels combined with measures to manage and monitor noise levels. Local stakeholders will be actively involved in the implementation of this NAP.
- 1.4 The NAP has been prepared taking into account the requirements of section 18 of the Environmental Noise (England) Regulations 2006 (as amended). These regulations transposed the EU Environmental Noise Directive (2002/49/EC), known as END, into UK legislation. Detailed guidance is available on the Defra website on preparation of a NAP. Many UK airports have produced a NAP, and many have already been reviewed. Such reviews are intended to occur on a five year basis.
- 1.5 The NAP is designed to manage noise issues and effects arising from aircraft departing from and arriving at an Airport. The NAP process involves airports considering the noise impact of their operations together with the current control measures they have in place.

2.0 Current Noise Levels

- 2.1 The current noise levels can be quantified by both production of airport noise contours and consideration of community responses as delineated by the comments received by the Airport. The latter are regularly evaluated by a specialist sub-committee of the Airport Consultative Committee. After their evaluation of the comments and the actions taken by the Airport, a report is given by the Chairman of that Noise and Safety sub-committee to the Airport Consultative Committee meets four times each year and minutes of the meetings are published on the airport website.
- 2.2 Past contouring has considered various future scenarios, and adopted as baselines noise contours for 1997, 2004, 2008 and 2009. In the latter year there were about 58,000 movements, of which Aero Club and Private movements formed 80% of the total. In 2013, the overall annual movements had reduced to about 41,500, and the Aero Club and Private constituted 70% of the total. In that period the business aviation element increased from 10,081 to 11,487 movements. On a simple basis the noise contours at the airport now, specifically in 2014, would be expected to be similar to those in 2009. That simple basis takes into account a possible rise in noise of less than a decibel, due to increased business aviation traffic, and a theoretical reduction of 1.5 dB, due to the overall reduction in aircraft activity of 40%. On the basis that the contours of 2014 are similar to 2009, the latter produced taking into account many more details of the actual traffic, the current noise impact area will approximate to that shown in Figure NAP 1.



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Biggin Hill Airport Planning For Change

Current Summer - 2013 57, 63 & 69 dB L_{Aeg,16h}

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	40700 FL- NAD1

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- 2.3 Adopting the usual assessment criteria relating to aviation noise impact, the current noise impact at London Biggin Hill Airport shows that the contour representing high levels of annoyance, 69 dB L_{Aeq,16h}, is completely contained within the operational boundaries of the airport except at the southern end of the main runway where it extends to the A233 but does not impinge on any residential properties. The contour representing moderate levels of annoyance, 63 dB L_{Aeq,16h}, is also largely contained within the airport site although it does extend to the south across the A233. Some properties on the A233 abut this contour.
- 2.4 The contour representing the onset of low community annoyance, 57 dB L_{Aeq,16h}, extends to south of Holwood Farm to the north of the airport. To the south-west of the airport it extends beyond Norheads Farm. In doing so it includes a number of properties (approximately 92), most of which are in Biggin Hill Village.
- 2.5 The relatively small size of the 2013 (based on 2009) contours and their location over largely uninhabited areas is compatible with the low level of public reaction to the airport's activities. In 2013 the airport received 30 comments relating to its activities. Given that in that year there was about 41,500 movements this rate of response is about 0.7 comments per thousand movements indicating an acceptable situation. As shown in Table 1.0, by comparison at London Luton Airport in 2013 there were 1022 complaints from 97,615 movements, approximately 10.5 complaints per thousand. At London City Airport, over the five year period (2009-2013) typically 60 complaints were recorded annually; approximately 0.8 per thousand movements. At Farnborough Airport, which specialises in business aviation, there were in 2013, 220 complaints and annual movements of 22,754; 9.7 complaints per thousand movements.
- 2.6 These other Airports would indicate that their noise emissions produce acceptable situations, acknowledging some impact.

Airport (Annual 2013 Movements)		Population exposed to Daytime 57 dB L _{Aeq,16h} and above
London Luton (97,615)	1,022	7,128
Farnborough (22,754)	220	0
London City (74,006)	90	13,600
London Biggin Hill (41,500)	30	245

Table 1.0 Community Reaction near London Area Airports serving Business Aviation (B.A.)

Table 1.0 also includes the populations within the contour representing the onset of low community annoyance at each airport. This highlights the much higher exposed populations at London Luton and in particular London City Airport compared with London Biggin Hill.

2.7

2.8 Figure NAP 1 indicates the approximate extent of the noise impacted area. The contours shown include the 57 dB L_{Aeq,16h} contour which is used to represent the onset of significant community annoyance for major airports. This applies to busier airports unlike Biggin Hill where there is considerable activity during daytime and night-time. Used at Biggin Hill, it may exaggerate the impacted area.

3.0 Future Predicted Levels

- 3.1 Future noise will relate to the type of operations undertaken, the aircraft used, the activity levels, and the details of how aircraft are operated into and from the Airport.
- 3.2 In order to better understand the future noise climate at the airport the following changes are assumed:
 - a slight increase in operating hours;
 - maintaining a cap on circuit flying at weekends;
 - an increase in business aviation that will operate more quietly as newer types are introduced and older noisier types are removed from our authorised list.
 - a progressive reduction in the noise of individual aircraft types;
 - a specific noise requirement to apply to aircraft operated in the *"new shoulder hours"* in the early morning, and late evening; and
 - a significant reduction in the noise impacted area from that adopted in the Bromley UDP (policy ER8) for land use planning.
 - The Airport acknowledges that as at any Airport some noise intrusion occurs. From consideration of the comments received it appears that the majority of the intrusions relate to the Aero Club and Private movements, especially at the weekends and from occasional noise events with either an older business jet (now mainly replaced), or from the unusual arrival procedure that is currently necessary when the wind is from the north or east. On these days, aircraft approach the airport from the north east, and using the airports guidance systems, and then depart from that system and carry out a visual circuit to the west of the airport, circling to the south west before turning north to land on Runway 03. Pilots following that procedure are not following any set airfield or automatic guidance system and therefore height and track of aircraft will vary and be affected by the pilots experience of Biggin Hill and weather conditions. This procedure gives rise to occasional noise intrusion in Keston, Tatsfield and Warlingham in particular.
- 3.4 To minimise the use of noisier aircraft it is proposed to incentivise operators to use quieter aircraft and to phase out previously approved noisier types from January 2015. The airport already adopts the most stringent Chapter 3 noise standards. For the *"new shoulder hours"* between 06:30 and 7:00 in the morning and 22:00 and 23:00 in the evening, the airport will only allow operations by aircraft that meet Chapter 3 standard. It will exclude all aircraft during this period defined as *"marginally compliant aircraft"* i.e. those which cannot fully comply with the Chapter 3 standards. These aircraft are defined under EU Directive 2002/30/EC dated 26 March 2002. They are jet aircraft:

3.3

"... that meet the certification limits laid down in Volume 1, Part II, Chapter 3 of Annex 16 to the Convention on International Civil Aviation by a cumulative margin of not more than 5EPNdB (Effective Perceived Noise in decibels), whereby the cumulative margin is the figure expressed in EPNdB obtained by adding the individual margins (i.e. the differences between the certificated noise level and the maximum permitted noise level) at each of the three reference noise measurement points as defined in Volume 1, Part II, Chapter 3 of Annex 16 to the Convention on International Civil Aviation."

3.5 Aircraft have become much quieter and recently new business aviation aircraft using Biggin Hill, for instance the Bombardier Global 5000, have a cumulative margin of 23dB below the current aircraft noise limits (see Table 2.0).

3.6 To illustrate the improvement in aircraft noise performance since 1994, the margin of cumulative noise from typical business jets using the airport today compared with the cumulative noise authorised in the Operating Criteria section of the Airport Lease is shown below.

Aircraft Type	Cumulative Margin v Biggin Hill Noise Limit
Modern Aircraft	
Bombardier Global 5000	23 dB better
Gulfstream V	20 dB better
Falcon 7X	18 dB better
Hawker 750	14 dB better
Challenger 604	24 dB better
Citation Excel	30 dB better
Lear jet 60	39 dB better

Table 2.0Margin re Biggin Hill Noise Limit

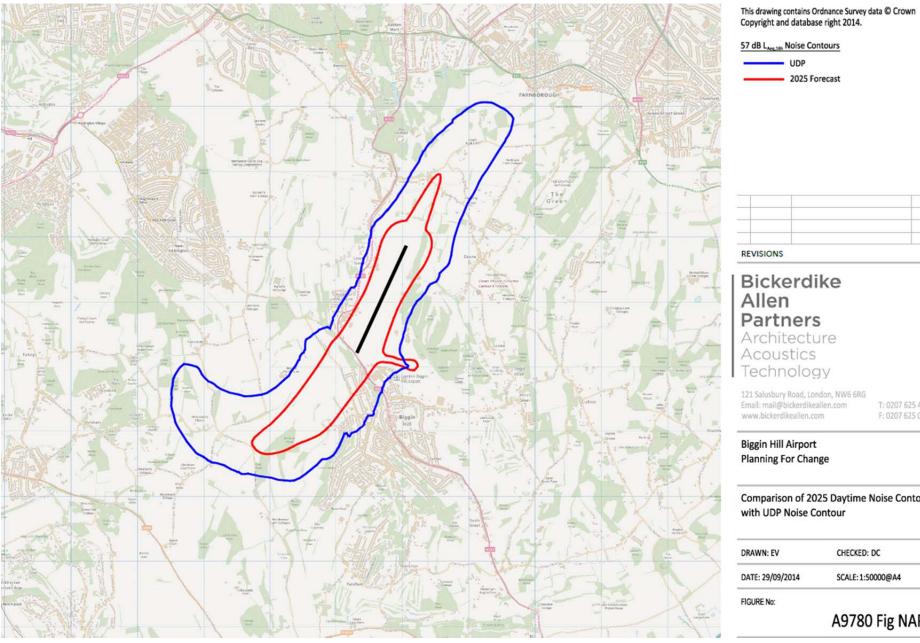
- 3.7 A preliminary assessment has been made of the future noise in 2025 and Figure NAP 2 compares the area and extent of that contour against the earlier UDP contour. The future contour takes into account the growth in overall activity, and the specific increase sought in business aviation. As shown by the Figure the future noise impact is considerably less than that forecast to arise for the UDP.
- 3.8 The contour representing the onset of community annoyance extends to Holwood Farm and at the other end of the Airport to south of Norheads Farm. It includes a number of properties in Biggin Hill Village.
- 3.9 The eventual contour for 2025 is likely to be smaller than that shown in Figure NAP 2, as no account has been taken of the expected benefits of the noise reduction measures proposed in the NAP, and later versions of the NAP. It will also benefit from improved aircraft noise performance as manufacturers produce quieter aircraft.
- 3.10 Responses to stated levels of noise, e.g. 57 L_{Aeq,16h} are sometimes difficult to understand in practice. To assist Tables 3.0 and 3.1 rates common situations and the noise climate expressed using the same unit.

Road Traffic External Noise Levels Noise Level	Description
78 dB(A)	Façade noise level in a very busy town street or a dwelling immediately next to a major road (Recently proposed Central Government criterion for retrospective soundproofing of housing near major unaltered highways).
68 dB (A)	Typical noise level at urban or rural property set back a little from the kerb on a busy street, or a property about 100m from a Motorway.
63 dB(A)	Level typical of many dwellings on fairly busy roads or with a clear view of a main road. Also typical of dwellings about 200m from a Motorway.
58 dB(A)	Typical of the back through streets of a town or dwellings fringing a main road or those on a quieter road.
48 dB(A)	Rural noise level or well screened suburban area away from heavily trafficked routes.
38 dB(A)	Unusually quiet.

Table 3.0	Continuous average noise levels, Examples in terms of noise traffic.
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Table 3.1 Quasi-continuous sound internal examples

Experience within Buildings	Level, dB(A) L _{eq, T}
Nightclub Dance Floor	105
Nightclub Bar	95
Noisy Pub Bar	85
Theme Restaurant	75
Posh Restaurant	65
Open plan office (busy)	55
Open plan office (night shift)	45
Cinema (before showing)	35



UDP 2025 Forecast



REVISIONS

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Biggin Hill Airport Planning For Change

Comparison of 2025 Daytime Noise Contour with UDP Noise Contour

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4.0 Noise Reduction Measures

- 4.1 As part of this NAP, LBHA will continue with certain noise control measures and introduce a number of new measures to manage noise levels generally at the airport and more specifically to ensure the area affected by aircraft noise (defined by the area within the 57dB(A) L_{Aeq,16h} contour) is much less than that set in the UDP contour. Overall these measures will represent a significant improvement on the noise control regime contained in the existing lease between the London Borough of Bromley and the airport.
- 4.2 The proposed measures will include regular monitoring and reporting of operations as well as active management of the types of aircraft able to use the airport and procedures associated with take-off and landing.
- 4.3 A large number of the new measures can be introduced in the short-term while others will require further investigation and the support of external stakeholders such as NATs. The airport is currently engaged in various background studies and is working closely with these external parties and is committed to the introduction of the measures set out below.

Noise monitoring and reporting

- The airport will undertake regular analysis of aircraft activity and noise to identify where a review of procedures may help minimise disturbance.
- Community visits to investigate complaints will be continued.
- To continue to investigate, log, record on the radar tracking system and respond to all complaints, reporting quarterly to the Airport Consultative Committee.
- To continue to provide radar recording of all arrivals and departures at Biggin Hill so as to provide evidence for the community.
- Monitor compliance with procedures given in the UK Aeronautical Information Publication (AIP) to minimize noise, i.e. EGKB AD 2.21 Noise Abatement Procedures.
- Monitor the noise characteristics of aircraft with regard to their ICAO noise certification levels, to ensure full compliance with the original Biggin Hill Noise Limits and the need to minimise operations by marginally compliant Chapter 3 aircraft.
- Produce every five years Airport noise contours, and assess progress towards reducing the noise impacted area to 50% of that approved in the previously adopted contours included in the UDP.
- Produce noise information for sites agreed with London Borough of Bromley.
- Monitor and report progress against the NAP actions to the Airport Consultative Committee.

- Monitor and report on the number of movements in the early morning/late evening and obtain details of the aircraft used and their noise performance so ensuring any operations in those periods are only carried out by those aircraft rated as fully Chapter 3 compliant.
- Work with the London Borough of Bromley to install, monitor and report on noise generated by the airport and submit reports to the Airport Consultative Committee when required.
- Monitoring noise management at other comparable airports, and investigate whether any innovations used elsewhere could usefully be applied so ensuring industry best practice is applied at Biggin Hill.
- Report, as now, the number of departures and arrivals on each runway per quarter, and annually so demonstrating compliance with annual limits.

Control on types of aircraft permitted to use the airport

• New engine and airframe designs are delivering major reductions in noise. To ensure the local community benefits from this it will work with operators to phase out noisier aircraft currently on the list approved as part of the lease. The noisier aircraft will be identified by consideration of whether they are marginally compliant to Chapter 3 standards and where their actual noise affecting the local community is found unacceptable.

• Controls on flying training

- The airport will work with operators of light and training aircraft to incentivize installation of noise suppression equipment, such as silencers and/or improved propellers, or aircraft replacement, to ensure Biggin Hill aircraft fleet is as quiet as practicable.
- The airport will work with operators to agree new permitted operating hours for flying training flights that involve repetitive circuits of the airport and to seek agreement to minimise these at periods over weekends.

Working with existing operators to reduce noise levels

- The airport will continue its regular liaison with operators to ensure adherence to existing operational procedures and encourage innovation.
- The airport will keep under review the Standard operating procedures for both aircraft and helicopter operations and whether new procedures would produce significant benefit.
- The airport will produce with operators a code of practice to minimise noise impact from Business Aviation and General Aviation operations, in particular formalise *"no fly zones"* to protect local settlements where safe and practicable.

Introduction of Global Positioning System (GPS) based runway guidance system

- The airport will continue its investment and application for the installation of a new specific GPS based runway guidance system for all aircraft using the northern runway 03 in which both height and track guidance is provided to the pilot.
- The airport will work with NATS to introduce as soon as practical improved aircraft guidance procedures for all arriving and departing aircraft, on both the 03 and 21 runways such as the highly accurate GPS based Area Navigation system (RNAV) that improve both track and height guidance for pilots.

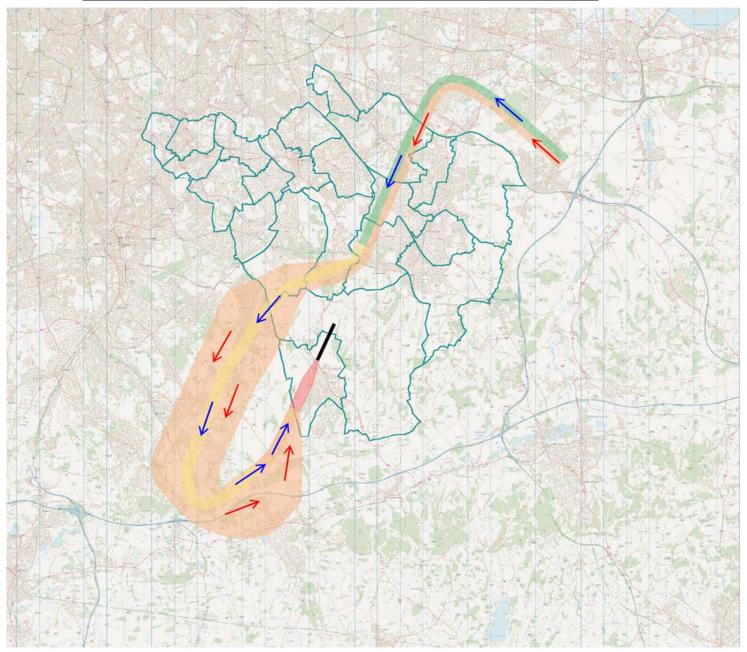
Changing the height of arriving and departing aircraft

• Wherever practicable and safe and allowed by NATS, the airport will adopt appropriate operational procedures to raise the height of all aircraft arriving and departing at Biggin Hill in order to secure a reduction in noise. To ensure the local community benefits from this the airport will work with NATS and the Airport Consultative Committee, as part of the London Airspace Management Plan (LAMP), for better airspace arrangements for Biggin Hill traffic and particularly raising the height of arriving and departing aircraft, whenever safe and practicable.

• Changing the "03-Instrument Approach"

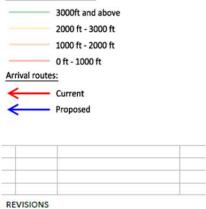
- The airport will continue to seek the provision of a new approach procedure for runway 03. It will work with NATS to introduce as soon as practicable the new procedure to replace the present visual procedure that gives rise to varied tracks and heights for arriving aircraft when the northern runway is in use. Such a system would produce a number of benefits in relation to noise reduction including:
 - (a) the arrivals for runway 03 over Farnborough Hospital would be at a higher level (almost 3,000 ft above sea level) with the related reduction in noise; and
 - (b) the area overflown to the west of the airport would be markedly reduced during the easterly approaches and aircraft would be at a higher level (over 2,000 ft above sea level) and slowly descending as opposed to maintaining a lower height with the related reduction in noise.
- Figure NAP3 shows a schematic of the current arrival procedure and that sought by the airport.

4.4



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Altitude above see level:



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Biggin Hill Airport Planning For Change

Current and Proposed Runway 03 Arrivals Routes

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• Controls during the new shoulder hours period

• New engine and airframe designs are delivering major reductions in noise. To ensure the local community benefits from this it will cap the number of flights in the *'new shoulder hours'* and introduce a system of control over the allowable noise performance of aircraft in these new *'shoulder hours'* between 0630hrs and 0700hrs and after 2200hrs which will involve only allowing fully compliant Chapter 3 aircraft.

Restricting noise sensitive development close to the airport

• There is evidence that residential and other noise sensitive developments are being developed close to airports throughout the Country. This exposes such development and their populations to noise and can give rise to objections to airport operations. The airport believes the best way to minimise noise exposure is to ensure it does not take place at locations identified as subject to current and predicted airport noise in the first place. The airport will therefore discourage residential and other noise sensitive development close to the airport boundary or areas likely to be affected by aircraft noise, in liaison with Local Authorities.

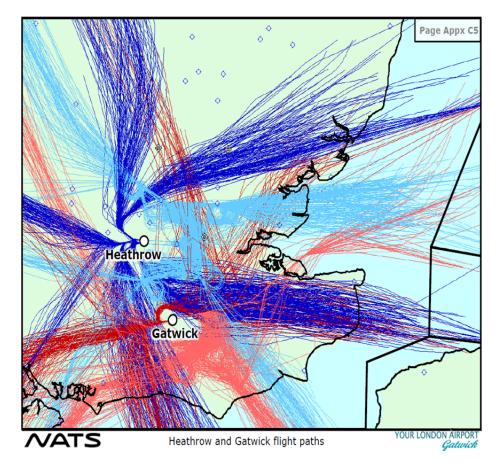
Sanctions for non-compliance with noise abatement measures

• The airport will introduce a system of fines and controls for aircraft not complying with its airport noise abatement regulations.

• Relocating the VOR beacon

Biggin Hill Airport is the location of one of four holding areas or 'stacks' used by aircraft in busy periods seeking to land particularly at London Heathrow Airport and arriving from the south east. Biggin Hill Airport has for the past 50 years had a beacon, known as a VOR located centrally within the airport. It is this beacon which provides the location of the 'hold' or stack. Aircraft enter this area as high as 17,000 ft but then descend in circles to as low as 9,000 ft, sometimes lower. Aircraft are held vertically above each other and as the lowest departs for landing then other aircraft reduce their height. This means that at any one time many large passenger aircraft can be circling over the stack and therefore contribute to the ambient noise climate of the airport. This has resulted in a situation where noise associated with this operational procedure is often wrongly attributed to aircraft using the airport.

- This beacon is due to be removed from the airport in the next 5 years as the system of 'stacks' is being replaced by Continuous Descent Procedures that will keep aircraft much higher and quieter avoiding circling as before. Such a procedure requires less engine thrust than level flight and provides noise attenuation by keeping aircraft higher for longer thereby offering noise reduction benefits. To ensure this happens the airport will continue to work with NATs and others to secure the early removal of the VOR beacon at Biggin Hill in order to remove such overflying. Such relocation will make an important contribution to reducing noise at the airport.
- An extract from a consultation on London Airspace by Gatwick Airport and NATs visually expresses the scale of the issue.





Our proposal to create jobs and reduce noise for local residents.

Public consultation report November 2014

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Background

- Biggin Hill is London's best Business and General Aviation airport
- One of the biggest employers in Bromley with 65 companies supporting over 1000 jobs
- Biggin Hill creates jobs by providing a gateway to London, a home base for aircraft and service centres
- Every business aircraft based at Biggin creates 8 jobs.



Proposed changes

- 2,300 new jobs by 2030
- Development of estate
- Noise action plan
- Longer opening hours



The proposals – Residents benefits

Noise reduction benefits

No increase in flights over 2010 levels No new runways – we don't need them No scheduled and holiday charter airline services – we want to stick to Business and General Aviation No expansion beyond the existing airport boundary New noise monitoring equipment with full public access to the data, and new noise limits enforced by the Council

New approach procedures keeping planes higher for longer

Preventing light aircraft flying over residential areas

Economic benefits

Securing the future of the airport as a small business airport

2,300 new jobs

A new aviation training college

Residents benefits

Annual Festival of Flight protected – the next show is planned on 13th June 2015 Develop the Heritage Centre in partnership with the Council



Consultation brief

 Forty Shillings were appointed by London Biggin Hill Airport to undertake an extensive consultation designed to engage with all of the airport's neighbours and all residents of the London Borough of Bromley





Consultation strategy

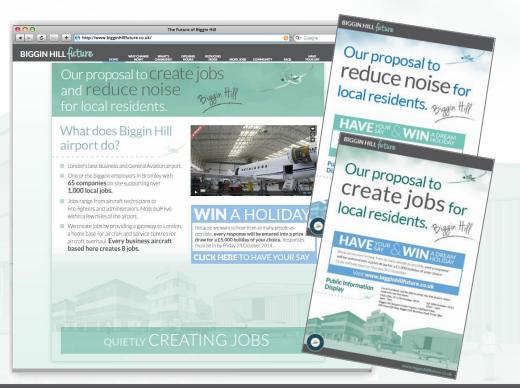
- 1. Test materials to maximise public engagement
- 2. Extensive consultation programme
- 3. Benchmark consultation Populus opinion poll

Consultation activity

- 180,000 newsletters
- 32,000 letters to local residents
- 60,000 flyers

BIGGIN HILL future

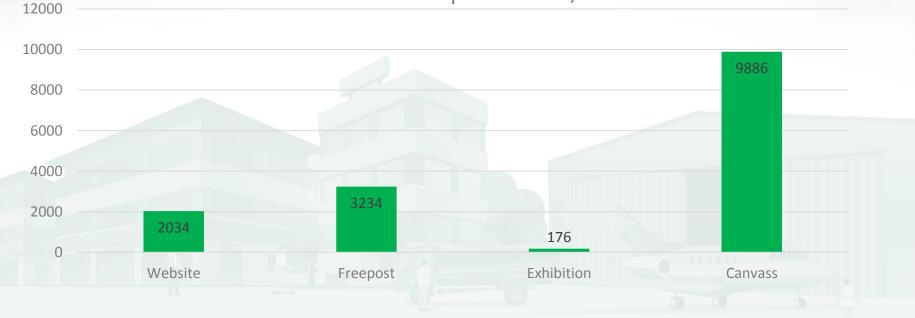
- 3,000 posters
- 371 letters to local groups/stakeholders
- Full page adverts in local media
- Widespread media coverage
- 1 consultation website
- 6 day public exhibition
- 1 film
- 24 door-to-door canvassers
- Extensive social media activity
- 30,000 e-bulletins





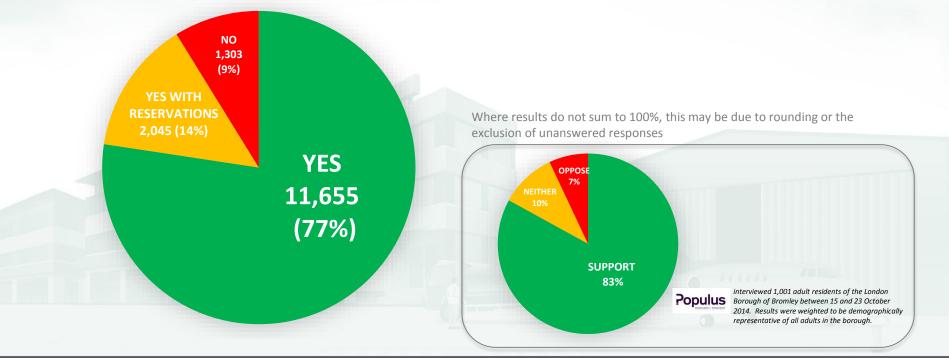
Consultation feedback

Total number of responses – 15,330



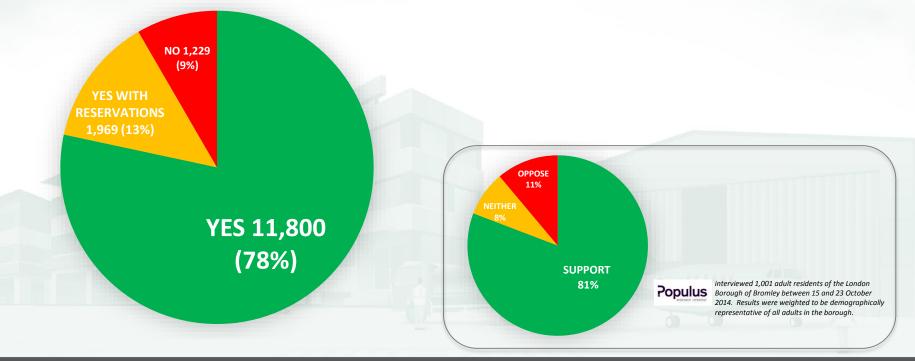
BIGGIN HILL future

Would you like to see an aviation college at Biggin Hill airport?



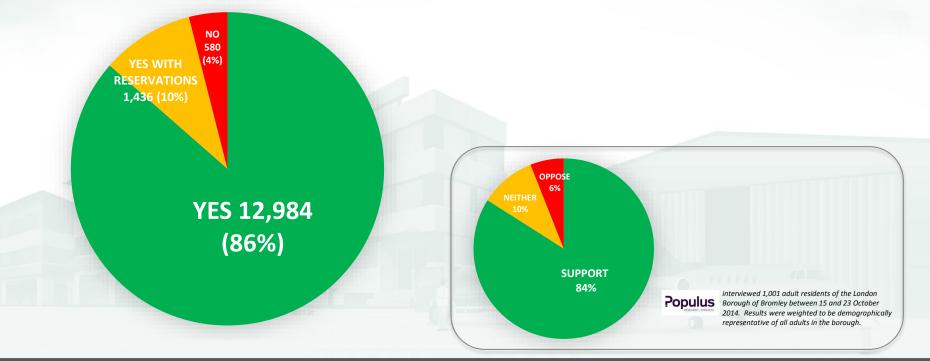
info@bigginhillfuture.co.uk

Do you support our plans to bring 2,300 new jobs to Biggin?

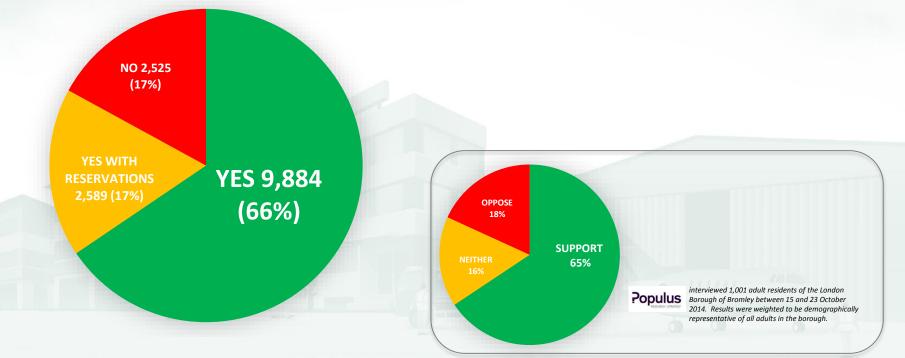


BIGGIN HILL future

Do you support our plans to reduce the agreed noise footprint at the airport by 50%?

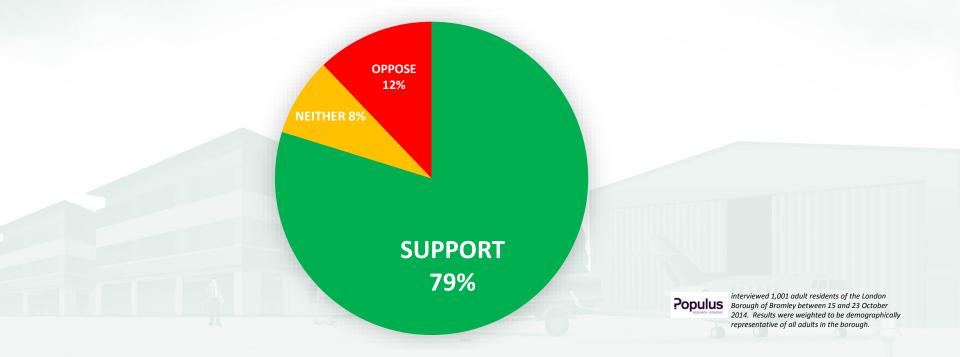


Do you support our proposed new opening hours?



BIGGIN HILL future

Taking everything you know about the changes into account, would you say that overall you support or oppose the proposals for Biggin Hill Airport?





Consultation summary

- Over 15,000 responses
- Strong support for jobs and noise action plan
- 66% support for new opening hours just 17% against
- Feedback verified by independent Populus poll 79% support overall proposals

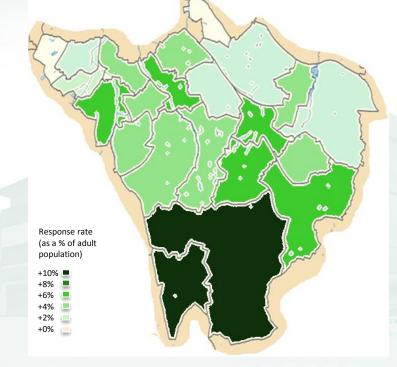
BIGGIN HILL future

Annex 1

LONDON BOROUGH OF BROMLEY WARD BY WARD ANALYSIS

info@bigginhillfuture.co.uk

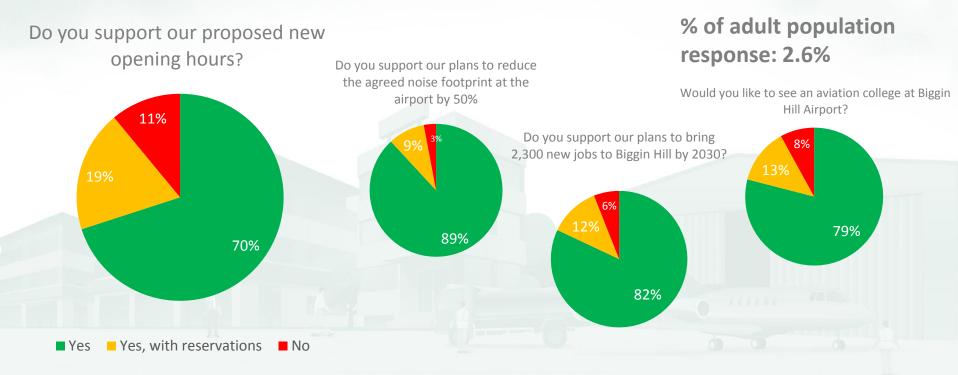
Consultation feedback – Ward by ward analysis



Ward	All usual residents	Adult population	Consultation response	Percentage of adult population response
Biggin Hill	9,951	7,776	1328	17.1%
Darwin	5,110	4,061	449	11.1%
Chelsfield and Pratts Bottom	14,507	11,301	764	6.8%
Petts Wood and Knoll	13,651	10,791	730	6.8%
Kelsey and Eden Park	15,892	12,255	814	6.6%
Farnborough and Crofton	14,632	11,438	746	6.5%
Bromley Town	16,826	13,235	788	6.0%
West Wickham	14,884	11,457	650	5.7%
Hayes and Coney Hall	15,906	12,256	692	5.7%
Shortlands	9,824	7,755	396	5.1%
Cray Valley West	16,769	12,287	608	5.0%
Bromley Common and Keston	15,113	11,554	556	4.8%
Orpington	15,311	11,987	550	4.6%
Plaistow and Sundridge	15,122	11,824	510	4.3%
Copers Cope	15,392	13,115	537	4.1%
Cray Valley East	15,445	11,587	459	3.8%
Penge and Cator	17,326	13,278	439	3.3%
Clock House	15,560	12,128	355	2.9%
Bickley	15,098	11,812	307	2.6%
Chislehurst	14,831	11,810	278	2.4%
Mottingham and Chislehurst North	9,987	7,491	82	1.1%
Crystal Palace	12,255	9,696	99	1.0%



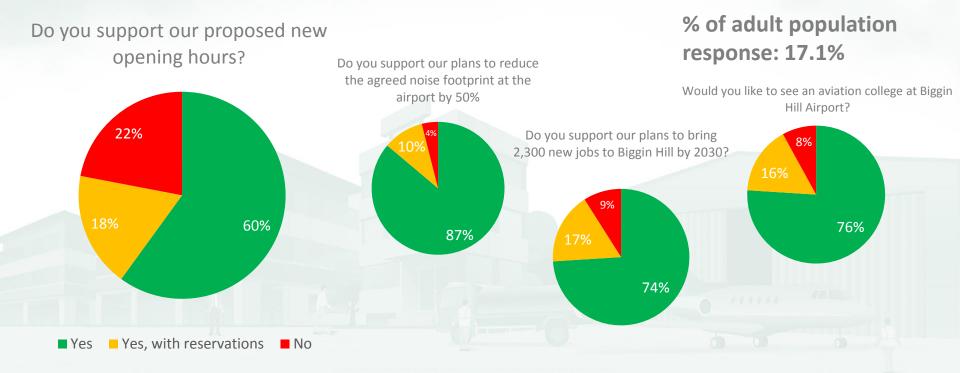
Consultation feedback – Bickley



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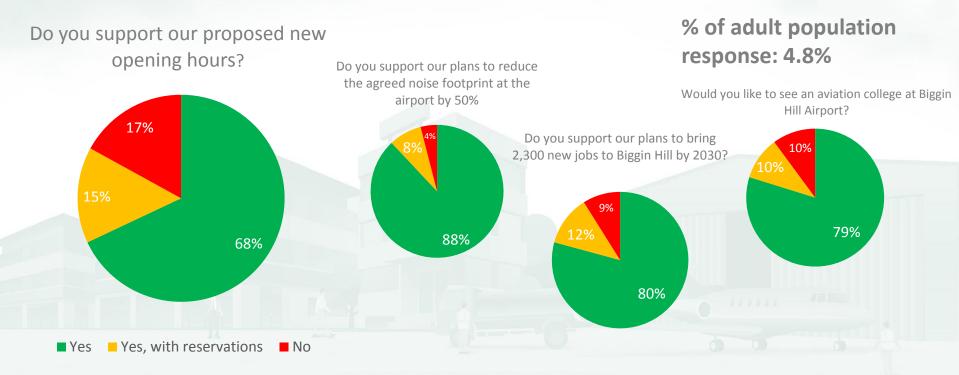


Consultation feedback – Biggin Hill



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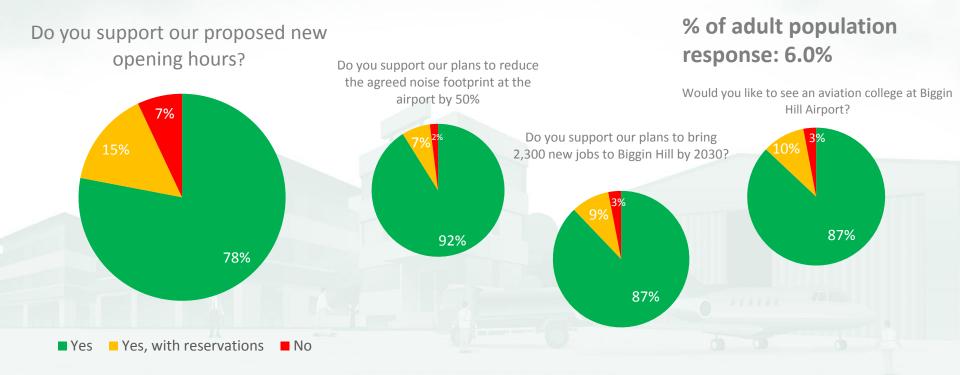
Consultation feedback – Bromley Common & Keston



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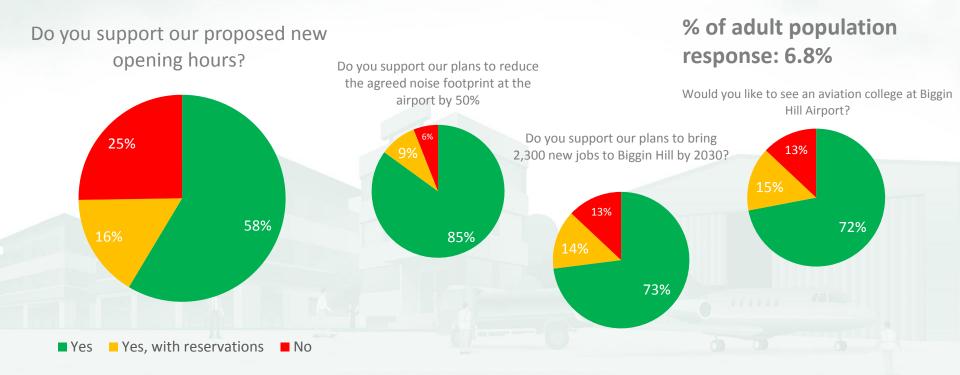
Consultation feedback – Bromley Town



info@bigginhillfuture.co.uk



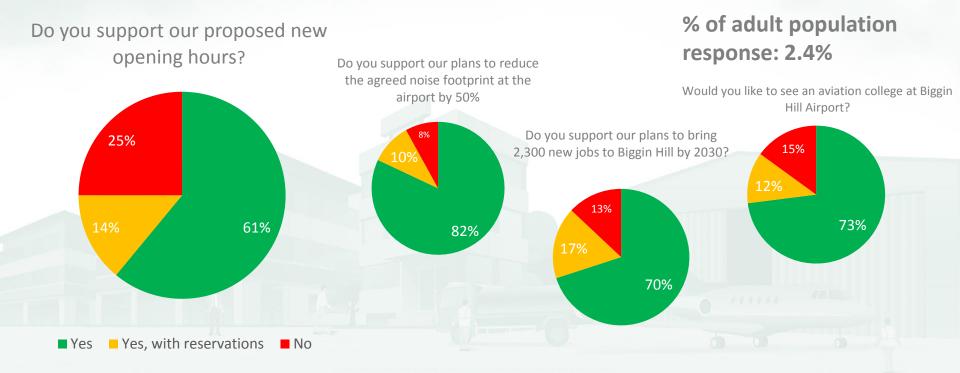
Consultation feedback – Chelsfield & Pratts Bottom



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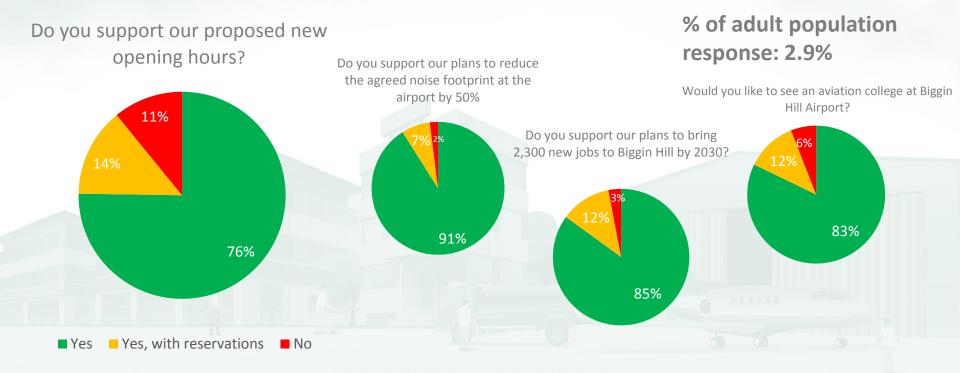
Consultation feedback – Chislehurst



info@bigginhillfuture.co.uk



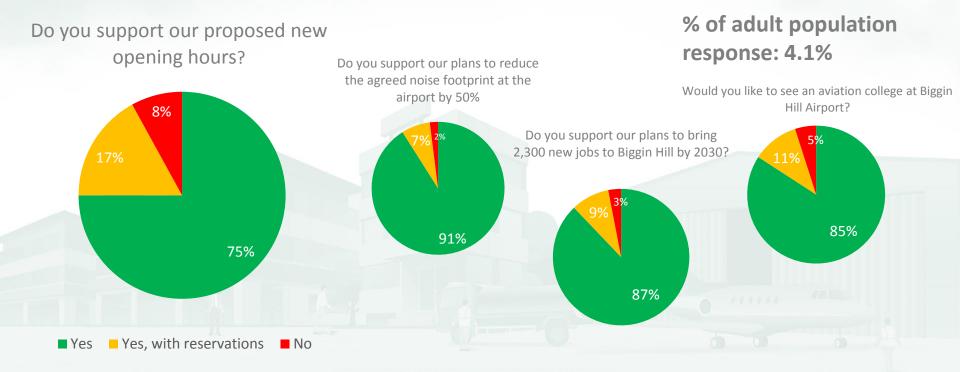
Consultation feedback – Clock House



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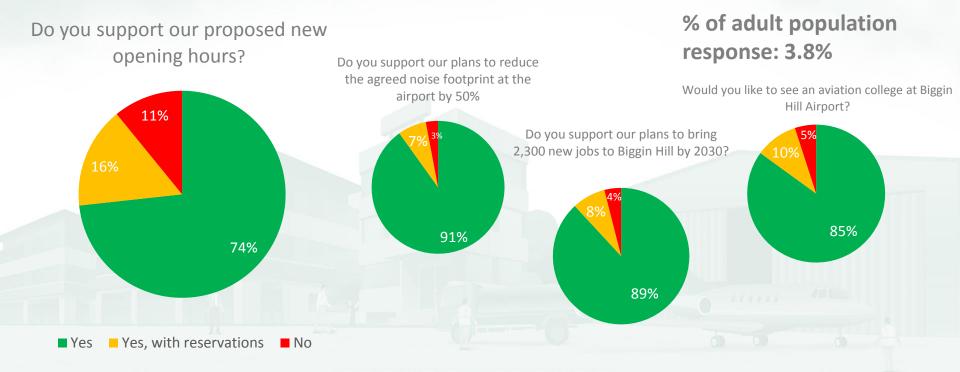
Consultation feedback – Copers Cope



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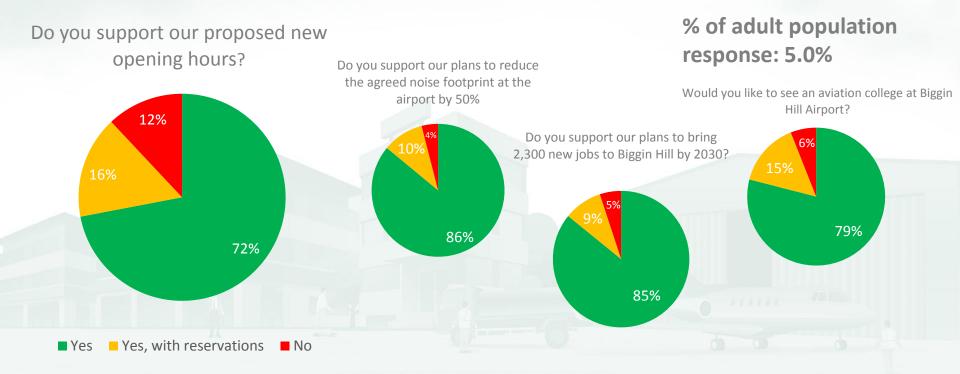
Consultation feedback – Cray Valley East



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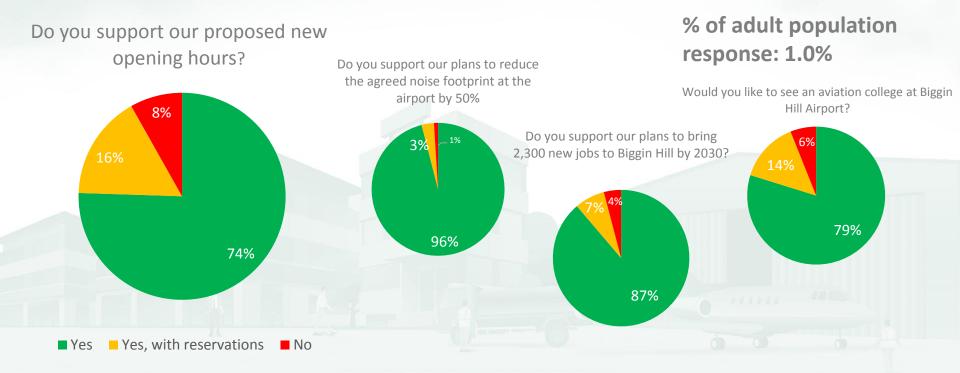
Consultation feedback – Cray Valley West



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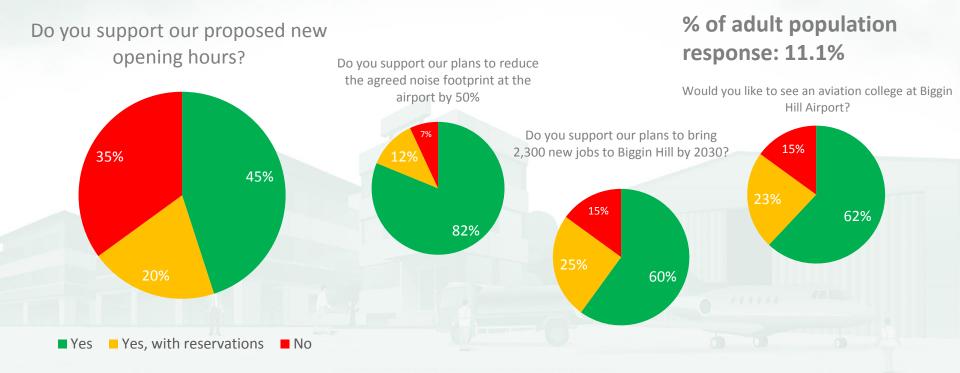
Consultation feedback – Crystal Palace



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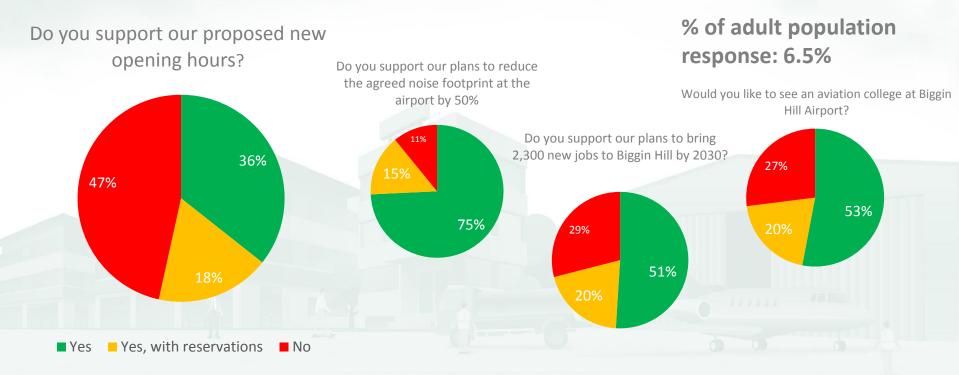
Consultation feedback – Darwin Ward



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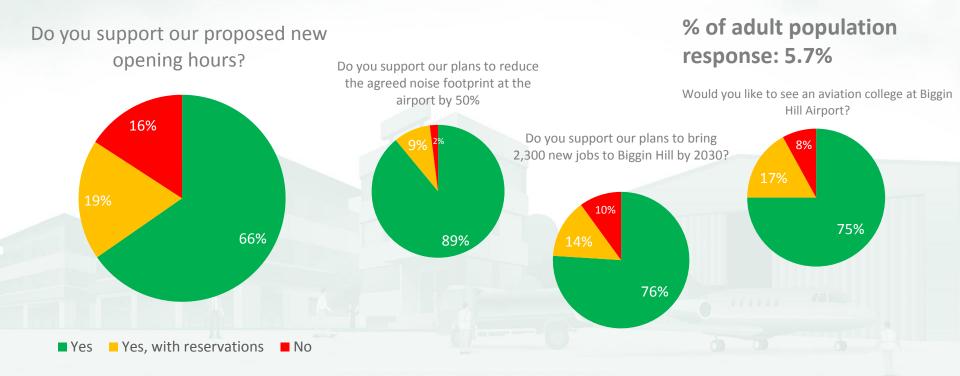
Consultation feedback – Farnborough & Crofton



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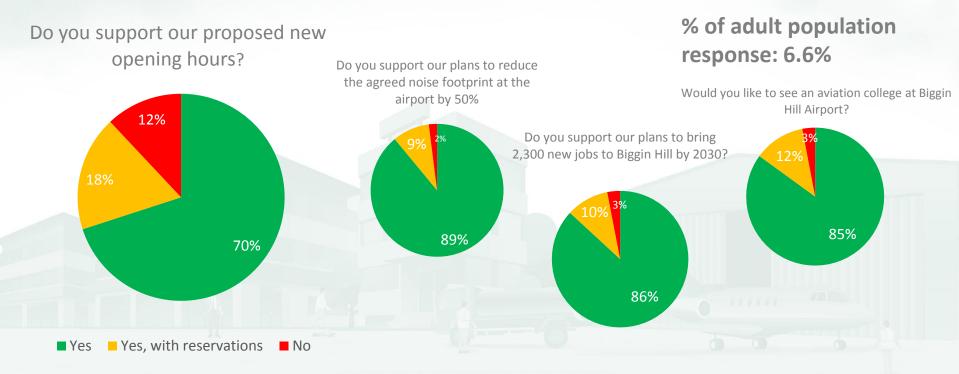
Consultation feedback – Hayes & Coney Hall



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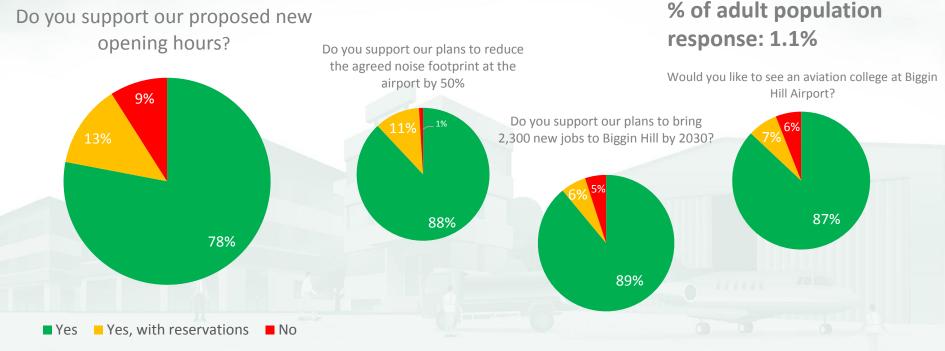


Consultation feedback – Kelsey & Eden Park



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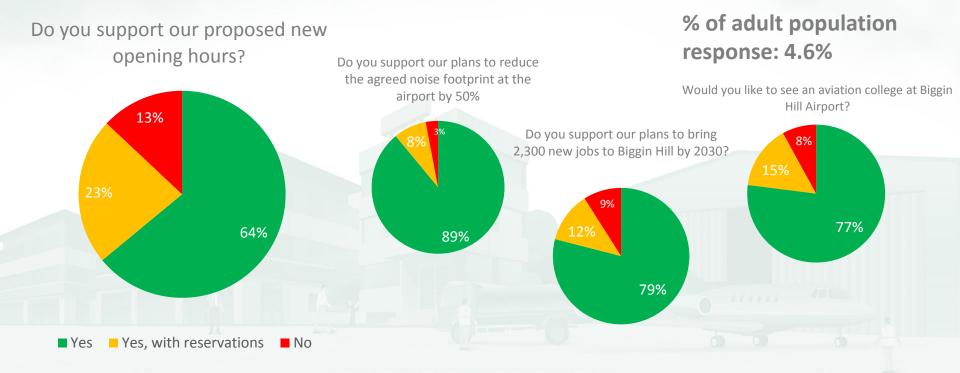
Consultation feedback – Mottingham and Chislehurst North



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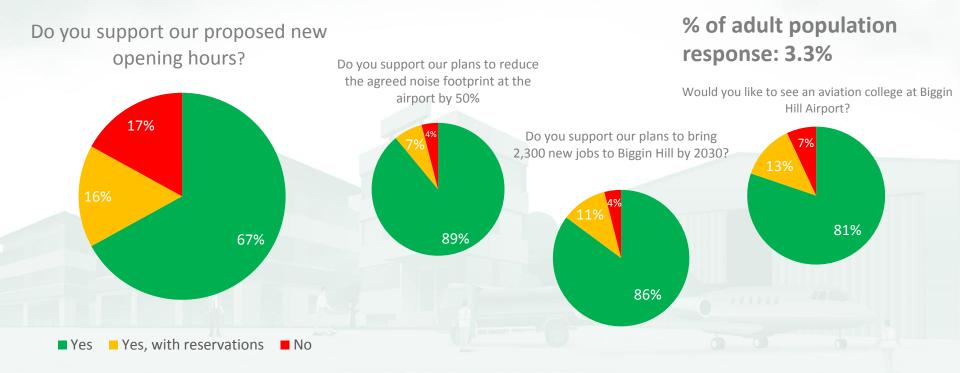
Consultation feedback – Orpington



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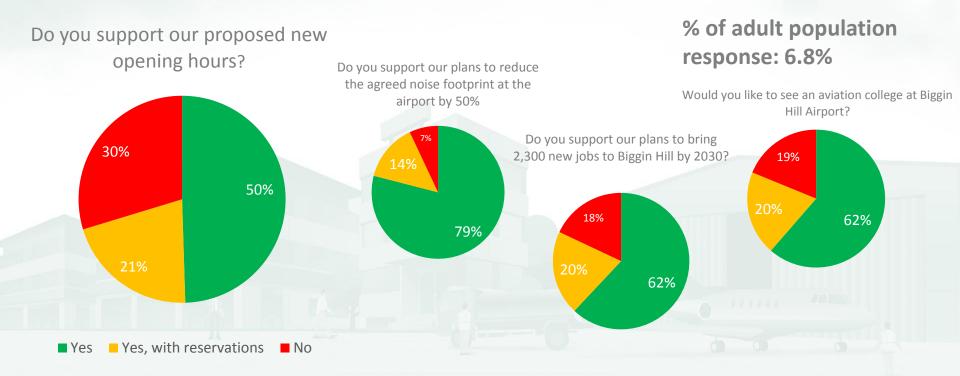
Consultation feedback – Penge & Cator



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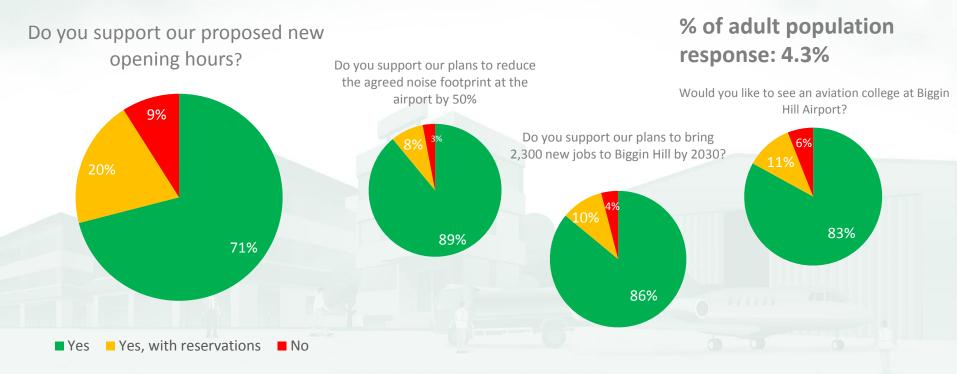
Consultation feedback – Petts Wood & Knoll



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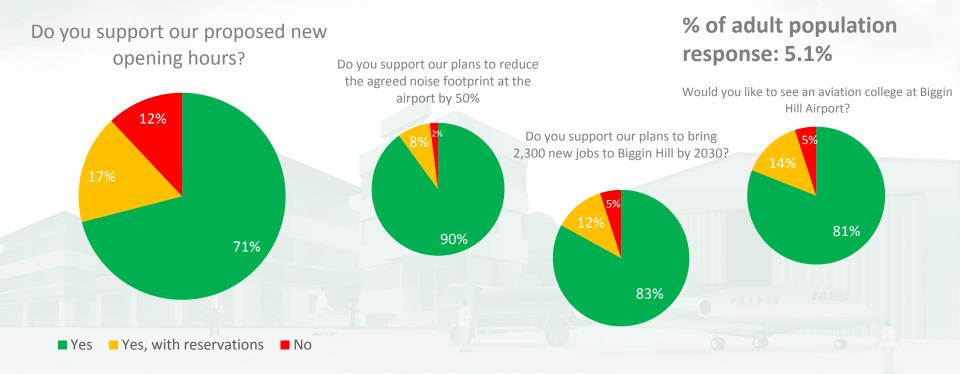
Consultation feedback – Plaistow & Sundridge



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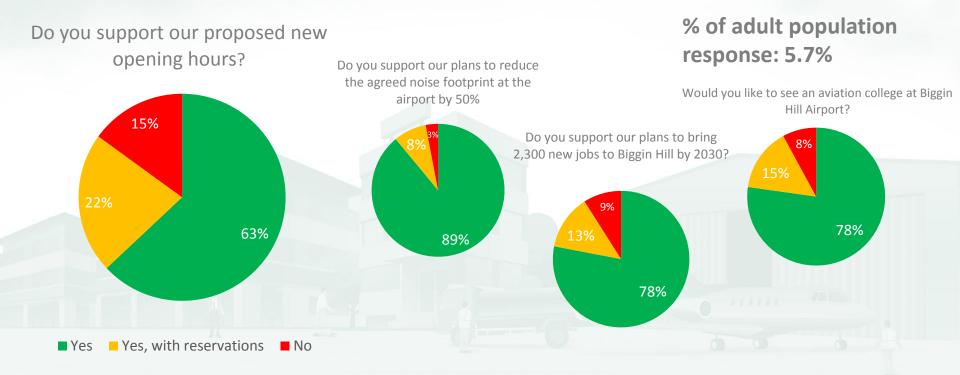
Consultation feedback – Shortlands



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Consultation feedback – West Wickham



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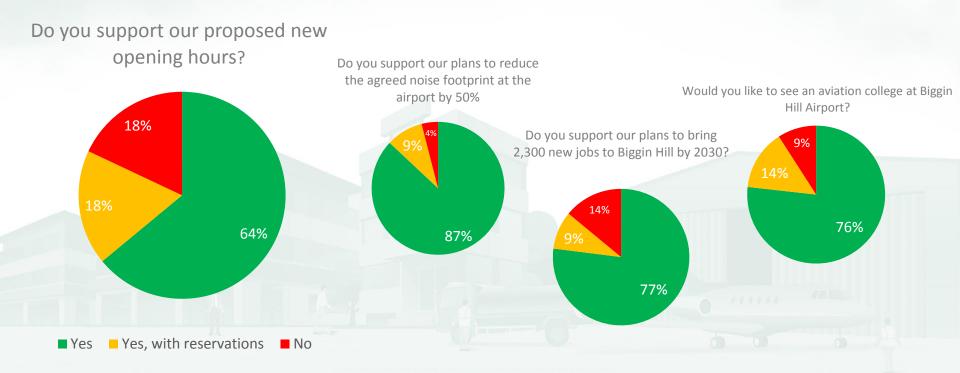
BIGGIN HILL future

Annex 2 RESPONSE BY BOROUGH

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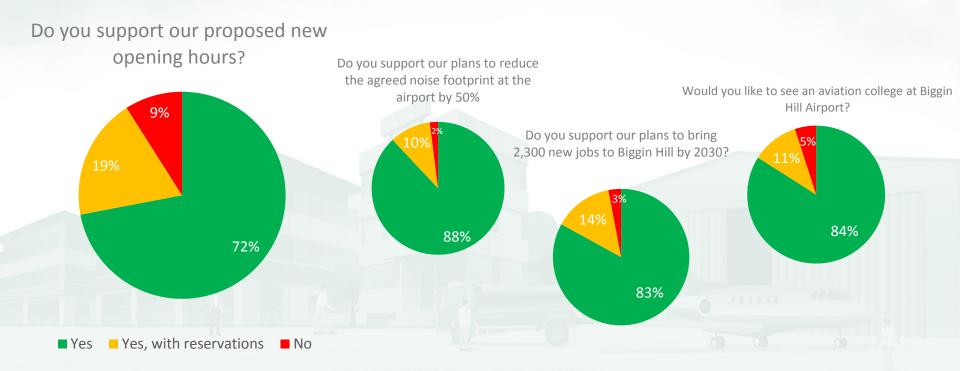
Consultation feedback – Bromley



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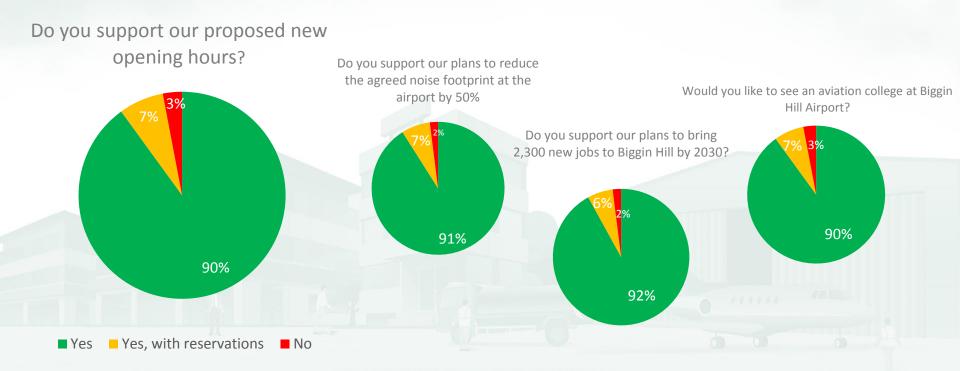
Consultation feedback – Croydon



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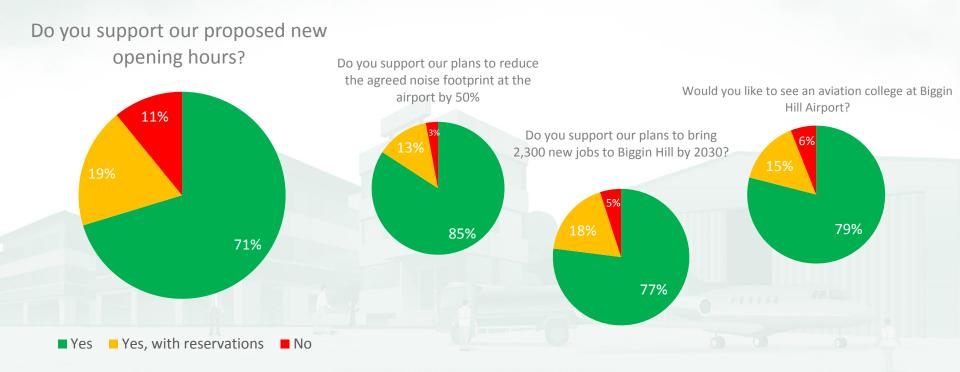
Consultation feedback – Lewisham



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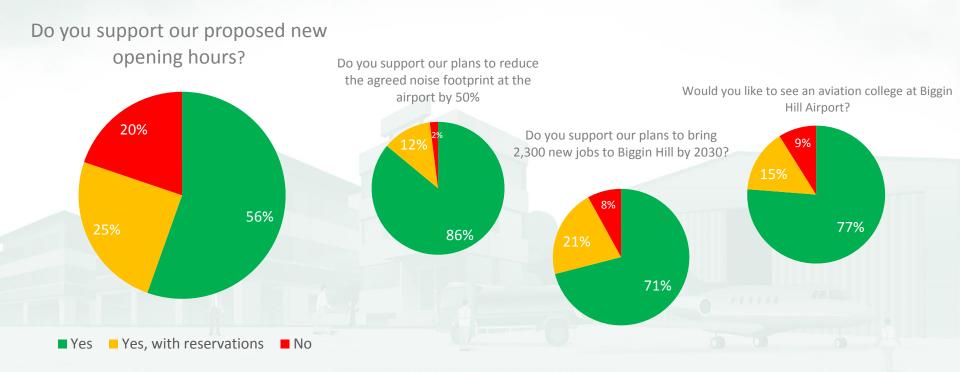
Consultation feedback – Sevenoaks



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Consultation feedback – Tandridge



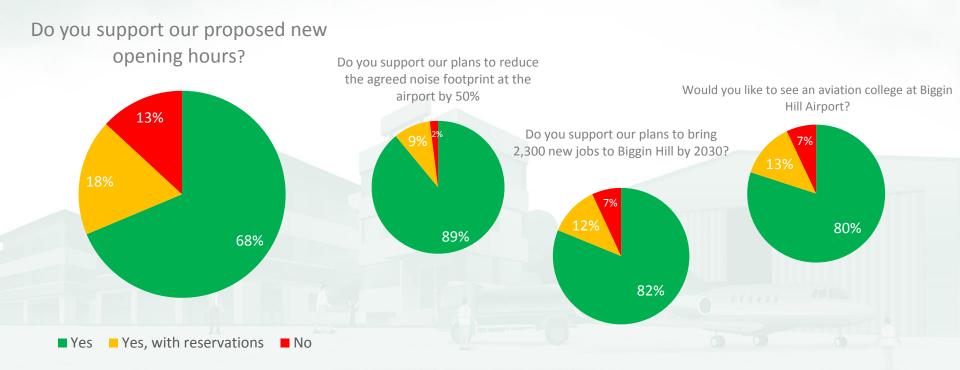
info@bigginhillfuture.co.uk

BIGGIN HILL future

Annex 3 RESPONSE BY CONSTITUENCY



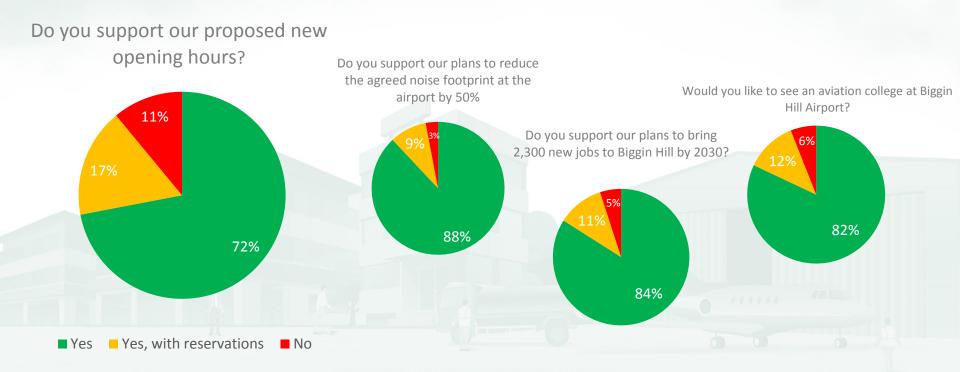
Consultation feedback – Beckenham



info@bigginhillfuture.co.uk



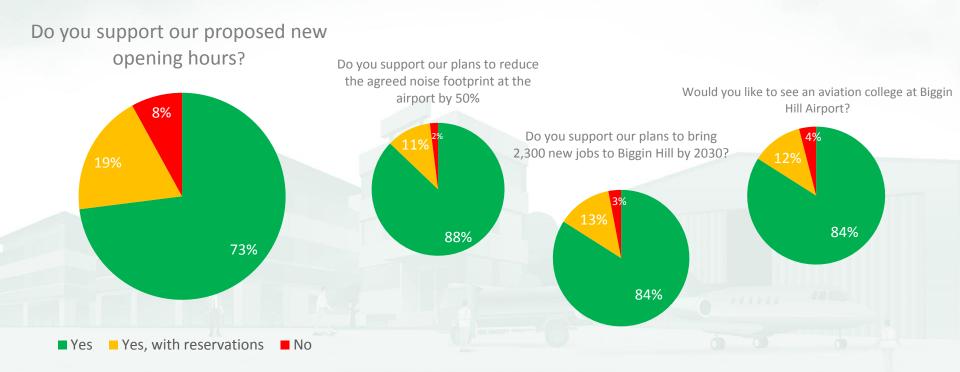
Consultation feedback – Bromley and Chislehurst



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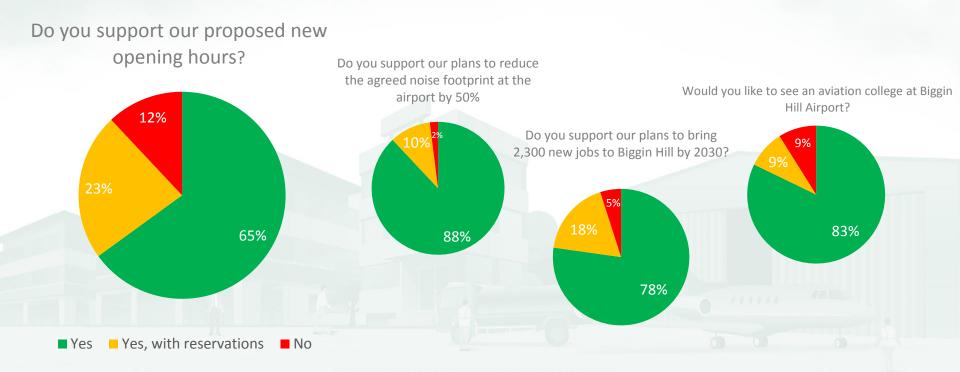
Consultation feedback – Croydon Central



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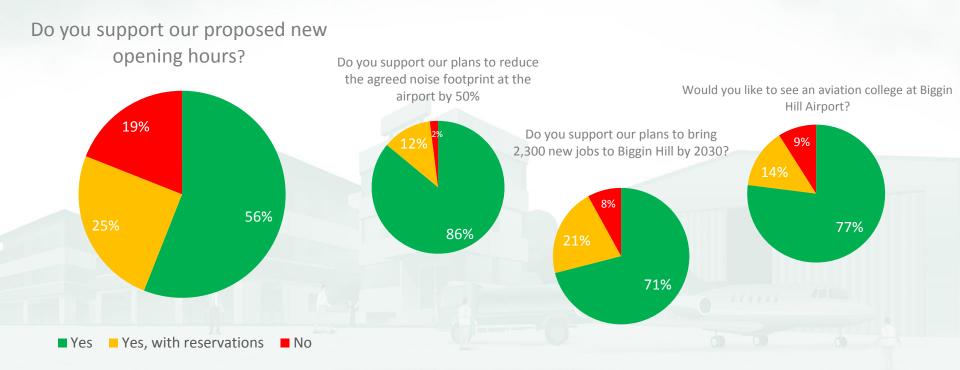
Consultation feedback – Croydon South



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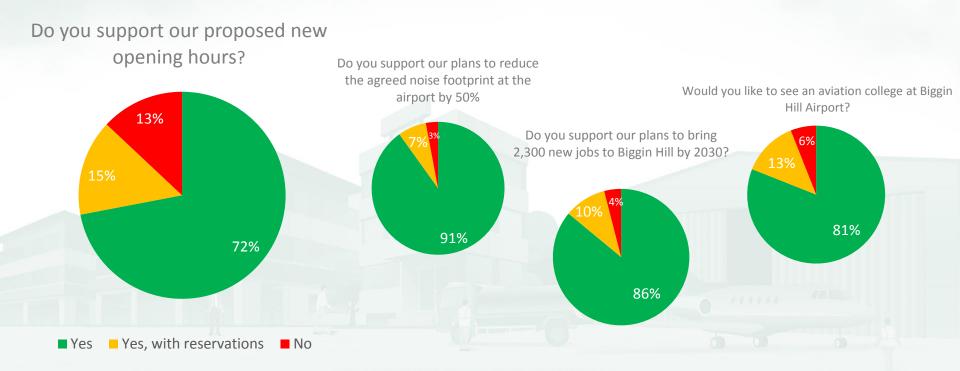
Consultation feedback – East Surrey



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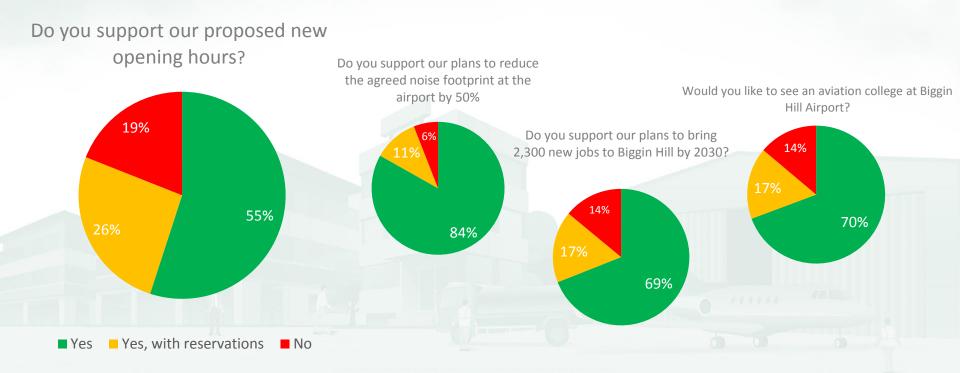
Consultation feedback – Lewisham West and Penge



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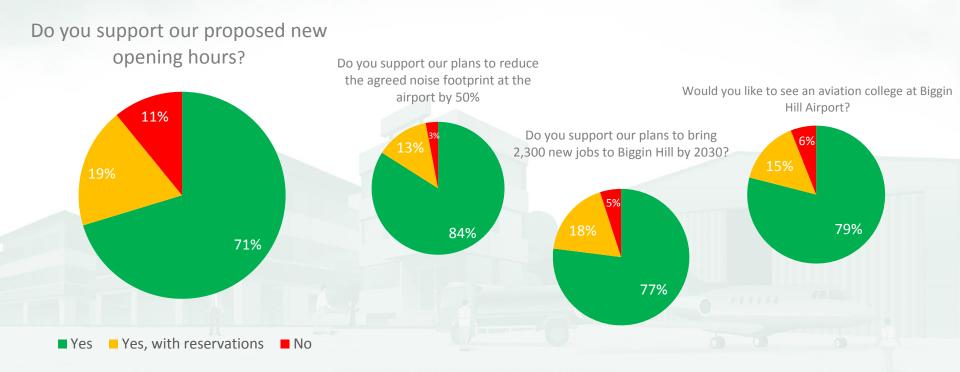
Consultation feedback – Orpington



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Consultation feedback – Sevenoaks



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BIGGIN HILL future

Annex 4

POPULUS REPORT – SUMMARY OF INDEPENDENT POLLING

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www.bigginhillfuture.co.uk

Forty Shillings Biggin Hill Airport development survey

October 2014





Populus interviewed 1,001 adult residents (aged 18+) of the London Borough of Bromley by telephone between 15 and 23 October 2014. Results were weighted to be demographically representative of all adults in the borough. Where results do not sum to 100%, this may be due to rounding or the exclusion of don't knows.

The questionnaire used for this survey is included as an appendix to this summary report.

Populus is a founding member of the British Polling Council and abides by its rules. For more information see <u>www.populus.co.uk</u>.

Executive summary

On balance, there is significant support for the proposed development at Biggin Hill Airport among Bromley residents. Each aspect of the proposed development is much more likely to be supported than opposed, and 79% support the proposals overall while just 12% oppose them.

- Reducing the agreed noise footprint for the airport by 50% is overwhelmingly supported: 69% strongly support this and another 15% support this with some reservations
- Developing an aviation college at Biggin Hill Airport is also popular: 62% strongly support this and another 21% support it with some reservations
- 54% strongly support the provision of more commercial space, with the creation of 2,300 new jobs. Just 11% oppose this.
- 65% support the new opening times (including 35% who strongly support them), compared with 18% who oppose
- Overall, 79% support the proposals (including 36% who strongly support them), and just 12% oppose them.



Summary tables

Demographics

Gender	Male	47%
	Female	53%
Age	18-34	26%
	35-44	19%
	45-54	19%
	55-64	15%
	65 or older	21%
	Refused	1%
Socio-economic group	А	11%
	В	17%
	C1	33%
	C2	16%
	D	6%
	E	8%
	Refused	8%



Q.1. From what you know, can you please tell me whether you support or oppose each of the following aspects of the proposed development at Biggin Hill airport?

 [Strongly support, support with reservations, neither support nor oppose, somewhat oppose, strongly oppose, don't know (don't read out)]

Figure 1: Q.1. summary table

Base: All	Strongly support	Support with reserva- tions	Neither	Don't know	Some- what oppose	Strongly oppose
Reducing the agreed noise footprint for the airport by 50%	69%	15%	10%	1%	1%	5%
Developing an aviation college at Biggin Hill airport	62%	21%	10%	<1%	2%	5%
Providing more commercial space so more companies can be based at Biggin Hill, creating an estimated 2,300 new jobs	54%	26%	8%	1%	2%	9%
The proposed new opening hours	35%	30%	16%	1%	7%	11%

The majority of Bromley residents interviewed support each of the proposed aspects of the Biggin Hill Airport development. Support is strongest for the reduction of the agreed **noise footprint** for the airport, which 69% of Bromley residents strongly support and another 15% support with reservations. Just 6% oppose this.

Nearly two-thirds (62%) strongly support the development of an **aviation college** at the airport and another 21% support this with some reservations, while only 7% oppose.

More than half (54%) strongly support the provision of more **commercial space** – with the accompanied provision of 2,300 new jobs – and 26% support this with some reservations. 11% oppose this.

Support is lowest for the proposed **new opening times**, but many more residents support these times than oppose them. 35% strongly support the new times and another 30% support them with some reservations. Just 18% oppose the new times.

The new opening times are most likely to be strongly supported by 18-34 year olds (figure 3), of whom 45% strongly support the new times. Support for these new times is less common among 55-64 year olds, but 22% of this least positive group strongly support the new times and another 36% support them with some reservations.



Figure 2: support and opposition of proposed aspects of Biggin Hill Airport development

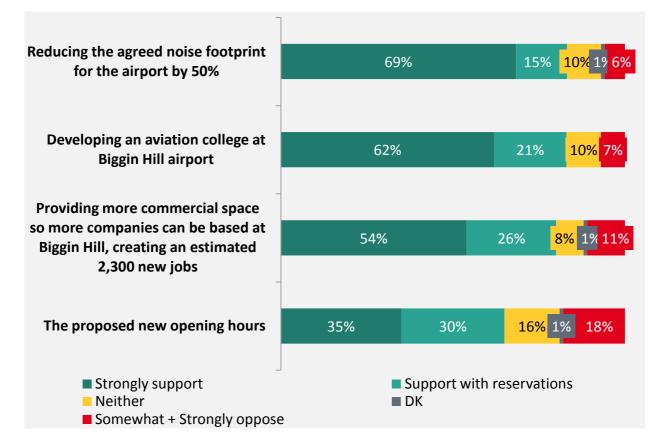
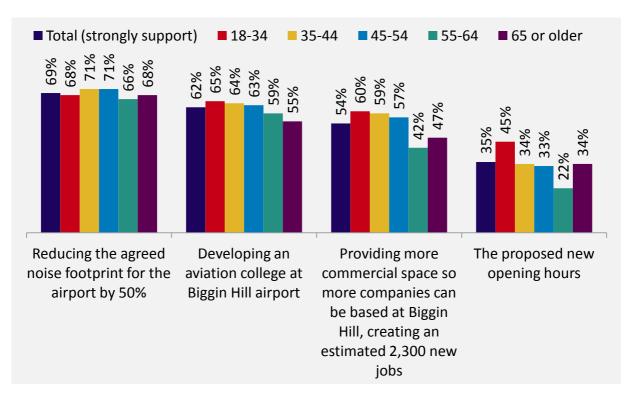


Figure 3: strong support for proposed aspects of Biggin Hill Airport development, by age





Q.2. And taking everything you know about the changes into account, would you say that overall you support or oppose the proposals from Biggin Hill Airport?

 [Strongly support, support with reservations, neither support nor oppose, somewhat oppose, strongly oppose, don't know (don't read out)]

Figure 4: Q.2. summary table

Base: All	Total	
Strongly support	43%	
Support with reservations	36%	
Neither support nor oppose	8%	
Somewhat oppose	3%	
Strongly oppose	9%	
Total support	79%	
Total oppose	12%	
NET: Support - oppose	67%	
Don't know	1%	

Overall, four-fifths of Bromley residents interviewed (79%) support the proposals from Biggin Hill Airport. 43% strongly support the proposals and another 36% support them with some reservations. Just 12% oppose the proposals (including just 9% who strongly oppose them).

Younger people are generally more likely to support the proposals. 48% of 18-34 year olds and 48% of 35-44 year olds strongly support the proposals (figure 5), compared with 30% of 55-64s and 41% of those aged 65 or over. 17% of 55-64s oppose the proposals, compared with 12% of all interviewees, 6% of 35-44 year olds, and 10% of 18-34s.



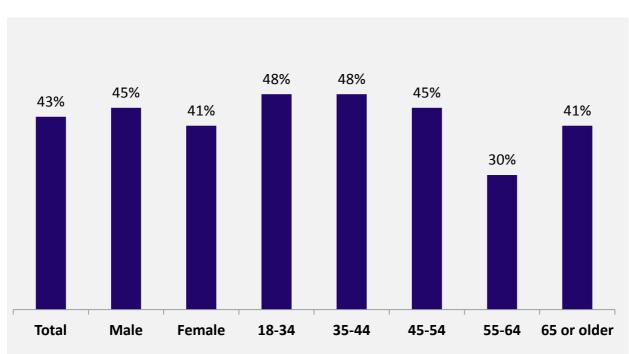


Figure 5: strong support for the proposals from Biggin Hill Airport, by gender and age



Appendix: questionnaire

Demographics

Gender	Socio-economic grade
a. Male	a. AB
b. Female	b. C1
	c. C2

Age

- **a.** 18-24
- **b.** 25-34
- **c.** 35-44
- **d.** 45-54
- **e.** 55-64
- **f.** 65+

Main survey

Biggin Hill airport acts as a service centre and destination for business and general aviation aircraft. It is one of the largest employers in the Bromley area and provides jobs for large numbers of local people.

d. DE

Biggin Hill airport does not currently operate at its full capacity, and it has been identified by the Government as a strategic growth area for airport capacity in the South East.

The people that run Biggin Hill airport are keen that the airport continues to serve only business aircraft, rather than scheduled passenger airline services of the type that people might use to go on holiday.

They are therefore proposing to expand business activity at the airport whilst staying within the current airport boundaries.

They will do this by building more hangers and office space for new business users at the airport. They estimate that this will create 2,300 new jobs for the local area.

There will also be a new training college for local people to develop key skills, and a new hotel for flight crews, engineers and the public.

In order to offer business users a better service and therefore compete with other airports in the London area and the near Continent, Biggin Hill are proposing to stay open a bit longer.



Current opening hours are:

- 6:30am 10pm, Mon Fri
- 9am 8pm, Sat & Sun

Biggin Hill's preferred new opening hours are:

- 6:30am 11pm, Mon Sat
- 8am 11pm, Sun

However there will be a strict limit of 8 take-offs or landings during these extended hours, there will be no additional flights overall, and the airport intends to reduce the agreed noise footprint for the airport by 50% by banning the noisiest jet aircraft, raising the current jet flight paths higher to reduce noise on the ground, preventing light aircraft from flying over built up areas and incentivising light aircraft owners to fit engine silencers.

- **1.** From what you know, can you please tell me whether you support or oppose each of the following aspects of the proposed development at Biggin Hill airport?
- [Strongly support, support with reservations, neither support nor oppose, somewhat oppose, strongly oppose, don't know (don't read out)]

(Rotate points)

- a. Providing more commercial space so more companies can be based at Biggin Hill, creating an estimated 2,300 new jobs
- b. The proposed new opening hours
- c. Developing an aviation college at Biggin Hill airport
- d. Reducing the agreed noise footprint for the airport by 50%
- **2.** And taking everything you know about the changes into account, would you say that overall you support or oppose the proposals from Biggin Hill airport?
- [Strongly support, support with reservations, neither support nor oppose, somewhat oppose, strongly oppose, don't know (don't read out)]



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9 December 2014

By post and email - Marc.Hume@bromley.gov.uk

The Mayor and Burgesses of the London Borough of Bromley Civic Centre Stockwell Close Bromley, BR1 3UH

FAO Marc Hume



Dear Sirs

BIGGIN HILL AIRPORT (THE "AIRPORT")

LEASE DATED 6 MAY 1994 AND MADE BETWEEN THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF BROMLEY (1) AND BIGGIN HILL AIRPORT LIMITED (2) (THE "LEASE")

We refer to our letter of 5 November, by which we applied on behalf of our client, Biggin Hill Airport Limited, for the agreement of the London Borough of Bromley ("**you**" or the "**Council**") to vary the operating hours of the Airport pursuant to the Lease.

We understand that Andrew Walters and Will Curtis of our client met with the Council's Chief Executive, Doug Patterson, and Leader, Councillor Stephen Carr, on Tuesday 2 December to discuss the application and various matters were raised.

One of the matters discussed was the Noise Action Plan ("**NAP**") referred to and enclosed with our letter of 5 November. To assist with the Council's understanding, our client is happy to provide the following further points of explanation by reference to the relevant parts of the NAP:

1. Regular monitoring and reporting of aircraft noise

- 1.1 Paragraph 4.2(a) of the NAP provides that our client will implement measures for regular monitoring and reporting of operations with a view to managing noise levels at the Airport.
- 1.2 As indicated in the eleventh bullet point under "Noise monitoring and reporting" in paragraph 4.3, our client will work with the Council to install noise monitoring points. Our client currently anticipates that they will be on the roof of the Princess Royal Hospital in Farnborough and at Oaklands Primary School in Biggin Hill.
- 1.3 The same bullet point confirms that our client will submit noise monitoring reports to the Airport Consultative Committee when required. Data can also be produced by the Council directly. These can then be incorporated in the quarterly reports of the Noise and Safety sub-committee of the Airport Consultative Committee, which appear as minutes on the Airport's website.

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2. Phasing out of noisier aircraft currently permitted under the Lease

- 2.1 Paragraph 4.2 also provides that our client will actively manage the types of aircraft able to use the Airport. Further detail is provided under "Control of types of aircraft permitted to use the airport" under paragraph 4.3, which states that our client will phase out aircraft exceeding the noise limitations set out in the NAP, even if they are currently permitted by the Lease. Paragraph 3.4 indicates that our client proposes to phase out these aircraft from January 2015.
- 2.2 The same paragraph explains that those type of aircraft which cause a disproportionate level of disturbance (defined as "marginally compliant aircraft", which do not fully comply with Chapter 3 of Annex 16 to the Convention of International Civil Aviation by a cumulative margin of not more than 5EPNdB) will be excluded from 6.30 to 7.00 a.m. and 10.00 to 11.00 p.m.

3. Working with the operators of training aircraft to install noise suppression equipment or replace aircraft with quieter models, as well as restrictions on training flights

- 3.1 The first bullet point under "Controls on flying training" in paragraph 4.3 states that our client will introduce a system of incentives in order to encourage light aircraft owners to fit noise suppression equipment, such as exhaust silencer kits. Paragraph 3.4 confirms that incentives will be introduced from January 2015. These will include a reduced landing fee, encouraging in particular those who operate more frequently (such as flight schools or large flying groups) to make this investment in order to reap longer term savings.
- 3.2 As indicated in the table of proposed operating hours in our letter of 5 November, our client will introduce new restrictions on light aircraft circuit times and in order to eliminate circuit training before 9.00 a.m. or after 5.00 p.m. on weekends and public holidays. In addition, as the second bullet point indicates, our client is negotiating with stakeholders to see what other measures might reasonably be applied.
- 4. Working with other operators to ensure adherence to noise control measures (including formalising "no fly zones" where possible) and review operational procedures
- 4.1 The third bullet point under "Working with existing operators to reduce noise levels" in paragraph 4.3 states that our client will formalise "no fly zones" where safe and practicable. A series of such zones will be established from 31 March 2015. Flights over those areas below 2000 feet above mean sea level (AMSL) will be prohibited unless air traffic control (ATC) operational restrictions make this unavoidable.
- 4.2 As indicated under "Sanctions for non-compliance with noise abatement measures", our client will introduce a system of fines and controls for aircraft not complying with the Airport's noise abatement regulations. Connected with this, a Safety and Noise Abatement Review Board (SANARB) has been established to monitor infringements of the noise control measures, issue warnings, fines and if necessary exclusions. The Council is invited to appoint a representative to sit on the SANARB.

5. Investing in a new GPS based runway guidance system and approach procedure for northern runway 03

5.1 As indicated under "Introduction of Global Positioning Systems (GPS) based runway guidance system" and "Changing the "03-Instrument Approach"" in paragraph 4.3, our client is seeking to introduce a new GPS based guidance system and instrument approach procedure to replace the existing visual procedure for runway 03.

- 5.2 It has instructed its airspace consultants, Cyrrus, to design the new approach procedure and make a formal airspace change proposal to the Civil Aviation Authority (CAA) after complying with appropriate public consultation procedures. The proposed design is set out in paragraph 4.4 of the NAP. This would result in aircraft arriving at runway 03 being at a higher level over Farnborough Hospital and a reduction in the area overflown to the west of the Airport. The advice received by our client is that this process will normally take 24 months. As it has already been started, our client would envisage it being achieved within 18 months.
- 5.3 Any Council representative on the SANARB would also be invited to join the 03 Approach Steering Group, which meets monthly.

6. Working with National Air Traffic Services (NATS) to raise the height of aircraft arriving at and departing from the Airport

- 6.1 As set out under the heading "Changing the height of arriving and departing aircraft", our client will work with NATS to seek to raise the height of aircraft arriving and departing at the Airport. Our client has instructed Cyrrus to progress improvements to the runway 21 instrument landing system and to seek approval from the CAA to raise the height of aircraft approaching the Airport from the north east as well as those departing.
- 6.2 The Airport is working with NATS and the CAA to introduce this measure as part of the London Airspace Management Programme (LAMP) to re-design and simplify the control and operation of the airspace around London, to create capacity and reduce environmental impact, if it is not achieved before then.

7. Capping the number of flights before 7.00 a.m. and after 10.00 p.m. in the proposed operational hours

7.1 Our client's proposed changes to the operating hours as set out in our letter of 5 November include a strict limit of eight movements between 6.30 a.m. and 7.00 a.m. (and, for the avoidance of doubt, there would be no movements (i.e. departures or landings) before 8.00 a.m. on Sundays and public holidays) and between 10.00 p.m. and 11.00 p.m. As indicated above, those aircraft defined as "marginally compliant" will not be permitted during these times.

8. Discouraging residential/noise sensitive development close to the Airport

8.1 This is dealt with under "Restricting noise sensitive development close to the airport" in paragraph 4.3 of the NPA.

9. Introducing a system of fines and controls for aircraft not complying with the Airport's noise abatement regulations

9.1 Our client will also continue to operate the Airport on a "good neighbour basis" as required by paragraph (j) of the Third Schedule to the Lease, including by operating "an effective system of sanctions... imposed on those who do not comply with the Airport's rules" and encouraging arriving and departing pilots to improve track keeping and follow the Airport's noise abatement procedures. Compliance is monitored by the SANARB. A system of fines is already in place as a responsibility of the SANARB.

10. Working with NATS to ensure that the holding area or "stack" above the Airport is relocated as soon as possible

10.1 It is explained under the heading "Relocating the VOR beacon" in paragraph 4.3 that the holding area or "stack" above the Airport is due to be relocated. Our client is a participant in the LAMP 2 project, due to be introduced by NATS between 2017 and 2020 and will

keep the Council informed of progress through its representative on the SANARB. Indications are that the Biggin Hill VOR and associated "stack" will be moved to a "Point Merge" over the Queen Elizabeth II Bridge as part of these LAMP 2 proposals.

11. Review of the NAP

11.1 As stated in our letter of 5 November, our client proposes that the NAP is subject to a 5 year review process, given that the Lease is for a very long term. Each review will consider the NAP's objective of minimising the level of environmental impact created by the Airport, ensuring the wellbeing of the residents in the community and balancing these aims with the social and economic objectives of the Council and community.

12. Number of aircraft movements

12.1 With reference to paragraphs 4.4 and 4.5 of our letter of 5 November, our client does not anticipate the number of aircraft movements exceeding 50,000 per annum within 10 years, since light aircraft movements are likely to continue to decline at the same time as business aviation flights are forecast to increase as more businesses are set up at the Airport offering aircraft servicing, parking and management. In the unlikely event that it becomes likely that that number will be exceeded, our client agrees that it will trigger an early review of the NAP (and thereafter at intervals to be agreed) so as to ensure that the balance of social, economic and environmental issues are kept in check.

Finally, we understand that areas of mutual interest in maximising the income to the Airport were discussed at the meeting and it was resolved to form a standing Working Group from the spring of 2015 with a view to identifying such opportunities for the benefit of both parties and, where appropriate, to bring forward recommendations for approval.

The above further explanations of various points discussed at the meeting relating to the NAP are provided to assist the Council and in the hope that it expedites the Council's decision making process in response to our client's application to vary the Airport's operating hours. For the avoidance of doubt, our client's position remains that the Council should be able to make a decision in response to the application made by way of our letter of 5 November by no later than Wednesday 10 December.

We look forward to hearing from you.

Yours faithfully

- lorth

Cc

Mark Bowen, London Borough of Bromley (by email only - mark.bowen@bromley.gov.uk)

Hogan Lovells

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5 November 2014

By courier and email - Marc.Hume@bromley.gov.uk

The Mayor and Burgesses of the London Borough of Bromley Civic Centre Stockwell Close Bromley, BR1 3UH

FAO Marc Hume



Dear Sirs

BIGGIN HILL AIRPORT (THE "AIRPORT")

LEASE DATED 6 MAY 1994 AND MADE BETWEEN THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF BROMLEY (1) AND BIGGIN HILL AIRPORT LIMITED (2) (THE "LEASE")

We are the solicitors and agents who act for Biggin Hill Airport Limited, the tenant of the London Borough of Bromley ("**you**" or the "**Council**") at the Airport pursuant to the Lease.

Our client proposes to vary the operating hours of the Airport pursuant to the terms of the Lease. We are instructed to make an application on our client's behalf for your agreement to the proposed variation. Please treat this letter as such an application.

1. ENCLOSURES

- 1.1 To assist you, we enclose a short document summarising our client's proposal entitled "Biggin Hill's future".
- 1.2 We also enclose with this letter:
 - (a) Noise Action Plan
 - (b) Public consultation report (including an independent control study conducted by Populus)

2. THE LEASE

- 2.1 The Lease is for a term of 125 years from and including 7 May 1994. There is an index linked base rent payable under the Lease plus an additional rent at the higher of the amount by which 3% of turnover or 12.5% of net profits exceeds the base rent. We understand that this amounted to a total rent of about £207,000 in the last financial year.
- 2.2 Pursuant to clause 5.21 of the Lease, our client covenanted:

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"To observe and perform or procure observance and performance by its Airport Manager or others of the Operating Criteria...".

2.3 Under clause 2.11 of the Lease, the "Operating Criteria" means:

"the matters set out in the Third Schedule or such variation or amendments thereto as may from time to time be agreed by the Landlord (such agreement not to be unreasonably withheld...".

- 2.4 The Third Schedule to the Lease sets out the Operating Criteria. These include:
 - "(c) Limit the operating hours of the Airport (including ground-running of aircraft) from between 07.30 am and 21.00 pm on weekdays, and 09.00 am and 20.00 pm on Saturdays, Sundays and Public Holidays Provided that:-
 - (i) In respect of aircraft which are normally based at the Airport (a) departures from the Airport may take place additionally from between 06.30 am and 07.30 am on weekdays only and (b) landings at the Airport may take place additionally up until 22.00 pm on weekdays only.
 - (ii) Up to a maximum of three flight movements shall be permitted on Saturdays and Sundays between 08.15 am and 09.00 am to permit an operator based at the Airport to operate a schedule service to France.

...

- (d) Limit flight movements (a movement being a landing or a take-off) to 125,000 movements per year".
- 2.5 Accordingly, our client requires your agreement to vary the operating hours set out in the Lease and the Council must not unreasonably withhold that agreement.

3. **OPERATING HOURS**

- 3.1 The operating hours in the Lease were set 20 years ago and have never been varied other than for one off events (and the majority of applications for such temporary variations have been refused). They are no longer fit for purpose and have hindered the realisation of the Airport's true potential. This is in contrast to other small airports which have absorbed more of the recent growth in business aviation.
- 3.2 In terms of boosting new employment opportunities and generating revenue, varying the operating hours is of paramount importance since it will enable the Airport to attract more aircraft based at the Airport as well as the main manufacturers and agencies.
- 3.3 Accordingly, our client seeks to vary the operating hours to those set out (and subject to the restrictions) in the column headed "Proposed operating hours" in the table below (the "proposed operating hours").

4. NOISE ACTION PLAN

4.1 As a condition of your agreement to the proposed operating hours, our client will voluntarily implement the enclosed Noise Action Plan. The Noise Action Plan has been prepared by our client with its expert noise consultants, Bickerdike Allen Partners, drawing on best industry practice and taking account of the EU Environmental Noise Directive (2002/49/EC), the Environmental Noise (England) Regulations 2006 and Defra guidelines. It is designed to manage noise issues and effects from aircraft arriving at and departing from the Airport, with the aim of ensuring that the Airport operates as quietly as possible and with minimal effect on the locality.

- 4.2 In summary, the Noise Action Plan includes the following noise reduction measures:
 - (a) regular monitoring and reporting of aircraft noise;
 - (b) phasing out of noisier aircraft currently permitted under the Operating Criteria in the Lease;
 - (c) working with the operators of training aircraft (which carry out repetitive circuits of the Airport) to install noise suppression equipment or replace aircraft with quieter models, as well as the restrictions on training flights in the proposed operating hours detailed above;
 - (d) working with other operators to ensure adherence to noise control measures and review operational procedures (including formalising "no fly zones" where possible);
 - (e) investing in a new GPS based runway guidance system for northern runway 03;
 - (f) working with National Air Traffic Services (NATS) to raise the height of aircraft arriving at and departing from the Airport;
 - (g) working with NATS to introduce a new "instrument approach" procedure for runway 03 to replace the existing visual procedure. This would result in aircraft arriving at runway 03 being at a higher level over Farnborough Hospital and a reduction in the area overflown to the west of the Airport;
 - (h) capping the number of flights before 7.00 a.m. and after 10.00 p.m. as detailed above in the proposed operational hours;
 - (i) discouraging residential/noise sensitive development close to the Airport; and
 - (j) introducing a system of fines and controls for aircraft not complying with the Airport's noise abatement regulations.
- 4.3 Our client will also work with NATS to ensure that the holding area or "stack" above the Airport used by aircraft seeking to land at Heathrow Airport in particular is replaced by continuous descent procedures. Although this has nothing to do with noise generated by the Airport, the noise resulting from the stack may be wrongly attributed to the Airport.
- 4.4 Further, our client does not currently anticipate the number of aircraft movements at the Airport increasing above 50,000 per year (i.e. beyond 2010 levels), which is only a fraction of the 125,000 movements per year permitted by the Lease.
- 4.5 The Noise Action Plan with be reviewed in five years' time. Thereafter, it will be reviewed at five yearly intervals or in the event that the annual number of aircraft movements does at any point approach 50,000 per year.
- 4.6 Our client is confident that implementing the Noise Action Plan alongside the proposed operating hours will over time produce a net reduction in the overall level of noise generated by the Airport.
- 4.7 It is recognised that implementing the change in aircraft height and new runway 03 approach are not matters within our client's absolute control and, in particular, will require NATS/Civil Aviation Authority approval. However, our client does not anticipate there being any issue with this and is prepared to agree to use all reasonable endeavours to achieve these measures as a condition of your agreement to the proposed operating hours.

5. AGREEMENT TO THE PROPOSED OPERATING HOURS

- 5.1 As a matter of law, it would not be reasonable for you to withhold agreement to the proposed operating hours on any ground not relating to the preservation of the benefit that the Council obtains from our client's covenant to comply with this part of the Operating Criteria. That benefit is the ability to control the noise impact of the Airport. This is apparent from e.g. the Biggin Hill Airport Review Working Party report from 1991 as well as the Operating Criteria in the Lease.
- 5.2 Our client considers that you cannot reasonably withhold agreement to the proposed operating hours, including because:
 - (a) our client will implement the Noise Action Plan as a condition of your agreement to the proposed operating hours;
 - (b) as can be seen from the Noise Action Plan:
 - the Airport produces relatively small noise contours and their location is over largely uninhabited areas;
 - (ii) community responses to aircraft noise from the Airport are minimal only 30 comments were received in 2013, equating to 0.7 comments per thousand movements (compared with 10.5 per thousand for Luton Airport);
 - (iii) aircraft have become much quieter in the 20 years since the Lease was granted; and
 - (iv) the noise impacted area of the Airport is predicted to be 50% less than that adopted in the UDP (policy ER8) for land use planning;
 - (c) the annual number of movements at the Airport is well below the 125,000 permitted by the Lease. In 2013, the number was 41,500 and, as indicated above, it is not presently expected to increase above 50,000 in the foreseeable future;
 - (d) there has been a trend towards higher value, quieter users at the Airport. This further helps explain the steady decline in the number of noise complaints experienced in the last decade;
 - (e) the operating hours already permit departures from 6.30 a.m., Monday to Friday and departing aircraft in fact produce more noise than landing aircraft;
 - (f) our client is proposing a cap of 8 movements between 6.30 a.m. and 7.00 a.m. on Monday to Friday whereas there is currently no cap. It is also proposing a cap of 8 movements between 10.00 p.m. and 11.00 p.m.;
 - (g) our client is proposing a restriction on the type of aircraft that may take off and land between 6.30 a.m. and 7.00 a.m. whereas currently there is no specific restriction. It is proposing a similar restriction for take offs and landings between 10.00 p.m. and 11.00 p.m.;
 - (h) extending operating hours to 11.00 p.m. spreads the number of aircraft movements across a longer period avoids the "bunching" of flights currently experienced before 10.00 a.m. on weekdays and 8.00 p.m. on weekends and public holidays; and

- (i) in the present day it is not realistic to make a distinction between weekday and Saturday hours.
- 5.3 To be clear, varying the Operating Criteria to permit the proposed operating hours would not require a variation of the Lease. Flexibility is built into the Lease so that the Operating Criteria can be changed within its existing terms. This is not a negotiation for a "new deal" between the Airport and the Council, and it is not a planning application (which would not be required for the proposed operating hours). Varying the operating hours is simply an application of the terms agreed between our client and the Council when the Lease was granted in 1994.
- 5.4 It follows that the Council does not have a free hand in deciding whether to agree any changes to the Operating Criteria. It must act reasonably and in accordance with the terms of the Lease in its capacity as a private landlord. In the event of any disagreement, the Lease sets out a procedure for the matter to be resolved by referral to arbitration.
- 5.5 Accordingly, in our client's view, the Council should decide whether to agree the proposed operating hours based on its own reasonable assessment of our client's application and the information provided. It is not necessary or appropriate for the Council to go out to public consultation on the issue. That is not because our client is indifferent to the views of those in the local area quite the opposite in fact, as is demonstrated by its own public consultation detailed below but because that is not how the Lease was intended to operate.
- 5.6 Nevertheless, you have confirmed that the Council does intend to go out to public consultation. Whilst reserving our client's position on this, we are pleased to note that you consider this suitable for a shortened consultation period of 21 days in view of the quality and extent of the consultation already carried out by our client.
- 5.7 We would respectfully suggest that you use the "Biggin Hill's future" summary document as the basis for the public consultation as this presents our client's proposals in a short and concise form consistent with the Airport's own public consultation.

6. **PUBLIC CONSULTATION**

- 6.1 Without prejudice to our client's view that this should be a matter for agreement between them and the Council within the terms of the Lease, it has engaged the Forty Shillings communications agency to carry out an extensive public consultation on future proposals for the Airport, including varying the operating hours. The results of the consultation were presented to the Cabinet of the London Borough of Bromley at a meeting on 28 October 2014 and our client's report on the findings of the consultation are enclosed with this letter.
- 6.2 As you will see, the consultation drew 15,300 responses, reflecting strong support for our client's plans. In particular, some 66% (or 9884) of respondents supported the proposed operating hours, and a further 17% (2589) gave qualified support. Only 17% (2525) opposed them. The report analyses how these results break down on a ward by ward (Annex 1), borough (Annex 2) and constituency basis (Annex 3).
- 6.3 Further, our client has commissioned an independent control study by Populus, which surveyed over 1000 residents in the London Borough of Bromley. This, again, showed that many more residents support the proposed operating hours than oppose them, with 35% of respondents strongly supporting the proposed operating hours and 30% giving qualified support, compared to just 18% opposing them.

7. URGENT APPLICATION

- 7.1 It was explained to you at the meeting on 28 October that this is an urgent application.
- 7.2 The proposal to change the Airport's operating hours became public knowledge as a result of its consultation process. Since then, our client has been approached by three major multinational business aircraft manufacturers expressing an interest in the Airport, provided the proposed operating hours are implemented.
- 7.3 In response to the increasing pressure on capacity at major London airports, these companies are currently in the process of deciding where they will base their London/Northern European service facilities for the next decade and beyond. The Airport has previously been outside their consideration due to its restricted operating hours. Now that there is the possibility of changing the operating hours, they are keen to engage with our client.
- 7.4 It must be stressed that these companies will not adhere to any timetable set by our client. Neither will they accept any political uncertainty. It is, therefore, essential that our client is able to give those companies absolute certainty in respect of the Airport's operating hours within the next few weeks if they are to stand any chance of securing their future business and investment in the Airport.
- 7.5 One company in particular has confirmed that, whereas, based on the current operating hours, they have previously chosen not to base their business at the Airport, they would reconsider the matter if the proposed operating hours are agreed in line with this application. Were all three companies to decide to base their activities at the Airport, it would cement our client's position in business aviation and deliver approximately 50% of their 15 year growth plan within the next 5 years.

8. NEXT STEPS

- 8.1 We consider that our clients have provided all the necessary information you need upon which to base your decision whether to agree the proposed operating hours.
- 8.2 If for any reason you would like further information then please let us know immediately and we will consider that request. In the interests of avoiding delay, kindly ensure that any requests for information are made at the same time and not in a piecemeal fashion.
- 8.3 We look forward to receiving the Council's confirmation that it agrees to the proposed operating hours as soon as possible and in any event within a reasonable time. Applying previous observations made by the Courts, we would expect that to be measured in weeks rather than months. On that basis we would be grateful to have your response by no later than Wednesday 10 December, which is shortly after the Executive meeting we understand is due to take place on Monday 8 December.
- 8.4 Should you have any queries, please do not hesitate to contact our Mathew Ditchburn by telephone at 020 7296 2294 or by email at <u>mathew.ditchburn@hoganlovells.com</u>.

We look forward to hearing from you.

Yours faithfully

loo-h 4.5

Cc Mark Bowen, London Borough of Bromley (by email only - mark.bowen@bromley.gov.uk)

	Current operating hours		Proposed operating hours		
Days	Hours	Restrictions	Hours	Restrictions	
Monday to Friday	6.30 a.m. to 10.00 p.m.	No landings allowed before 7.30 a.m. and no departures after 9.00 p.m.	6.30 a.m. to 11.00 p.m.	 Cap of 8 movements between 6.30 a.m. and 7.00 a.m. Cap of 8 movements between 10.00 p.m. and 11.00 p.m. Piston engine light aircraft (except military/ medical flights) not permitted between 6.30 a.m. and 7.00 a.m. and between 10.00 p.m. and 11.00 p.m. 	
Saturday	9.00 a.m. to 8.00 p.m., plus a maximum of 3 flight movements between 8.15 a.m. and 9.00 a.m. for a scheduled service to France.		As above	 As per Monday to Friday No flying training before 9.00 a.m. or after 5.00 p.m. 	
Sunday	As above		8.00 a.m. to 11.00 p.m.	 Cap of 8 movements between 10.00 p.m. and 11.00 p.m. Piston engine light aircraft (except military/ medical flights) not permitted between 10.00 p.m. and 11.00 p.m. No flying training before 9.00 a.m. or after 5.00 p.m. 	
Public holidays	9.00 a.m. to 8.00 p.m.		As above	As per Sunday	