



NAP REVIEW

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Flightpath Watch Requests

- **Immediate suspension of the New Hours at the next Executive meeting until the Deed of Variation/NAP is renegotiated**
- **Two major reasons LBB can suspend the New Hours (see slide 9)**
- **Residents consulted as part of the renegotiation process**
- **Suggestions for negotiations at slide 20**
- **Revocation of the Deed of Variation if a satisfactory renegotiation is not achieved**

Agenda

- Summary
- Part 1 – Areas of which BHAL are in Default
- Part 2 – Areas on which LBB was misled and need to be renegotiated
- Part 3 – BHAL's unilateral infiltrations in the NAP Review 2016-2020 to be removed
- Part 4 - Negotiations

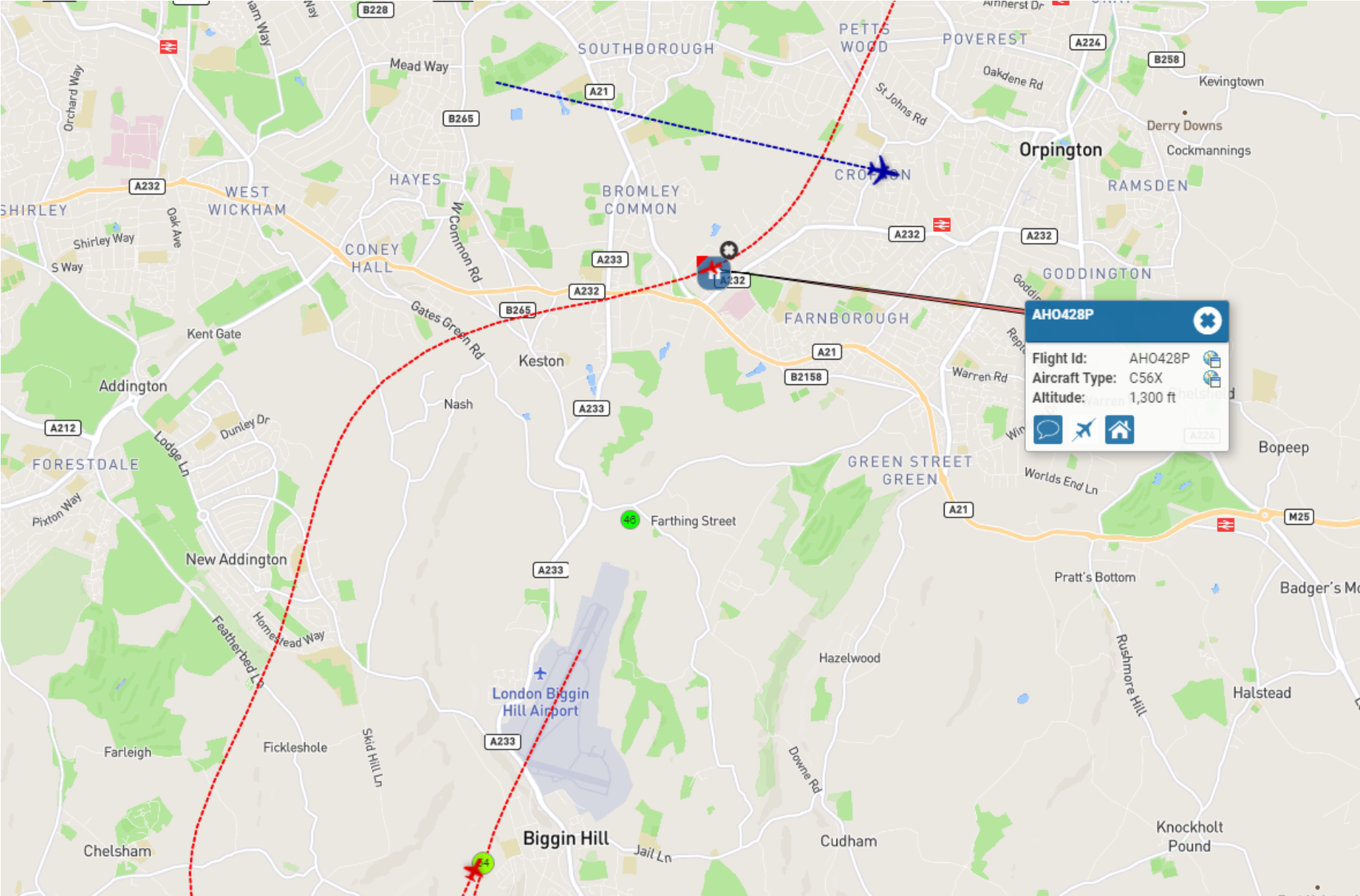
Summary

- The CAA's rejection of the new approach to R03 is a game changer
- The NAP will need to be revised, with a new or amended Deed of Variation (FPW barrister)
- Council entitled to suspend the New Hours, if considered appropriate (FPW barrister)
- BHAL seriously misled the Council in order to be granted the New Hours, therefore suspension of the New Hours is appropriate – no R03, no hours
- CAA report very damning and very clear about delay being BHAL's responsibility

Summary

- BHAL acknowledge in the NAP that the visual approach to R03 is capable of noise intrusion “ in particular because aircraft are operating at relatively low level and medium or higher power settings ...” (NAP 2.15)
- The promised approach to R03 would have reduced arrivals from the North (the entirety) by some 30%. The areas affected by ALL arrivals are Bexley and Sidcup through Chislehurst, Petts Wood, Crofton, Locksbottom, Farnborough Park, Keston Park, and Downe
- In addition, areas particularly affected by the noise of the current visual approach to R03 are Crofton, Locksbottom, Farnborough Park, Keston (where the turn begins, with fully powered engines), New Addington, Warlingham and Woldingham (aircraft positioning for landing). A map is attached on the next slide

Route to R03



Summary

- The application by BHAL was to increase the hours
- Further changes (such as average noise measure and TVLs) were slipped in under false pretences
- NAP introduced as a noise mitigation but it has done the exact opposite
- FPW has demonstrated that BHAL used the NAP to weaken the Lease
- All unwanted insertions are now obvious and need to be removed in a revised NAP
- The alternative is to revoke the NAP and the Deed of Variation

Summary

- NAP Review 2016-2020 has also been used by BHAL to introduce further elements to continue to dilute the Lease
- The cap on movements was breached - BHAL misled LBB on the correct figures to avoid delaying the formal ratification of the New Hours
- BHAL continue to mislead LBB on the correct figures

PART 1 - BHAL in Default

➤ Runway 03 routing

- Material event requiring a revision of the NAP and an amended/new Deed of Variation (FPW barrister)
- Council entitled to suspend the New Hours until the NAP is revised (FPW Barrister)

➤ CAP on movements

- Until a revised Deed of Variation and/or NAP are in place, the cap on movements remains at 50,000 (FPW barrister)
- Because the movements were miscalculated by BHAL, the defaults in 2016 and 2017 remain and are, in fact, greater
- Because the NAP review has not yet been accepted by LBB, the five-year limit introduced in the MIL, item 7, has not expired. LBB are still in time to suspend the New Hours (FPW barrister)

PART 1 - BHAL in Default

➤ Noise levels and contours

- LAeq16h fixed at 57dB is obsolete. New measure to be fixed at 51dB
- Noise contours to be recalculated to incorporate the new LAeq16h 51dB measure as well as the impact of the visual approach to 03, which does not appear in any of the BAP maps
- BHAL applied to change the hours and the hours only
- Change in noise measure was introduced as a mitigation but was all but
- In the Revised NAP, noise levels to return to the principle of the Lease, i.e. **individual limits “to be revised in line with government revisions” (i.e. now ICAO Chapter 4 at all times).**

➤ Ground running

- The lease allows only 15 minutes of ground running, which is not respected. **To be reintroduced in the Revised NAP**

PART 1 - BHAL in Default

➤ Noise Preferential Routings (NPRs)

- Devised in the 1970s when LBB acquired the airport with the purpose of sheltering the “built-up areas” at the North
- Compliance is even more important now but NPRs are consistently breached
- **The Lease can and must be enforced by LBB**

➤ Circuits

- Route for circuits is a Noise Abatement Measure registered with the CAA and therefore contemplated in the Lease
- Its underlying principle is to avoid residential areas
- **The Noise Abatement Measure for Circuits must be upheld, in the same way as NPRs must be upheld**
- **BHAL must not be allowed to enforce changes unilaterally (see Part 3)**

PART 2 - LBB Misled

➤ Track Violation Limits (TVLs) or “corridors”

- A NAP introduction, not recognised in the AIPs, nor in the Lease
- They allow “built-up areas at the North” to be affected, contrary to the principle of NPRs
- NPR tracks recorded with CAA to be published for general information
- TVLs to be removed in the Revised NAP

PART 2 - LBB Misled

➤ Webtrak/accuracy

- WebTrak not accurate – not yet visible whether the ANOM interface recently acquired by BHAL will improve results (purchase shows BHAL's recognition that WebTrak is not accurate)
- WebTrak inaccuracy compounds the problem of the “corridors”, negating the principle of the NPRs
- Webtrak does not capture all infractions automatically
- Clause 4.37 of the NAP to be amended to give more weight to residents' complaints.
- SANARB minutes to be published
- All complaints and WebTrak-captured infractions to be listed to show action taken

➤ WebTrak/movement count

- WebTrak does not show all movements, particularly by helicopters
- Use of WebTrak to calculate movements must be amended (NAP, Clause 3.4 e)

PART 2 - LBB Misled

➤ Flight Movement Count

- BHAL does not report the number of helicopter flights to the CAA
- Circuits circling several times in close succession only count for 2 movements
- BHAL allows aircraft from other airports to practise (often circling) in BH's airspace without including them in the Flight Movement Count
- Annual flight movements understated by about 10% each year
- **The cap must include helicopters and aircraft allowed to use Biggin Hill's airspace**

➤ Breaches of the cap

- Flight movements reported by BHAL for 2016 and 2017 considerably understated
- BHAL in default of the cap when the New Hours were implemented in May 2017
- **New Hours to be suspended until the 50,000 cap is reworded to eliminate reliance on Noise Contours**

PART 2 - LBB Misled

- Unforeseen changes to the air traffic forecast” (NAP 4.32)
- or a change in wider government airport related policy (NAP 4.32)
- Cap on movements not to be influenced by BHAL’s increase in air traffic forecasts
- Chapter 4 of governmental objectives for change states that, in terms of impact on densely populated areas below 4000 ft the value of maintaining legacy arrangements should be taken into consideration.
- Therefore the **detrimental FASI project**, (Next Step in the CAA decision report) is not applicable to BHAL and **is not a suitable substitution for the non-delivery of new approach to R03**

PART 3 - BHAL'S NAP REVIEW

Unilateral Insertions to be removed

➤ Noise Sensitive Areas

- All residential areas are sensitive but the most sensitive are marked in red in Appendix 3 of the MIL
- To be avoided by helicopters and light aircraft (Code of Conduct)
- BHAL must not be allowed to change the Code of Conduct (unilateral infiltration)

➤ Helicopters

- Do not appear on WebTrak
- Are not included in the movement count
- BHAL must not be allowed to change the Code of Conduct (unilateral infiltration)

PART 3 - BHAL's NAP REVIEW

Unilateral Insertions to be removed

- Introducing a Biggin Hill specific Code of Practice for Arriving and Departing Aircraft (Table 2.5)
- Decision to review arrival and departure routes (Table 2.5)
- Trialled and amended the light aircraft route off runway 21 (Table 2.5)
- All aircraft need to respect the AIPs for Arrival and Departure
- A code of practice needs to be publicised and consulted upon
- **Unilateral insertion to be removed**
- Current routes (AIPs) are aimed at avoiding built up areas.
- It is a default under the Lease to breach them consistently
- **BHAL's insertion to be removed. Changes cannot happen without public consultation**

PART 3 - BHAL's NAP REVIEW

Unilateral Insertions to be removed

➤ Noise preferential routes to remain an 'all-time' requirement (not a track performance target) (Table 2.5)

➤ Military training flights not in the Permitted User Clause (NAP Review 4.21, v)

➤ Detrimental change to the Lease, must be removed and refused

➤ Inspection needed by LBB as to legitimacy of current military movements reported to ACC

➤ BHAL not a military airport - infringement of the Permitted User Clause

PART 3 - BHAL's NAP REVIEW

Unilateral Insertions to be removed

- Restrictions on circuit flights proposed by BHAL do not reduce impact on residents (Table 2.4, 8b)
- Helicopter change of Code of Conduct (NAP Review 4.19)
- Suggestions by BHAL are meaningless
- Route for circuits and principle of safeguarding residential areas need to be maintained
- Cannot be amended unilaterally, particularly with Castle Air introducing 23 more helicopters.

PART 4 - Negotiations

In addition to the points raised already in previous Parts, all or a combination of the following:

- Re-introduction of “Advanced” ATM, considered an essential mitigation by the CAA, if it helps to achieve an approval of new approach to R03
- 30% reduction of movements during the Summer months compared with 2022 Summer movements
- Reduction of overall cap by 30% to 35,000 p.a. to reflect the non-delivery of new approach to R03
- Daily limit on number of large aircraft
- Chapter 4 measures to apply at all times (not only early morning and late evening)
- Increase height to 2000ft amsl for all arrivals, and start descent after all residential areas are cleared
- Increase height to 2000ft amsl for all helicopters, and enforce use of transponders and avoidance of NSAs
- Introduction of sanctions for breaches of the NAP/MIL (FPW barrister)

**New Hours to be suspended until negotiations are completed,
and revoked if a satisfactory agreement is not achieved**