



## Communities Scrutiny Group

Thursday, 18 January 2024

### East Midlands Airport - impacts of future flight path changes and aircraft noise in general

#### Report of the Director for Neighbourhoods

##### 1. Purpose of report

- 1.1. The item has been brought to this meeting following a request for scrutiny from Councillor Thomas. A copy of the scrutiny matrix is provided in Appendix 1 to this report.
- 1.2. Representatives from East Midlands Airport (EMA) will be in attendance and will provide the Group with further information about flight paths and wider noise from aircraft arriving and departing at the airport. A presentation will be given, and members will also be able to answer specific queries.

##### 2. Recommendation

It is RECOMMENDED that the Communities Scrutiny Group consider the information provided and provide feedback to EMA representatives.

##### 3. Supporting Information

- 3.1. Whilst aircraft noise is a concern for some residents, aircraft noise is not currently a statutory nuisance in the UK. It is not covered by the Environmental Protection Act 1990 or the Noise Act 1996. This means that local authorities do not have the legal power to take action on matters of aircraft noise.
- 3.2. In the United Kingdom, government policy on the control of aircraft noise is the responsibility of the Department for Transport (DfT). However, apart from at three airports - Heathrow, Gatwick and Stansted, where DfT retains direct responsibility for regulating aviation noise - the overall policy is that noise issues are best handled at a local level by the airport and the relevant local authority, engaging with people who are affected by noise. That means decisions about whether aircraft can operate at night, and how many aircraft are allowed to fly on any given day, etc are generally made by local authorities when they give permission for an airport to be built or expanded. The Civil Aviation Authority (CAA) has the final say on where aircraft are allowed to fly and has a legal obligation to consider noise impact as well as safety and the efficiency of airspace when deciding whether a proposed route is acceptable.

- 3.3. Manchester Airports Group (MAG) acquired EMA in 2001 and since that time the airport has grown significantly and is currently the largest dedicated air cargo operation in the UK.
- 3.4. In 2023, EMA published their draft noise action plan 2024-2028 for consultation with stakeholders including local residents, airlines, local authorities and wider Government. Rushcliffe Borough Council's response to the consultation is provided in Appendix 2. It should also be noted that Councillor Andy Brown is Rushcliffe's representative on the EMA Independent Consultative Committee (ICC) and will be attending to support this meeting.
- 3.5. The draft noise action plan introduces a number of new actions including:
- Placing a ban on the operation of the noisiest rated aircraft at night
  - Updating the sound insulation grant scheme to reflect inflationary pressures
  - Increasing the contribution to the East Midlands Airport Community Fund
  - Ensuring noise charges incentivise the use of quieter aircraft, and reviewing the noisy-aircraft penalty scheme so that it applies to aircraft departing during the day as well as at night.

#### **4. Risks and Uncertainties**

None identified.

#### **5. Implications**

##### **5.1. Financial Implications**

Costs arising from the consultation and the Council's role on the ICC are contained within existing budgets.

##### **5.2. Legal Implications**

None identified.

##### **5.3. Equalities Implications**

None identified.

##### **5.4. Section 17 of the Crime and Disorder Act 1998 Implications**

None identified.

##### **5.5. Biodiversity Net Gain Implications**

None identified.

## 6. Link to Corporate Priorities

The Environment	The noise action plan is designed to minimise the impact of airport operations on the environment and local communities
Quality of Life	The noise action plan is designed to minimise the impact of airport operations on the environment and local communities
Efficient Services	The recommendations of this report make no contribution to the efficient running of the Council.
Sustainable Growth	The recommendations of this report make no contribution to sustainable growth in the Borough.

## 7. Recommendations

It is RECOMMENDED that the Communities Scrutiny Group consider the information provided and provide feedback to EMA representatives.

<b>For more information contact:</b>	Geoff Carpenter Service Manager Public Protection Tel: 0115 9148229 gcarpenter@rushcliffe.gov.uk
<b>Background papers available for Inspection:</b>	None
<b>List of appendices:</b>	Appendix 1 – Original scrutiny matrix Appendix 2 – RBC response to the consultation on the draft noise action plan