

**KENT INTERNATIONAL (MANSTON) AIRPORT – RESULTS OF PUBLIC CONSULTATION REGARDING THE EXISTING SECTION 106 AGREEMENT**

To: **Finance, Best Value and Performance Review Panel -  
7 July 2005  
Full Council - 21 July 2005**

Main Portfolio Area: **Development Services**

By: **Brian White - Head of Environmental Services**

Classification: **Unrestricted**

Ward: **Whole of Thanet**

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**Summary:** This report contains the results of the public consultation undertaken and invites Members to consider and agree the issues to be included in the successor Section 106 Agreement.

The report explains the scope of ongoing work to examine the technical/statistical performance of the existing Section 106 Agreement since 2000.

Finally, the report recommends a framework for carrying the Council's position, informed by public opinion and technical appraisal regarding the Airport operations, into negotiations for the successor Section 106 Agreement.

**For Decision**

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**1.0 Introduction and Background**

- 1.1 In 2004, Council agreed that public consultation be undertaken concerning the existing Section 106 Agreement.
- 1.2 The Finance, Best Value and Performance Review Panel has overseen the process of setting up and implementing public consultation. Throughout it has been cognitive of minute 54(A) of 2004, "that the Chief Executive, or his nominee, be authorised to prepare appropriate questionnaires and leaflets for the public consultation in consultation with the Leader of the Council and Leader of the Opposition".

- 1.3 Because of the importance and complexity of the Section 106 Agreement, a Member Working Party reporting back to the Panel has been agreed and established. The remit of the Working Party is, “to oversee the evaluation of the existing Section 106 Agreement and the process of public consultation, analysis of feedback and production of reports (minute R317A). Membership comprises:

Councillor M Roberts  
“ D Green  
“ W Hayton  
“ M Tomlinson  
“ R Nicholson  
“ M Harrison  
“ A Poole  
“ D Hart  
“ S Tomlinson  
“ Mrs J Kirby

The Working Party is facilitated by Mr John Bunnett, Strategic Director.

- 1.4 The Working Party has met on 2 February, 15 February, 21 March, 9 and 28 June.

- 1.5 The Working Party is maintaining an interest in three discrete streams of work:

- public consultation on the existing Section 106 Agreement;
- the assembly of technical information regarding performance of the Agreement since it was signed in 2000;
- the Night-Time Flying Policy 2005, and its monitoring reports.

The Panel has agreed that the Working Party should remain in place until at least Full Council in September.

- 1.6 Public consultation has been structured to include the following:

- (i) Public Meetings in Margate, Broadstairs and Ramsgate. Attendees at these three meetings were invited to take part in focus groups;
- (ii) Public Meetings in the parishes of Manston, Acol, Minster, Monkton, Cliffsend and St Nicholas;
- (iii) Road Show of the district by coach visiting 13 principal locations over daytime, evening and weekend periods.
- (iv) Engagement of MORI to:
  - produce a widely distributed questionnaire;
  - conduct a 500 person telephone interview;
  - design and conduct 10 key stakeholder interviews.

- (v) Establishment of a website about the Section 106 Agreement;
  - (vi) Radio and newspaper campaign to raise awareness;
  - (vii) Two public meetings at Sturry and Herne Bay, within the Canterbury district.
- 1.7 MORI has produced a report on the work it conducted. That report is attached at Appendix 1. MORI was commissioned to produce its own report with key findings. It was considered important that the Council did not, and could not be said to, show any bias in its consultation programme.
- 1.8 The purpose of the Council's own work on consultation was twofold. First, to impart information about the existing Section 106 Agreement, and then to listen to and capture feedback. In this regard it is understood that there are no conclusions to consultation. Rather, the results and content of what communities said can usefully inform debate and highlight areas of concern to carry forward into the successor Agreement.
- 1.9 To facilitate a consistent approach at all Public Meetings, the same format was followed. It included a presentation from the Head of Environmental Services, with the Environmental Health Manager, Mr Paul Martin, available to answer questions on noise monitoring and air quality. Each meeting also included a presentation from Planestation, made by either the Airport Director, Mr Alastair Robertson, or Mr Paul Tipple. The presentations were followed by a 'Question and Answer' session with the public. Comments were noted and included in the consultation feedback. The Public Meetings in Margate, Broadstairs, Ramsgate and the Canterbury district were all chaired by Sir Alister Hunter, Chairman of the Kent International Airport Consultative Committee.

## **2.0 The Current Situation**

- 2.1 The consultation process generated the following outputs, all of which are attached to this report:
- Appendix I - The MORI Report;
  - Appendix II - A summary of public opinion expressed at Public Meetings, at Town and Parish meetings, and the Section 106 Road Show;
  - Appendix III - Consultation response from the Council for the Protection of Rural England;
  - Appendix IV - A suggested future Section 106 Agreement provided by the Manston Airport Group (MAG);
  - Appendix V - Consultation response from Monkton Parish Council;
  - Appendix VI - Report to Canterbury City Council Executive – 21 June 2005.

- 2.2 The appendices contain the results of the market research and the wider public consultation expressed during the three month period of the consultation period. Written consultation responses from organisations are all appended. This ensures that those concerned can be confident that what they put in writing is being made available to Council. Letters and e-mails from individuals are not appended, but all have been acknowledged, recorded and retained on file.
- 2.3 The results of the consultation are self-evident from the appended material. Some differences in emphasis can be noted between different geographical areas. For example, those living beneath flight paths were more likely to be concerned about noise, night-time flying and the aircraft routes, the latter being a concern highlighted in particular by residents at a Public Meeting in Herne Bay. At that meeting most speakers identified a need for ground radar enabling individual aircraft movements to be tracked and recorded.
- 2.4 Perhaps because consultation was coincident with the 2005 Night-Time Flying Policy, the subject of night flying was raised at all Public Meetings. Planestation made the point that night flying would not normally be sought in the future, because it is expensive in terms of staffing and not necessarily attractive to customers.
- 2.5 Most parts of the consultation programme revealed a low awareness of the precise content of the Section 106 Agreement and how it aims to control environmental impacts of the Airport. Relatively little feedback was received, in terms of volume, about how Planning Law could control the Airport. On the other hand, some consultees were very well informed and interested in this subject.
- 2.6 At this stage it is possible, from public consultation and market research, to identify broad issues, and therefore subject matter, to be accounted for in the successor Section 106 Agreement.

<b>ISSUES</b>		<b>SUBJECT</b> <b>(to be carried forward to the</b> <b>successor Section 106 Agreement)</b>
(i)	Public understanding of the Section 106 Agreement and what it does is low.	Clarify and improve monitoring reports, and provide regular updates to the public.
(ii)	Public awareness of current plans and potential expansion of the Airport is low.	- Planestation to articulate its plans; - these to be reflected in the Section 106 Agreement.

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(iii)	Noise is more likely to be a problem for those living beneath the flight path.	<ul style="list-style-type: none"> <li>- Improved noise monitoring, reporting and logging of aircraft movements;</li> <li>- Better information available to the public.</li> </ul>
(iv)	Opposition was expressed at Public Meetings to Night-Time Flying.	<ul style="list-style-type: none"> <li>- Review of the Summer 2005 statistics, and control via cut-off times, or quota.</li> </ul>
(v)	Off-route aircraft.	<ul style="list-style-type: none"> <li>- A clear programme for installation of ground radar enabling aircraft movement logging.</li> <li>- Logging to be linked to noise monitoring.</li> </ul>
(vi)	Runway use, and reason why direction of arrival/departure changes.	<ul style="list-style-type: none"> <li>- Wider reporting of runway use and clearer explanation of runway selection.</li> </ul>
(vii)	Public understanding of 'humanitarian/emergency flights'.	<ul style="list-style-type: none"> <li>- Clearer definitions needed.</li> </ul>
(viii)	Environmental Impact Assessment (EIA) not applied by the Planning Authority.	<ul style="list-style-type: none"> <li>- Explicit triggers set within the context of the Airport's expansion programme for EIA.</li> <li>- Cross-referenced to Airport Masterplan.</li> </ul>
(ix)	Penalties inappropriate.	<ul style="list-style-type: none"> <li>- To review against Aviation Industry.</li> </ul>
(x)	Air pollution.	<ul style="list-style-type: none"> <li>- Improve reporting and maintain monitoring at Best Practice.</li> </ul>

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(xi)	Perception that cargo flights will increase, with increased environmental impact (especially noise).	- Explicit expansion/business growth plans from Planestation.  - Explicit triggers within the Section 106 Agreement at appropriate levels to mitigate environmental impacts.
(xii)	Poor handling of complaints.	- Explicit procedure for capture, investigation and reporting.  - Clarity role of Local Authority.
(xiii)	Disturbance from early morning (06.00 – 07.00) flights.	- Include with Night-Time Flying review.
(xiv)	Noise monitoring is inadequate.	- within the Section 106 Agreement, and in proportion to increased numbers of aircraft movement, expand reporting from existing permanent monitoring and deploy the mobile monitoring equipment. Stipulate appropriate triggers to extend monitoring.

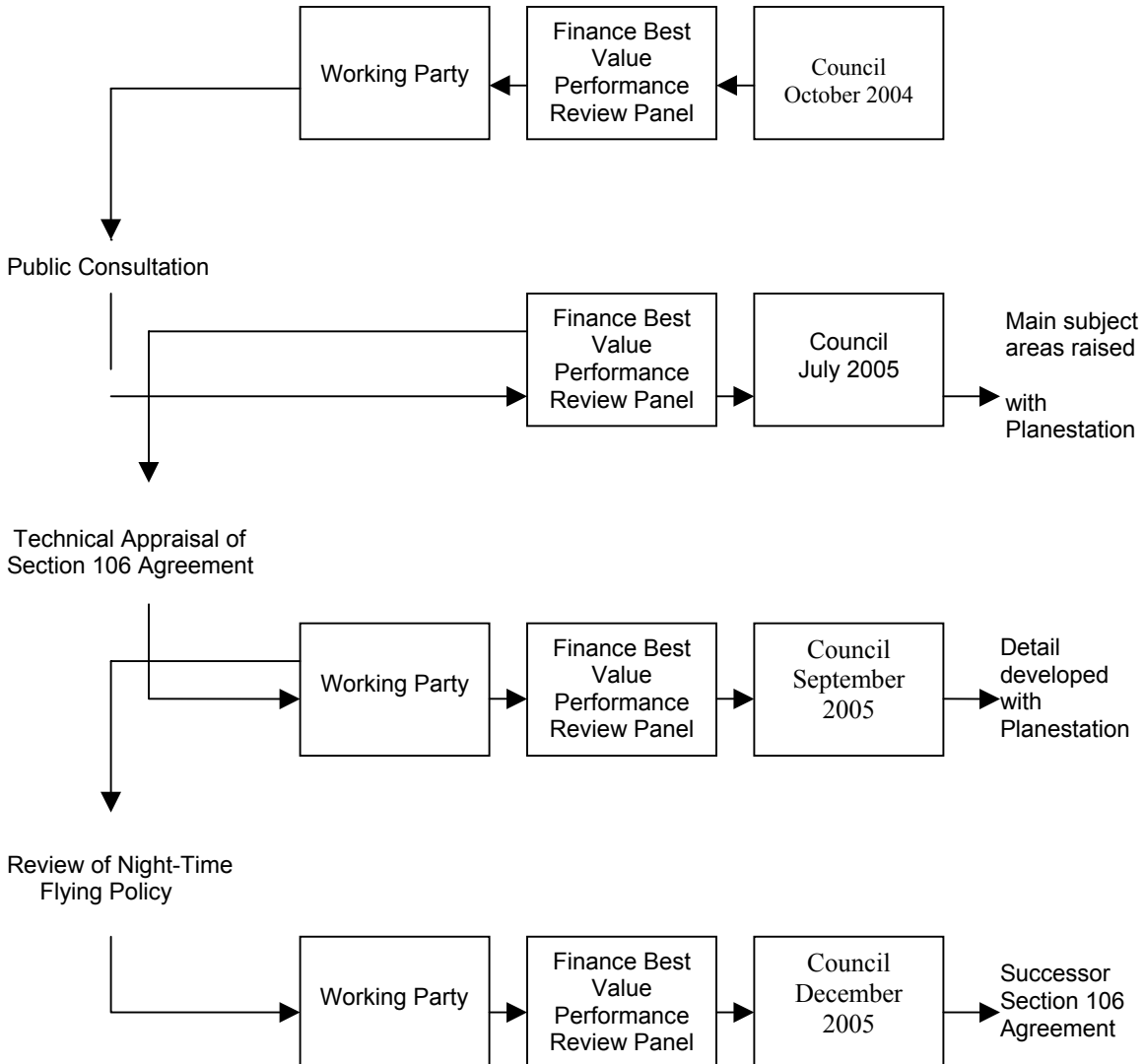
### **3.0 Framework for Development of the Successor Section 106 Agreement**

- 3.1 The Airport Working Party has maintained a high level of knowledge about the current operations of the Airport. It has produced valuable steerage on the production of information and reports.
- 3.2 Initially, the focus was the programme of public consultation, but it has also taken an overview of the technical information being collected regarding the performance of the existing Section 106 Agreement since 2000.

The aviation consultants, Stratford, have been instructed to assemble the final data on noise contours, runway usage, total aircraft movement (by category), etc. in order that a technical commentary with trends on how well the Agreement has worked can be produced, and reported to Full Council in September.

This report will comprise an additional chapter to the Stratford report. Effectively, the work will comprise an additional layer of information to reinforce that provided by public consultation.

3.3 The framework for collection of information and reporting is shown below:



3.4 Because the Section 106 Agreement is voluntary, construction of the new document will rely on the participation of Planestation. It is therefore essential that Planestation remains fully informed, and engaged in the process of putting into place the new Agreement.

#### 4.0 Options

- 4.1 Agree the recommendations of the report.
- 4.2 Amend the recommendations of the report.

## **5.0 Corporate Implications**

### **5.1 Financial**

5.1.1 There are no financial implications of this report. Officer time and meetings necessary to properly address this important subject is funded from approved revenue budgets.

### **5.2 Legal**

5.2.1 There are no legal implications of this report. At this stage the Council is merely gathering information and receiving opinion before advancing towards the next Section 106 Agreement.

### **5.3 Corporate**

5.3.1 The Council has carried out a comprehensive consultation process. It must now reinforce the process by keeping all interested parties informed.

## **6.0 Recommendations**

6.1 That Full Council receive this report and endorse the content of paragraph 2.6 as the subject of further detailed work on the successor Section 106 Agreement.

6.2 That Full Council agrees the framework for development of the successor Section 106 Agreement (set out in section 3 of the report), and receives a further report regarding the technical performance of the Airport against the content of the existing Section 106 Agreement at its September meeting.

6.3 That the Airport Working Party continues to work with Officers and meet as necessary on this subject, and reports via the Finance, Best Value and Performance Review Panel, to the Council's Section 106 team to support it in representing Thanet in negotiating the successor Section 106 Agreement with Planestation.

## **7.0 Decision-making Process**

7.1 This matter is a key decision.

7.2 The decision is subject to call-in.

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