

Annual Review 2018



Planning Application

The long awaited Stansted Airport Planning Application was submitted by Manchester Airports Group (MAG) to Uttlesford District Council (UDC) on 22 February. It had been clear to SSE for several months that, at the highest level, UDC wished to see this application approved despite the fact that it would enable Stansted to grow to a throughput of 43 million passengers per annum - an increase of 66% compared to 2017 - and would also allow 44% more flights than in 2017. Dealing with this Application was therefore the dominant feature of SSE's work throughout 2018.

The SSE Response Team immediately began scrutinising the documentation provided by MAG in support of its Planning Application. To augment the work of SSE's own 11 topic specialists, expert consultancy support was commissioned to assist on surface access (roads) and specialist planning matters. By the end of April SSE was able to provide UDC with a 175-page submission which identified a series of errors, misrepresentations and shortcomings in MAG's Planning Application. This was the first of what eventually became four SSE submissions to UDC regarding the MAG Planning Application in the course of the year.

In the course of scrutinising the 3,000 pages of MAG's documentation, SSE discovered (buried deep in an appendix) that MAG proposed to cancel a longstanding legal agreement which prevented it from lobbying Government for more night flights. MAG subsequently agreed to withdraw this proposal. SSE also discovered the existence of a 'Cash for Favours' deal whereby MAG agreed to provide a cash sum to UDC (which was eventually disclosed to be £117,000) subject to UDC meeting target dates to speed up the progress of the Planning Application.

In April 2018, in the light of legal advice that the scale, complexity and wider impacts of the Planning Application rendered it unsuitable for local determination, SSE formally requested the Secretary of State for Housing, Communities and Local Government (SSHCLG) to exercise his legal powers to call in the Application for national determination. Correspondence between SSE and the SSHCLG continued on this subject throughout the year and the Secretary of State for Transport (SST) was also brought into the debate because, quite separately, he also had legal powers to require the Planning Application to be determined at national level.

The SSHCLG kept all his options open throughout 2018 whereas the SST announced - at the end of June 2018 - that he would not call in the Application, prompting SSE to initiate Judicial Review (JR) proceedings to challenge his decision. The state of play as at the end of 2018 is:

UDC has approved the Application but is prevented by the SSHCLG from confirming this; SSE's JR proceedings v. the SST are ongoing with hearing dates likely in early 2019; and the SSHCLG had still not decided whether or not to call in the Application.

In June 2018, UDC planning officers agreed to meet with SSE to discuss our concerns about the Planning Application. It had taken 12 months for planning officers to agree to this meeting whereas, by comparison, they had held 36 meetings with MAG in the two years immediately prior to the Planning Application being submitted - information which SSE was

only able to obtain by using the Freedom of Information Act. The vast majority of these 36 meetings were not minuted. UDC officers claimed these were informal meetings with no requirement to produce minutes.

In July 2018, MAG provided another 900 pages of documents in an attempt to make up for short-comings in its original Application. This obviously had the effect of delaying the timetable since the original plan between MAG and UDC agreed a final determination deadline of 18 July. SSE provided supplementary submissions to UDC in response to the additional information, and continued to provide submissions to officers and briefing material for elected members, right up until 14 November, the date set for the UDC Planning Committee to determine the application. As widely expected from the outset, the Planning Application was approved. The Planning Committee, comprising ten elected Uttlesford councillors, split right down the middle with five in favour of the application (including the Planning Committee Chairman) and five against. Where there is a split vote, the Council rulebook gives the Chairman an additional (casting) vote and this carried the day. Astonishingly, it subsequently emerged that the Chairman, and at least one or member of the Planning Committee who also voted in favour, had not realised that approving the Application would result in an increase of more than 25,000 flights per annum, compared to refusal. At the time of the vote, both believed that there would only be an increase in passengers, not flights.

Immediately following the vote the SSHCLG instructed UDC not to issue a decision notice until he had an opportunity to consider whether the application should be called in. He then invited submissions from interested parties on this matter and SSE provided the SSHCLG with a 92-page 'dossier' in mid-December setting out reasons why the Application should be called in. As at the end of 2018 the decision of the SSHCLG is awaited.

Flight Paths

In October 2018, the CAA finally announced the outcome of its Post-Implementation Review of the controversial changes to Stansted Airport flight paths which had been introduced in 2016. Unfortunately, this largely endorsed the changes, but this is not necessarily the end of the road. A more far-reaching review of flight paths is due to be undertaken by the CAA/NATS within the next two years and this will provide a further opportunity to argue for greater priority to be given to reducing noise impacts upon local communities close to airports and directly beneath flight paths.

Airport-Owned Houses

Throughout the year Stansted Airport continued to sell the houses it purchased in connection with its plans for a second Stansted runway. At one time this stood at almost 300 properties. By the end of 2018 only about 30 homes remained in airport ownership. Symbolically, the iconic Three Horseshoes pub at Molehill Green, which has a history dating back to the 16th Century was also returned to private ownership after ten years under airport ownership.

Airport Growth

In 2018 Stansted Airport handled a record 28.0m passengers, an increase of 8.1% on 2017.

Stop Stansted Expansion
January 2019