

# The Civil Aviation Authority's response to Heathrow Airport Limited's Environmental Impact Assessment Scoping Report

CAP 1891

**Published by the Civil Aviation Authority, 19 June 2018**

Civil Aviation Authority  
Aviation House  
Gatwick Airport South  
West Sussex  
RH6 0YR

You can copy and use this text but please ensure you always use the most up to date version and use it in context so as not to be misleading, and credit the CAA.

First published 2018  
Second edition

The latest version of this document is available in electronic format at: [www.caa.co.uk](http://www.caa.co.uk)

# Contents

---

|                                                                                   |          |
|-----------------------------------------------------------------------------------|----------|
| <b>Contents</b>                                                                   | <b>3</b> |
| <b>The CAA's response to HAL's Environmental Impact Assessment Scoping Report</b> | <b>4</b> |
| <b>Introduction</b>                                                               | <b>4</b> |
| <b>The DCO and CAA's Regulatory Processes</b>                                     | <b>5</b> |
| Economic Regulation                                                               | 5        |
| Safety Regulation                                                                 | 5        |
| Airspace Change                                                                   | 6        |
| <b>CAA's response to HAL's EIA Scoping Report</b>                                 | <b>6</b> |
| Chapter 5 - Air Quality and odour                                                 | 7        |
| Chapter 6 - Biodiversity                                                          | 8        |
| Chapter 7 - Carbon and other greenhouse gases                                     | 9        |
| Chapter 8 - Climate Change                                                        | 10       |
| Chapter 9 - Community                                                             | 10       |
| Chapter 12 - Health                                                               | 10       |
| Chapter 15 - Major Accidents and Disasters                                        | 10       |
| Chapter 16 - Noise and vibration                                                  | 12       |

# The CAA's response to HAL's Environmental Impact Assessment Scoping Report

---

## Introduction

---

1. The CAA is the UK's specialist aviation regulator. We work so that:
  - the aviation industry meets the highest safety standards. We regulate the safety of airport design against UK, European and international safety criteria.
  - consumers have choice, value for money, are protected and treated fairly when they fly. We regulate the costs of operating Heathrow airport and, if the Airports National Policy Statement (ANPS) is designated, will regulate the costs of expanding the airport.
  - airspace is well managed. We make decisions on proposals to change airspace design, which we do against the background of Directions and environmental guidance from the Secretary of State.
  - the aviation industry manages security risks effectively.

We also provide the government, and third parties on a commercial basis, with environmental advice as requested, including information about the noise effects of aviation operations.

In general, it is for government to determine environmental policy and for the CAA, where required, to implement such policy as it relates to our functions.
2. We welcome the opportunity to respond to Heathrow Airport Limited's (HAL) Environmental Impact Assessment (EIA) scoping report in our capacity as a prescribed statutory consultee in the planning process.
3. By way of general introductory comment, in paragraphs 5 to 15 we provide a high-level overview of our regulatory roles and how they relate to the Development Consent Order (DCO) process. In paragraphs 16-20 we explain how we approached our consideration of HAL's EIA scoping report. In paragraphs 21-59 we provide such comments as we have at this stage on those chapters of HAL's EIA scoping report that relate to the CAA's regulatory roles.
4. For further information about the CAA's responsibilities or on any of our comments in this paper, please contact us at [DCO.Coordination@caa.co.uk](mailto:DCO.Coordination@caa.co.uk).

## The DCO and CAA's Regulatory Processes

5. In addition to obtaining a DCO, HAL will also be required to obtain a number of regulatory approvals from the CAA in order for a new third runway to become operational. The CAA's regulatory approval processes will continue throughout the planning and construction phases. The environmental statement that will form part of HAL's DCO application will contain topics which are relevant to the CAA's regulatory processes. The three most significant regulatory areas are as follows.

## Economic Regulation

6. The CAA is the economic regulator of HAL. In this capacity, we regulate the maximum revenue per passenger that HAL can make from airport charges. In setting that maximum the CAA's primary duty, as set out in s. 1(1) of the Civil Aviation Act 2012 (the Act), is to carry out its functions "in a manner which it considers will further the interests of users of air transport services regarding the range, availability, continuity, cost and quality of airport operation services". The other matters to which we must have regard are set out in s.1(3) of the Act.
7. S.1(3)(d) requires us to have regard to the need to secure that HAL can take reasonable measures to reduce, control or mitigate the adverse environmental effects of the airport and associated facilities. We will make appropriate allowances for the efficient costs of environmental mitigations and seek to put in place incentives to minimise these costs, including so that capacity expansion does not become unaffordable for airport users.
8. Accordingly, the efficiency of the costs (which we interpret broadly to include that there is a clear statutory driver on HAL to incur the costs, that HAL has identified the most efficient option and that its costs of delivering such options are efficient) of HAL's environmental mitigations falls to be considered in the context of the CAA's primary duty to airport users as specified in s.1(1) of the Act.

## Safety Regulation

9. The CAA has a number of safety oversight responsibilities in the UK. The CAA oversees the safety of aircraft and air navigation, the control of air traffic, air traffic services personnel, the licensing of aerodromes and air crew. In recent years, the European Commission, the European Aviation Safety Agency (EASA) and International Civil Aviation Organisation have played an increasingly significant role.
10. The CAA is the national supervisory authority for the certification of air navigation services (ANS) providers covering the requirements of Regulation (EU) No. 1035/2011. Those requirements include technical and operational competence and capability, specific requirements for the provision of air traffic services,