

DR. CAROLINE LUCAS

Green Party
for the South East of England

Jim Fitzpatrick MP
Parliamentary Under Secretary of State
Department for Transport
Great Minster House
76 Marsham Street
London SW1P 4DR

December 4th 2007

Dear Jim,

As your predecessor was aware, I have a number of concerns about the management of Manston Airport, particularly in relation to air quality and other environmental issues. Constituents have also raised questions about security breaches and potentially illegal flights to and from the airport the Department of Transport has previously advised it is satisfied that the airport is complying with national and EU legislation regarding security - many thanks for that reassurance. It also advised that, under section 35 of the Civil Aviation Act 1982, the local management of the airport is responsible for environmental matters and disturbances from night and training flights.

I understand that any local authority involvement in the enforcement of eg noise levels must form part of a Section 106 agreement, usually negotiated as part of a planning application. When Infratil took ownership of Manston Airport they agreed to abide by an existing and voluntary Section 106 agreement. Thanet District Council's (TDC) had begun the process of negotiating a new agreement with the former owners but Infratil withdrew from this process. The existing agreement includes commitments relating to air quality monitoring, noise pollution levels, water pollution, with specific reference to Pegwell Bay, the timing of training flights, and a system of fines for night flights. Yet there is no evidence that TDC have taken any responsibility for ensuring Infratil meet their commitments.

Local people are unable to access information that details, for example, what noise monitoring takes place or any findings. The fines for night flights should be paid into a community fund, yet community representatives are not aware this happens, despite witnessing many night flights that breach the 106 agreement. Complaints about breaches of the training flight guidelines are not followed up. In other words, local people are unclear to what extent Infratil are abiding by the terms of the 106 agreement and TDC do not appear to be taking measures to hold the airport to account. Under these circumstances, residents are left powerless. The authority that is meant to ensure the airport operates within the law is failing in its duty, whilst information that may reveal further illegal activity, eg air quality data, is not gathered or made available. Given that the current system is not working, I would very much appreciate advice from the Department of Transport as to what can be done.

The Department of Transport also explained that, under section 35, the airport is obliged 'to provide adequate facilities for consulting users of the airport, local authorities and local representative organisations'. Yet, since Infratil took ownership of the airport they have raised a number of objections that have effectively blocked the consultation process. For example, they were unhappy about the size of the long established consultative committee and, according to Kent County Council, issues of membership and chairmanship of the committee were unresolved for over a year. The consultative committee is now apparently meeting again but, as I understand it, neither Infratil nor TDC has made funds available, membership is severely restricted, the meetings are not publicised to local residents and minutes are not routinely published. I suggest that this constitutes a failure on the part of Infratil to properly meet its obligations under section 35, whilst TDC have also consistently refused to address outstanding matters or put any pressure on the airport owners. So, what options are available to local people that wish to be consulted about the future of Manston Airport and its current operations? Who exactly is responsible for

enforcing the conditions outlined in section 35, if neither the airport management nor local authority is cooperating?

Your predecessor was kind enough to respond to my earlier correspondence about Manston Airport in Kent and I hope you can provide me with further assistance on this occasion. I look forward to hearing from you.

Yours sincerely,

A handwritten signature in black ink that reads "Caroline Lucas". The signature is written in a cursive, flowing style.

Caroline Lucas - Green Party MEP for South East England.