

APPENDICES

Appendix 1

LBN Correspondence



1st Floor West Wing
Ref: 07/01510/VAR
22 July 2013

Ms Rachel Ness
Director of Infrastructure, Strategy and Planning
London City Airport Limited
City Aviation House
Royal Docks
London
E16 2PB

Dear Rachel,

Town and Country Planning Act 1990 (as amended)

Re: London City Airport

Planning Permission 07/01510/VAR (under Section 73 of the Town and Country Planning Act 1990) to vary conditions 13 and 15 of the outline planning permission N/82/104 dated 23 May 1985 (as previously varied), to allow up to 120,000 total aircraft movements per annum (number of total movements in 2006 was 79,616) with related modifications to the daily and other limits including noise factored movements.

I refer to the above consent which was granted following completion of the Section 106 Agreement on the 9 July 2009.

This letter summarises the submissions received by the London Borough of Newham between 1 January – 31 December 2012, pursuant to the obligations of the above Planning Agreement.

The 2011 Annual Performance Report (APR) was submitted on 2 July 2012, this fulfilled all of the relevant ongoing obligations in the Planning Agreement to report progress on obligations for the 2011 reporting year.

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In February the Airport notified the Council of the loss of a passive diffusion tube, known as LCA17, which was located on a lamppost that was removed from a site not controlled by the Airport. The loss of LCA17 leaves the Airport with a network of 18 diffusion tube samplers which monitor particulate matter (PM₁₀) and nitrogen dioxide (NO₂) within the regime of the Air Quality Measurement Programme. The Council agreed that the Air Quality Measurement Programme would not be significantly affected by this [Third Schedule, Part 3, Paragraph 1(a)].

'London City Airport Air Quality Action Plan 2012-2015' was approved by the Council on 22 June 2012 and was to be implemented within six months of approval [Third Schedule, Part 3, Paragraph 2(a)], this obligation has been fulfilled.

'London City Airport Biodiversity Strategy 2012-2014' was approved by the Council on 13 April 2012 [Third Schedule, Part 7, Paragraph 2(a)], this fulfils this obligation. The Airport were required to implement the approved Biodiversity Strategy within 6 months of approval [Third Schedule, Part 6, Paragraph 7], this obligation has been fulfilled.

A summary of the complaints and enquiries the Airport receives regarding environmental impact is regularly submitted to the Council and the Airport Consultative Committee [Third Schedule, Part 7, Paragraph 2(a) and 2(b)], this is an ongoing obligation which the Airport are currently adhering to.

Fourth Schedule - Noise

The Sound Insulation Scheme commenced on the 16 December 2011, although properties had been identified in previous Annual Performance Reports, the formal notification of eligibility under the scheme began with letters to those with an interest in dwellings and community properties within 30 days of this date. Throughout 2012 the Airport, and their appointed contractors, progressed with the notification of eligibility, inspection and treatment of properties eligible for Further Inspection, First Tier or Second Tier Works or Public Buildings First Tier or Second Tier Works [Fourth Schedule, Part 1, Paragraph 1(a), Part 2, Paragraphs 2, 3(a) & 4 and Part 4], this fulfils these obligations for this reporting year, although progress is ongoing and continues in 2013.

Throughout 2012 the Airport held monthly meetings regarding the Sound Insulation Scheme with officers from the London Boroughs of Newham, Tower Hamlets and the Royal Borough of Greenwich in attendance.

The Airport progressed with the Sound Insulation Scheme from December 2011 and publicly advertised the scheme in local publications [Fourth Schedule, Part 4] on one occasion in 2012 (not two occasions as required by the Deed); this is an ongoing obligation which the Airport failed to adhere to in 2012. To remedy this situation the Airport committed to advertise the scheme on three occasions in 2013. It is noted that the written notification to individuals with an interest in an eligible property and the publication of eligibility in the 2011 APR provides assurance that those eligible have access to benefit from the scheme.

The Airport are required to use reasonable endeavours to enter into a Neighbouring Authority Agreement with the London Borough of Tower Hamlets, [Fourth Schedule, Part 5, Paragraph 1], this obligation remains outstanding.

The Council receives quarterly aggregate figures of the numbers and types of aircraft that operate from the Airport [Fourth Schedule, Part 7, Paragraph 6(a)], this is an ongoing obligation that the Airport is currently adhering to.

The Airport made quarterly submissions of a report detailing the status of the Noise and Track Keeping system as required by the Temporary Noise Monitoring Strategy [Fourth Schedule, Part 11, Paragraph 2], this is an ongoing obligation that the Airport are currently adhering to.

Ongoing dialogue between parties representing the Council and the Airport enabled the Airport to submit further information related to the Review of Aircraft Categorisation [Fourth Schedule, Part 13, Paragraph 2], this is subject to further negotiation and development by both parties.

Sixth Schedule – General Provisions

The following financial contributions were received on 2 July 2012:

£57,201.85	4 th Annual Monitoring Payment [Sixth Schedule, Part 6, Paragraph 3]
£102,447.04	Education and Training Payment [Sixth Schedule, Part 2, Paragraph 3(c)]

The financial contributions received for the Annual Monitoring and Education and Training payments fulfil the obligations as listed above for this year.

The Airport paid the pro-rata Parking Contribution of £37,509.19 on 11 July 2012 [Sixth Schedule, Part 1, Paragraph 4(a)], this fulfils this obligation.

If you have any questions regarding this letter please contact me on 02033731168 or Jennifer.Bishop@newham.gov.uk.

Yours sincerely



Jennifer Bishop
Airport Monitoring Officer

cc. Richard Hesketh, Quod Planning

Appendix 2

Summary Of Planning Agreement Requirements & References Within APR

Planning Agreement Reference/ Comments from LBN	Planning Agreement Requirement	Location of Information within APR, para ref.
Section 1 Introduction		
Definitions	"An annual report to be submitted to the Council by 1 July in each calendar year which shall (to the extent required by the obligations in this Deed) report on the performance of and compliance with the terms of this Deed in the preceding calendar year and shall include all the annual reporting requirements contained in this Deed or as agreed with the Council from time to time"	1.2 Annual Performance Report, para 1.2.1
6th Schedule / Part 5 / 1 – Page 58	"In pursuance of any obligation under this Deed to report to the Council on the performance or compliance with the terms of this Deed, the Airport Companies shall provide the Council with the Annual Performance report by 1 July in each calendar year in respect of performance and compliance in the preceeding calendar year (January to December) and shall publish the Annual Performance Report on the website for the Airport Consultative Committee by 31 July in each calendar year Provided That for the avoidance of doubt the Airport Companies shall submit the first Annual Performance Report by 1 July 2010 for performance and compliance during the year 2009 and publish such Report on the Airport Consultative Committee website by 31 July 2010."	
6th Schedule / Part 5 / 2 – Page 58	"For the avoidance of doubt any obligation to report to the Council contained in this Deed shall be read and construed as if that obligation was to include such report in the Annual Performance Report regardless of any indication to the contrary as to form or timing of such report."	

Planning Agreement Reference/ Comments from LBN	Planning Agreement Requirement	Location of Information within APR, para ref.
Section 2 Aircraft Movements		
4th Schedule / Part 7 / 6 – Page 45	“Report aggregate figures of the numbers and types of aircraft using LCY.”	2.1 Numbers and Types of Aircraft using the Airport, paras 2.1.1-2.2.2
LBN letter dated 26 February 2010 LBN comments received 5 May 2011	“There will be a need to ensure that noise data is sufficiently detailed so that compliance can be checked. Therefore there would be a need to include daily numbers of movements including class, numbers of late flights etc. (Please continue to liaise with my colleague Robin Whitehouse in this regard).” Daily flight numbers and associated noise category of aircraft should demonstrate compliance with Condition 8(1)(a) to (j) and Condition 8(4)(a) and (b) of planning permission 07/01510/VAR.	2.2 Daily Numbers of Movements including Noise Category, paras 2.2.1-2.2.3
LBN letter dated 26 February 2010 LBN comments received 5 May 2011 3rd Schedule / Part 2 – Page 30	“It would be useful to include whether or not all flights and maintenance fell within or outside of the allowed times in the Agreement.” Times of flights of should demonstrate compliance with Conditions 6(a), 6(b), 6(c), 9 and 10 of planning permission 07/01510/VAR. The times of ground running for maintenance should demonstrate compliance with Condition 5 of planning permission 07/01510/VAR. Confirmation should also be provided that noise generated by maintenance outside of the permitted hours was not discernible at the boundaries of the Airport site.	2.3 Times of Flights and Maintenance, para 2.3.1-2.3.5

Planning Agreement Reference/ Comments from LBN	Planning Agreement Requirement	Location of Information within APR, para ref.
Section 3 Noise		
Definitions	"The 57 dB Contour based on actual aircraft movements for the summer period (16 June to 15 September) in the calendar year immediately preceding the due date for submission of the Annual Performance Report,"	3.6 SIS: Noise Contours, para 3.6.1
Definitions	"The 66 dB Contour based on actual aircraft movements for the summer period (16 June to 15 September) in the calendar year immediately preceding the due date for submission of the Annual Performance Report."	3.6 SIS: Noise Contours, para 3.6.1
Definitions	"The 69 dB Contour based on actual aircraft movements for the summer period (16 June to 15 September) in the calendar year immediately preceding the due date for submission of the Annual Performance Report."	3.6 SIS: Noise Contours, para 3.6.1
Definitions	"The 57 dB Contour based on forecast Aircraft Movements at the Airport for the summer period (16 June to 15 September) in the calendar year of the due date for submission of the Annual Performance Report."	3.6 SIS: Noise Contours, para 3.6.1
Definitions	"The 66 dB Contour based on forecast Aircraft Movements at the Airport for the summer period (16 June to 15 September) in the calendar year of the due date for submission of the Annual Performance Report."	3.6 SIS: Noise Contours, para 3.6.1
Definitions	"The 57 dB Contour based on forecast Aircraft Movements at the Airport for the summer period (16 June to 15 September) in the calendar year of the due date for submission of the Annual Performance Report but reduced to take into account likely cancellation of flights and other matters affecting numbers of Aircraft Movements by reference to historical data from the preceding five calendar years."	3.6 SIS: Noise Contours, para 3.6.1
Definitions	"The 66 dB Contour based on forecast Aircraft Movements at the Airport for the summer period (16 June to 15 September) in the calendar year of the due date for submission of the Annual Performance Report but reduced to take into account likely cancellation of flights and other matters affecting numbers of Aircraft Movements by reference to historical data from the preceding five calendar years."	3.6 SIS: Noise Contours, para 3.6.1
9th Schedule / Part 1 / 5 – Page 65	"As part of the Annual Performance Report on 1 July each year the Actual 57 dB Contour, the Actual 66 dB Contour and the Actual 69 dB Contour is produced by the Airport Companies in accordance with the INM and submitted to the Council."	3.6 SIS: Noise Contours, para 3.6.1
LBN comments received 1 May 2012	Include a very simple table which notes the number of properties that were eligible in the previous year, and how LCY have notified/inspected/treated those properties.	3.6 SIS: Noise Contours, Table 3.1
4th Schedule / Part 1 / 1 - Page 36	"On 1 July each year following the date of this Deed the Airport Companies shall include as part of the Annual Performance Report a list of all residential premises and Public Buildings where a period of 10 years or more has expired since the date on which the glazing elements, mechanical ventilation and modifications to external doors which form part of either the First Tier Works or the Public Buildings First Tier Works or the Second Tier Works or the Public Buildings Second Tier Works were carried out and completed..."	3.7 SIS: Further Inspection of Treated Premises, paras 3.7.1-3.7.3

Planning Agreement Reference/ Comments from LBN	Planning Agreement Requirement	Location of Information within APR, para ref.
4th Schedule / Part 2 / 1 – Page 39	“In the preparation of each Annual Performance Report the Airport Companies shall determine First Tier Works Eligibility and Public Buildings First Tier Works Eligibility by applying the Eligibility Methodology and shall publish in each Annual Performance Report the boundary within which premises having First Tier Works Eligibility and Public Buildings First Tier Works Eligibility are situated together with the 1998 57 dB Contour, the Actual 57 dB Contour, the Predicted 57 dB Contour and the Predicted Reduced 57 dB Contour.”	3.8 SIS: First Tier Works, para 3.8.1
4th Schedule / Part 3 / 1 – Page 41	“In the preparation of each Annual Performance Report the Airport Companies shall determine Second Tier Works Eligibility and Public Buildings Second Tier Works Eligibility by applying the Eligibility Methodology and shall publish in each Annual Performance Report the boundary within which premises having Second Tier Works Eligibility and Public Buildings Second Tier Works Eligibility are situated together with the Actual 66 dB Contour, the Predicted 66 dB Contour and the Predicted Reduced 66 dB Contour.”	3.9 SIS: Second Tier Works, para 3.9.1
4th Schedule / Part 4 – Page 43	“The Airport Companies shall advertise at least twice a year starting three months from the date of the first Annual Performance Report in local newspapers which are in circulation within the vicinity of the Site and publish on the Airport Website the availability of the First Tier Works the Public Buildings First Tier Works the Second Tier Works and the Public Buildings Second Tier Works.”	3.10 Publicity for SIS, paras 3.10.1-3.10.3
4th Schedule / Part 5 / 1 – Page 44	“The Airport Companies shall use reasonable endeavours to enter into the Neighbouring Authority Agreements within six months of the date of this Deed or such other longer timescale as agreed with the Council and for the avoidance of doubt upon completion of a Neighbouring Authority Agreement the Council shall cease to have any responsibility for the matters contained in that Neighbouring Authority Agreement so far as they relate to properties within the London Borough of Greenwich or the London Borough of Tower Hamlets (as the case may be).”	3.12 Neighbouring Authority Agreements, paras 3.12.1-3.12.2
4th Schedule / Part 7 / 5 – Page 45	“To hold regular meetings and/or discussions with the Council the Airport Consultative Committee and such other statutory bodies as may be reasonably nominated by the Council in order to review the operation of the noise Management Scheme and submit reports of the operation of the Noise Management Scheme to not fewer than two meetings per year of the Airport Consultative Committee.”	3.1 Noise Management Scheme, para 3.1.1
Para A6.0 in Temporary Noise Strategy	“A record of the daily operational status of each monitor together with the total monthly correlation rate of noise events to aircraft departures for the immediately preceding quarter shall be submitted to LBN.”	3.2 Temporary Noise Monitoring Strategy Reporting Requirements, paras 3.2.1-3.2.2
4th Schedule / Part 12 / 3 – Page 47	“The Airport Companies shall identify in the Annual Performance Report on 1 July each year any dwelling with any part of its external elevation which is situated within the Actual 69 dB Contour for the purposes of the Purchase Scheme.”	3.11 Purchase Scheme, paras 3.11.1-3.11.2

Planning Agreement Reference/ Comments from LBN	Planning Agreement Requirement	Location of Information within APR, para ref.
9th Schedule / Part 1 / 4 – Page 65	“Annually on 31 December the provisional categorisation of each approved aircraft type is reviewed (provided that if the provisional categorisation for an aircraft type has been approved in the period between 1 October and 31 December of the year in question then the provisional categorisation of that aircraft type is reviewed on 31 December in the following year) having regard to the departure noise levels recorded at the four monitoring points used for the purposes of the Noise Monitoring System and the Airport companies by 1 July in the following year submit details in writing to the Council of the results of the review whereupon the provisional categorisation of each approved aircraft type is confirmed or amended by the Council with the agreement of the Airport Companies having regard to the monitored values and any such amendment may with the agreement of the Council include the introduction of sub-categorisation into narrower bands provided that noise factors appropriate to any such bands are calculated and applied.”	3.5 Annual Aircraft Categorisation, paras 3.5.1-3.5.2
LBN comments received 5 May 2011	Include details of progress on the Noise Insulation Payments Scheme.	3.13 Noise Insulation Payments Scheme, para 3.13.1
Section 4 Ground Noise		
5th Schedule / Part 1 / 2 – Page 49	<p>“Annually on 1 July every year as part of the Annual Performance Report to submit to the Council:</p> <p>(a) written details (in accordance with the format set out in Part 6 of this Schedule) of Ground Running that has taken place during the preceding calendar year (the year to run from 1 January to 31 December each year for this purpose) including details of the number duration and power settings of ground runs and the types of aircraft involved; and</p> <p>(b) written measurements and calculations to show whether the ground Running Noise Limit has been exceeded during the preceding calendar year.” [5th Schedule / Part 1 / 2 – Page 49]</p>	4.1 Ground Running of Aircraft Engines, para 4.1.1
5th Schedule / Part 1 / 3 – Page 49	“In the event that the Ground running Noise Limit has been exceeded contrary to paragraph 1 of this Part to submit annually on 1 July as part of the Annual Performance Report written proposals to the Council for their approval for the carrying out of measures and the time scale for the carrying out of those measures in order to ensure that Ground Running complies with the Ground running Noise Limit and such approved measures shall be carried out in accordance with the approved time scale.”	4.2 Exceedences of Ground Running Noise Limit, para 4.2.1
LBN comments received 5 May 2011	Include details of the submission of the Ground Noise Study.	n/a for 2012 APR

Planning Agreement Reference/ Comments from LBN	Planning Agreement Requirement	Location of Information within APR, para ref.
Section 5 Air Quality		
3rd Schedule / Part 3 / 1(c) - Page 31	"With effect from the date of this Deed the Airport Companies shall make the data from the Air Quality Measurement Programme available to the Council the Airport Consultative Committee and members of the general public through the Annual Performance Report and at each meeting of the Airport Consultative Committee by reporting on such data for the most recent quarter of the year preceding such meeting for which there is data available."	5.1 Data from Air Quality Measurement Programme, paras 5.1.1-5.1.2
LBN comments received 5 May 2011	Include a statement confirming whether monitored levels are in line with government standards.	
3rd Schedule / Part 3 / 1(d) (iii) - Page 31	"Through the Annual Performance Report insofar as this shall include a summary of the results available from any Deposits Study in the preceding calendar year and the number and nature of such complaints in the preceding calendar year." [3rd Schedule / Part 3 / 1(d) (iii), Page 31]	5.2 Results from any Deposits Study in the Preceding Calendar Year, paras 5.2.1-5.2.4
3rd Schedule / Part 3 / 2(a) - Page 31	"The Airport Companies shall submit for the written approval of the Council the Air Quality Action Plan within 12 months of the date of this Deed..."	5.3 Air Quality Action Plan, para 5.3.1-5.3.2 and Table 5.1
Section 6 Sustainability and Biodiversity Strategies		
3rd Schedule / Part 6 / 4 - Page 34	"During the operation of the approved Airport Sustainability Action Plan, the Airport Companies shall report to the Council annually on 1 July as part of the Annual Performance Report on the performance of the Airport Companies during the previous calendar year against the targets in the Airport Sustainability Action Plan."	6.1 Airport Sustainability Strategy and Airport Biodiversity Strategy, paras 6.1.1-6.1.3 and Table 6.1
3rd Schedule / Part 6 / 8 - Page 34	"Report to the Council every two years on 1 July (on those occasions, as part of the Annual Performance Report for that year) on the performance of the Airport Companies against the objectives and measures specified in the Airport Biodiversity Strategy in the preceding two calendar years, the first such report to be made on 1 July following the second anniversary of the receipt of written approval from the Council pursuant to paragraphs 5 and 6 of this Part; and..."	6.2 Airport Biodiversity Strategy, paras 6.2.1-6.2.2 and Table 6.2
3rd Schedule / Part 6 / 8 - Page 34	"Every five years on 1 July (on those occasions, as part of the Annual Performance Report for that year) submit to the Council a review of the performance of the Airport Biodiversity Strategy and the first such review shall be submitted on 1 July following the fifth anniversary of the receipt of written approval from the Council pursuant to paragraphs 5 and 6 of this Part; and..."	

Planning Agreement Reference/ Comments from LBN	Planning Agreement Requirement	Location of Information within APR, para ref.
Section 7 Education, Employment and Training		
6th Schedule / Part 2 / 1(a) – Page 55	<p>“Use reasonable endeavours to ensure that</p> <p>(i) at least 70% of the full time equivalent jobs at the Airport are filled by residents of the Local Area including at least 35% filled by residents of the London Borough of Newham;</p> <p>(ii) at least 70% of direct employees of LCA are resident in Local Area;</p> <p>(iii) at least 35% of direct employees of LCA are resident in the London Borough of Newham.</p> <p>(iv) Where LCA initiates recruitment simultaneously for more than 1 job vacancy to advertise through local employment agency (e.g. Reed, Docklands Office), to notify vacancies to relevant Recruitment Centre and to advertise such vacancies on the Airport Website.”</p> <p>“To provide the Council and the Airport Consultative Committee with an annual return on 1 July each year with details of the percentage of people living in the Local Area who are employed on the site including the percentage of residents of the London Borough of Newham.” [6th Schedule / Part 2 / 1(f) – Page 55]</p>	7.2 Employment Statistics Reporting, para 7.2.1-7.2.9
6th Schedule / Part 2 / 1(b) – Page 55	<p>“To use reasonable endeavours to encourage employers at the Site to fill their job vacancies with residents of the London Borough of Newham and in so doing:</p> <p>(i) within six months of the date of this Deed establish a forum for all employers at the Airport which have at least 20 individual members of staff based at the Airport and to hold meetings of that forum at least twice in each calendar year;</p> <p>(ii) so far as practicable ensure all employers at the Airport which have at least 20 individual members of staff recruit locally as far as possible an advertise job vacancies through the Airport Website and the relevant Recruitment Centre.”</p>	7.3 Employers' Forum, para 7.3.1
6th Schedule / Part 2 / 1(c) – Page 55	“To continue to provide a list of the existing employers at the Site to the Council annually on 1 July each year in order to enable the Council to encourage such employers to fill their job vacancies with residents of the London Borough of Newham.”	7.2 Employment Statistics Reporting, para 7.2.4
6th Schedule / Part 2 / 1(d) – Page 55	“To continue to provide the Council annually with details in writing of the policy adopted by LCA to fill any airport job vacancy and LCA shall consult the council about such policy on not fewer than one occasion each year in conjunction with the submission of the annual return pursuant to paragraph 1(f) of this Part”	7.6 Airport Job Policy, para 7.6.1
6th Schedule / Part 2 / 1(e) – Page 55	“To provide the Council with details of programmes initiated by LCA for the training of their own employees as part of the annual return pursuant to paragraph 1(f).”	7.7 Training Programmes, para 7.7.1-7.7.3
6th Schedule / Part 2 / 1(f) – Page 55	“To provide the Council and the Airport Consultative Committee with an annual return on 1 July each year with details of the percentage of people living in the Local Area who are employed on the Site including the percentage of residents of the London Borough of Newham;”	7.2 Employment Statistics Reporting, para 7.2.1-7.2.9

Planning Agreement Reference/ Comments from LBN	Planning Agreement Requirement	Location of Information within APR, para ref.
6th Schedule / Part 2 / 1(g) – Page 56	“To use reasonable endeavours to participate in and encourage staff of LCA, other employers at the Airport and their staff to participate in local community projects and initiatives.” [6th Schedule / Part 2 / 1(g) – Page 56]	7.4 Staff Participation, para 7.4.1-7.4.3
6th Schedule / Part 2 / 1(h) – Page 56	“Within 12 months of the date of this Deed to implement a work experience programme at the Airport which shall have the objective of providing one week work experience for a minimum of 40 residents of the London borough of Newham and a minimum total of eight residents of the London Boroughs of Bexley, Barking & Dagenham, Greenwich and Tower Hamlets and further...”	7.10 Work Experience, para 7.10.1-7.10.3
Section 8 Surface Access		
LBN letter dated 26 February 2010	Although there is a separate requirement to under the Travel Plan requirements, it may also be useful to include this with the annual submission on the 1st July 2010. This would ensure all the compliance reports are submitted together.	8.2 Travel Plan; and 8.3 Implementation of the Travel Plan
Section 9 Environmental Complaints		
3rd Schedule / Part 7 / 2 (c) - Page 35	“The Airport Companies shall submit a report of any such complaint and any such action:	8.2 Travel Plan; and 8.3 Implementation of the Travel Plan

Planning Agreement Reference/ Comments from LBN	Planning Agreement Requirement	Location of Information within APR, para ref.
Section 11 Other Matters		
Clause 8.12 (b) and (c) – Page 21	<p>“8.12 In the event of any claim being made for judicial review of the Planning Permission to Part 54 Civil Procedures Rules, the following provisions shall have effect:</p> <p>(b) where any investigation study report scheme or strategy is required to be undertaken submitted approved implemented or operated under this Deed:</p> <p>(i) any time period within which it is required to be undertaken submitted approved implemented or operated (as the case may be) shall be suspended from the date of the claim for judicial review and the unexpired part of such period shall not resume until the date on which the claim has been finally determined Provided That if the unexpired period is less than six months that period shall when it resumes be extended to six months; and</p> <p>(ii) any due date by which it is required to have been undertaken submitted approved implemented or operated (as the case may be) shall be postponed until six months after the date on which the claim has been finally determined.”</p> <p>“(c) if the Annual Performance Report is required under this Deed to be published during the currency of the claim for judicial review or within six months of the claim being finally determined the content of the Annual Performance Report shall be agreed between the Airport Companies and the Council having regard to the provisions of this clause 8.12;”</p>	N/A for 2012 APR since the JR claim was finally in June 2011 with the airport's 2009 planning permission being upheld.
7th Schedule / Part 1 / 1 - Page 60	“Within 18 months of the date of this Deed the Airport Companies shall undertake and submit to the Council for its approval the Wake Turbulence Study and in any event the Airport Companies shall begin investigation into the extent and frequency (if any) of damage by Wake Turbulence associated with aircraft landing and taking off at the Airport within six months of the date of this Deed.”	11.1 Wake Turbulence Study, para 11.1.1-11.1.2
LBN comments received 5 May 2011	Include details of the submission of the Value Compensation Scheme.	11.2 Value Compensation Scheme, para 11.2.1-11.1.2

Appendix 3

Daily Movement Limits, Times Of Flights And Maintenance – Relevant Planning Conditions

Extract of relevant planning conditions attached to planning permission 07/01510/VAR for daily movement limits and restricting times of flights and maintenance:

(5) The ground running of aeroplane engines for testing or maintenance purposes shall take place only between the hours of 0630 and 2200 hours from Monday to Friday inclusive and between the hours of 0630 and 1230 hours on Saturdays, 1230 and 2200 hours on Sundays and 0900 and 2200 hours on Bank Holidays and public Holidays (but not at all on Christmas Day) and;

- i) In such locations and with such orientations of the aircraft as may be agreed in writing with the local planning authority and
- ii) Employing such noise protection measures as may be agreed in writing with the local planning authority.

Reason

In the interests of protecting amenity from noise impacts at sensitive parts of the day, in accordance with Policies 4A.20 (Reducing Noise and Enhancing Soundscapes) of the London Plan (Consolidated February 2008) and EQ45 (Pollution) and T29 (London City Airport) of the Unitary Development Plan (adopted June 2001, saved from the 27th of September 2007 in accordance with the direction from the Secretary of State).

(6a) The Airport shall not be used for the taking off or landing of aircraft at any time other than between 0630 and 2200 hours from Monday to Friday inclusive and between 0900 and 2200 hours on Bank Holidays and Public Holidays except:

- a) In the event of an emergency
- b) For the taking off or landing between 2200 and 2230 hours of an aircraft which was scheduled to take off from or land at the Airport before

2200 hours but which has suffered unavoidable operational delays and where that taking off or landing would not result in there being more than 400 aircraft movements at the Airport per calendar year between 2200 and 2330 hours or more than 150 such movements in any consecutive three months.

(6b) The Airport shall not be used for the taking off or landing of aircraft on Saturdays at any time other than between 0630 and 1230 hours except:

- i) In the event of an emergency
- ii) For the taking off or landing between 1230 and 1300 hours on Saturdays of an aircraft that was scheduled to take off or land before 1230 hours but has suffered unavoidable operational delays and where that taking off or landing would not result in there being more than 400 aircraft movements at the airport per calendar year between 1230 and 1300 hours or more than 150 such movements in any consecutive three months.
- iii) The taking off or landing of aircraft between 1230 hours and 1800 hours on one Saturday per calendar year for the Airport's charity open day.

(6c) The Airport shall not be used for the taking off or landing of aircraft on Sundays at any time other than between 1230 and 2200 hours except:

- a) In the event of an emergency
- b) For the taking off or landing between 2200 and 2230 hours of an aircraft which was scheduled to take off from or land at the Airport before 2200 hours but which has suffered unavoidable operational early, and where that taking off or landing would not result in there being more than 400 aircraft movements at the Airport per calendar year between 2200 and 2330 hours or more than 150 such movements in any consecutive three months.

(6d) For the purposes of sub-paragraph (b) of each condition (6a), (6b), and (6c) the figures of 400 aircraft movements and 150 aircraft movements shall in each case include all aircraft movements by aircraft which have suffered operational delays between the hours specified in each sub-paragraph on Mondays to Fridays, on Saturdays, on Sundays and on Bank and Public Holidays and the expression 'aircraft movements' shall mean the take-off or landing of an aircraft at the Airport, other than those engaged in training or aircraft testing.

Reason

In the interests of protecting environmental amenity from noise impacts at sensitive parts of the day and week, in accordance with Policies 4A.20 (Reducing Noise an enhancing Soundscape) of the London Plan (Consolidated February 2008) and EQ45 (Pollution) and T29 (London City Airport) of the Unitary Development Plan (adopted June 2001, saved from the 27th of September 2007 in accordance with the direction from the Secretary of State).

(8) (1) The number of aircraft movements at the Airport shall not exceed:

- a) 100 per day on Saturdays and 200 per day on Sundays but not exceeding 280 on any consecutive Saturday and Sunday
- b) 592 per day on weekdays except 1 January, Good Friday, Easter Monday, the May Day holiday, the late May bank holiday, the late August bank holiday, 25 December and 26 December

- c) 132 on 1 January
- d) 164 on Good Friday
- e) 198 on Easter Monday
- f) 248 on the May Day Holiday
- g) 230 on the late May Bank Holiday
- h) 230 on the late August Bank Holiday
- i) 100 on 26 December
- j) 120,000 per calendar year

(2) In the event of there being a bank Holiday or Public Holiday in England which falls upon or proclaimed or declared upon a date or dates not referred to in sub-paragraph (c) to (i) (inclusive) of condition 8(1) then the number of aircraft movements permissible on that date shall not exceed 330 unless the local planning authority agrees in writing but in any event the limit for any

particular dates shall not exceed 396 per day.

(3) For the purposes of conditions 8(1), 8(2), and 8(4) the expression 'aircraft movements' shall mean the take-off or landing of an aircraft at the Airport, other than those engaged in training or aircraft testing.

(4) The number of factored movements shall not exceed:

- a) In any one week the number of permitted aircraft movements for that week by more than 25%
- b) 120,000 per calendar year.

(5) For the purpose of condition 8(4) the number of factored movements shall be calculated by multiplying the number of take-offs and landings by each aircraft by the relevant noise factor for an aircraft of this type under condition 7 and adding together the totals for each aircraft type using the Airport.

(6) If agreed expressly by the local planning authority in writing, the references to factored movements in this condition will be superseded by any relevant new methodology, noise categories, noise reference levels, noise factors and procedures for categorisation agreed with the local planning authority, following completion of the Aircraft Categorisation Review as required by the Section 106 Agreement that accompanies this permission.

(9) Between 0630 and 0659 hours on Mondays to Saturdays (excluding Bank Holidays and Public Holidays when the airport will be closed between these times) the number of aircraft movements shall not exceed 6 on any day.

Reason

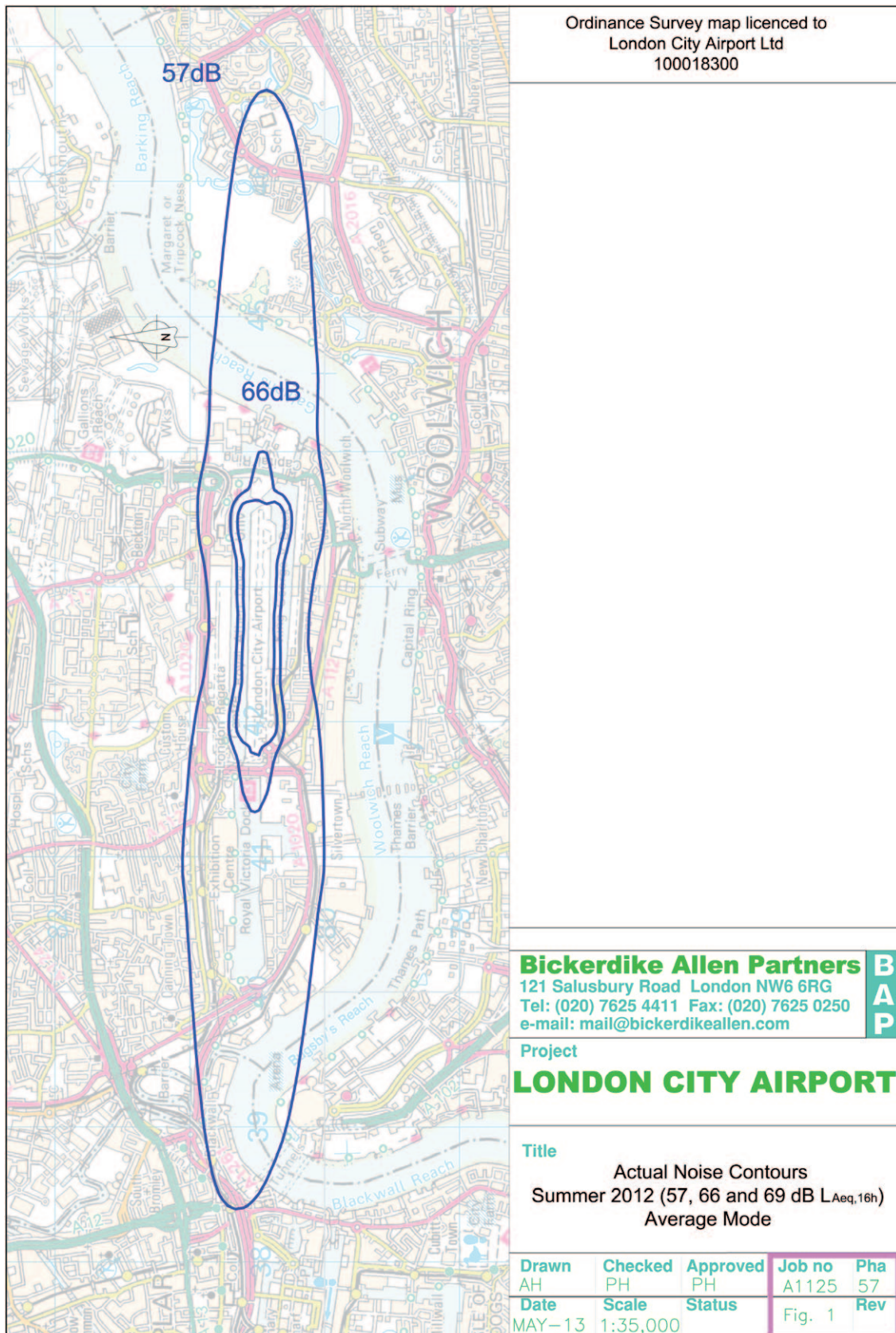
In the interests of protecting environmental amenity from noise impacts at a sensitive part of the day, in accordance with Policies 4A.20 (Reducing Noise an enhancing Soundscape) of the London Plan (Consolidated February 2008) and EQ45 (Pollution) and T29 (London City Airport) of the Unitary Development Plan (adopted June 2001, saved from the 27th of September 2007 in accordance with the direction from the Secretary of State).

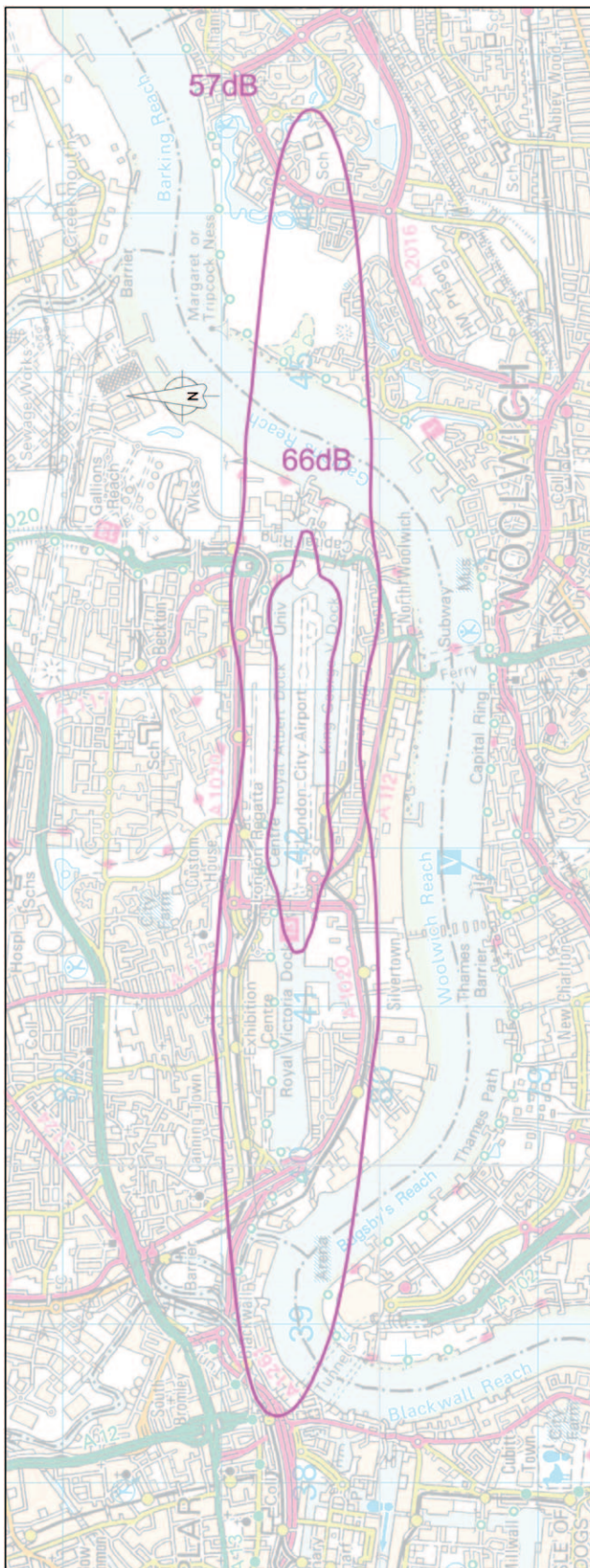
(10) Notwithstanding the restriction on aircraft movements between 0630 and 0959 hours, as set out by Condition 9, the total movements in the period between 0630 and 0645 on Mondays to Saturdays (excluding Bank Holidays and Public Holidays when the airport will be closed between these times), shall not exceed 2 on any day.

Reason

In the interests of protecting environmental amenity from noise impacts at a sensitive part of the day, in accordance with Policies 4A.20 (Reducing Noise an enhancing Soundscape) of the London Plan (Consolidated February 2008) and EQ45 (Pollution) and T29 (London City Airport) of the Unitary Development Plan (adopted June 2001, saved from the 27th of September 2007 in accordance with the direction from the Secretary of State).

Noise Contours





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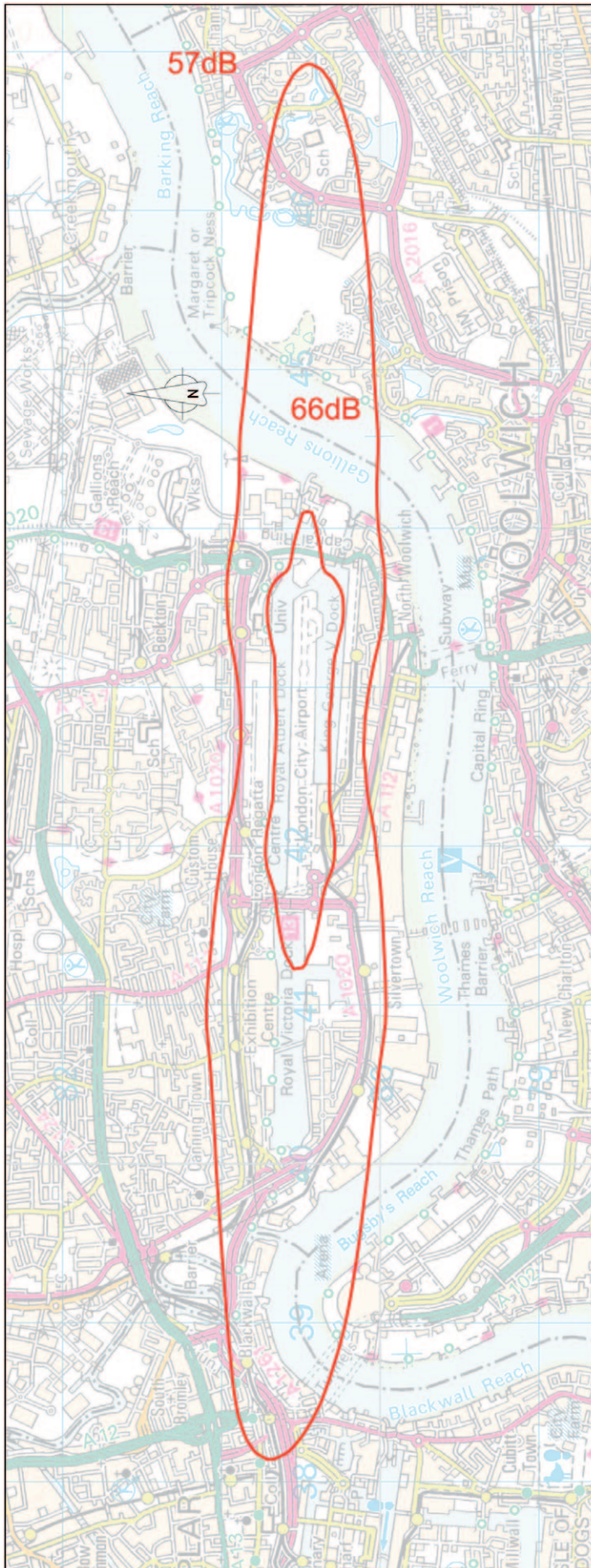
Project

LONDON CITY AIRPORT

Title

Predicted Reduced Noise Contours
Summer 2013 (57 and 66 dB $L_{Aeq,16h}$)
Average Mode

Drawn AH	Checked PH	Approved PH	Job no A1125	Pha 57
Date MAY-13	Scale 1:35,000	Status	Fig. 2	Rev



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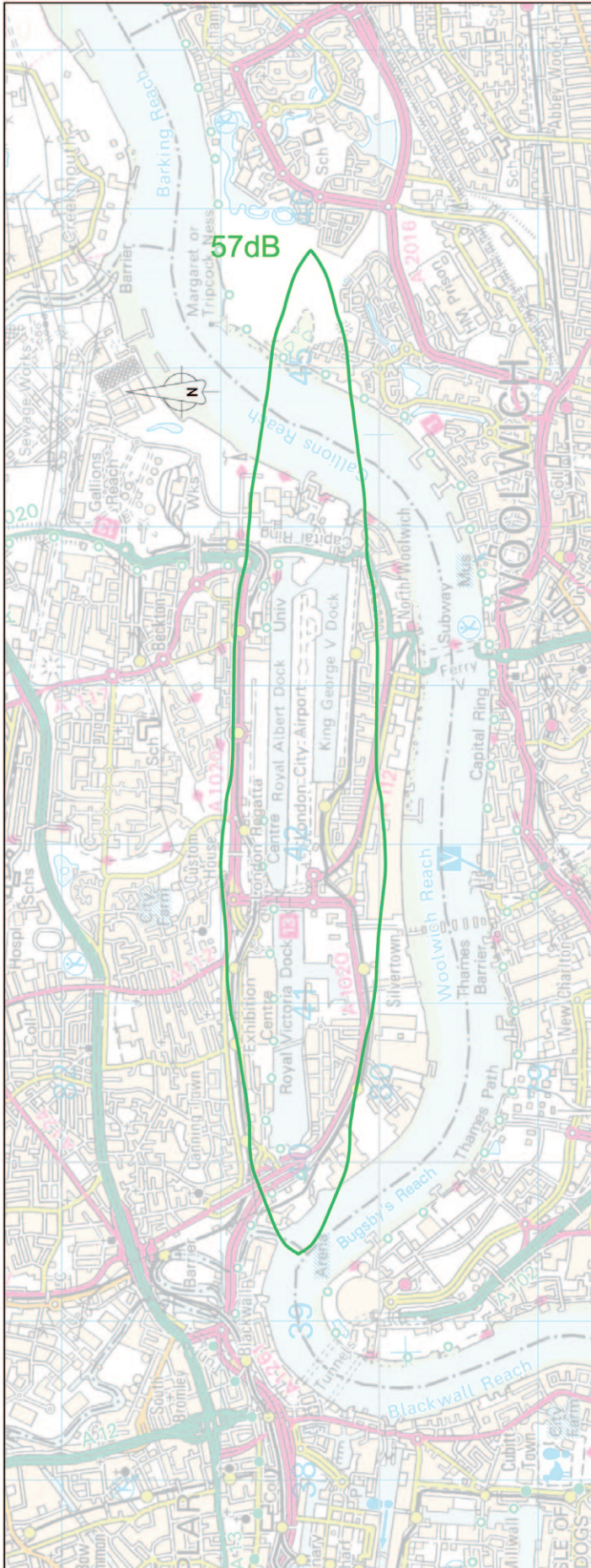
Project

LONDON CITY AIRPORT

Title

Predicted Noise Contours
Summer 2013 (57 and 66 dB L_{Aeq,16h})
Average Mode

Drawn AH	Checked PH	Approved PH	Job no A1125	Pha 57
Date MAY-13	Scale 1:35,000	Status	Fig. 3	Rev



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Project

LONDON CITY AIRPORT

Title

London City Airport
L_{Aeq,16h} Noise contours
'1998 Planning Contours'

Drawn	Checked	Approved	Job no	Pha
AH	PH	PH	A1125	57
Date	Scale	Status	Fig. 4	Rev
MAY-13	1:35,000			

Appendix 5

List Of Treated Premises Eligible For Re-Inspection

This appendix provides a list of residential premises and Public Buildings that have been treated under the airport's sound insulation scheme on or before 1 July 2003. There are 19 properties which became eligible for re-inspection during 2012. Each property on this list will receive a letter inviting them to allow an inspection to be undertaken of the relevant glazing elements, mechanical ventilation and any modifications to external doors that formed part of the original sound insulation scheme works. The purpose of the inspection is to ensure that the works undertaken, provided they have not been altered, continue to be of a standard sufficient to satisfy the acoustic standard for which they were designed to achieve. Where this is found not to be the case, the airport will arrange to undertake further works (subject to the permission of the building owner or other relevant person) as may be necessary to ensure the acoustic standard is achieved.

"On 1 July in each year following the date of this Deed the Airport Companies shall include as part of the Annual Performance Report a list of all residential premises and Public Buildings where a period of 10 years or more has expired since the date on which the glazing elements, mechanical ventilation and modification to external doors which form part of either the First Tier Works or the Public Building First Tier Works or the Second Tier Works or the Public Buildings Second Tier Works were carried out and completed by, on behalf, or at the direction of the Airport Companies (or their respective predecessors in title) pursuant to the obligations in this Deed (and the 1998 Agreement) and on the first occasion on which such list is included in the Annual Performance Report, subject to paragraphs 3 and 4 of this part the following shall apply in relation to each relevant residential premises and Public Building:..."

S106 requirement, Fourth Schedule, Part 1, Para 1 states that:

There are no Public Buildings identified as requiring an inspection for inclusion in the 2012 APR.

**Bickerdike
Allen
Partners**
Architecture
Acoustics
Technology

Re-inspection of properties

Building Name	No.	Sub Building Name	Thoroughfare	PostCode	TOID	BaseFunction
	92		NEWLAND STREET	E16 2HN	1000002190660645	DWELLING
	94		NEWLAND STREET	E16 2HN	1000002190660646	DWELLING
	96		NEWLAND STREET	E16 2HN	1000002190660640	DWELLING
	98		NEWLAND STREET	E16 2HN	1000002190660641	DWELLING
	100		NEWLAND STREET	E16 2HN	1000002190660642	DWELLING
	102		NEWLAND STREET	E16 2HN	1000002190660643	DWELLING
	104		NEWLAND STREET	E16 2HN	1000002190660647	DWELLING
	66		SHELDRAKE CLOSE	E16 2HT	1000002190660662	DWELLING
	74		NEWLAND STREET	E16 2HN	1000002190660853	DWELLING
	80		NEWLAND STREET	E16 2HN	1000002190660859	DWELLING
	84		NEWLAND STREET	E16 2HN	1000002190660855	DWELLING
	88		NEWLAND STREET	E16 2HN	1000002190660857	DWELLING
	1A		SILVERLAND STREET	E16 2JZ	1000002190660924	DWELLING
	37		SAVILLE ROAD	E16 2DS	1000002190661064	DWELLING
	28		HOLT ROAD	E16 2DX	1000002190661143	DWELLING
	5		ALBERT ROAD	E16 2DW	1000002190661433	DWELLING
	6A		ALBERT ROAD	E16 2DW	1000002190661438	DWELLING
	50		PIER ROAD	E16 2LH	1000002190697322	DWELLING
	44		CLAREMONT CLOSE	E16 2LR	1000002190697410	DWELLING