

WITHOUT PREJUDICE

WITHDRAWAL OF JUDICIAL REVIEW BY MR MARTIN BARRAUD AGAINST THE CIVIL AVIATION AUTHORITY

JOINT STATEMENT

Mr Martin Barraud has today withdrawn his application for a judicial review against the Civil Aviation Authority (CAA).

The judicial review concerned an alleged failure by the CAA to ensure appropriate consultation was carried out in relation to changes in air traffic control procedures for aircraft arriving at Gatwick Airport from the east. The effect of those changes, which took place in 2013, was to concentrate aircraft, and therefore aircraft noise, over certain communities in west Kent.

Permission to apply for judicial review was initially refused by the High Court but the Court of Appeal subsequently overturned that decision and further decided that the substantive claim should remain in the Court of Appeal. The court proceedings have been placed on hold since December 2015.

STATEMENT FROM MR BARRAUD

Commenting on his withdrawal of the judicial review, Martin Barraud said:

“Since we commenced these judicial review proceedings :

- Gatwick Airport has commissioned an independent review of arrivals, and accepted all of its 23 recommendations including that the relevant air traffic control procedures relating to vectoring onto the final approach should be restored as closely as possible to those that applied prior to the 2013 change, with an objective of reversing much of the aircraft concentration caused by that change. This change in air traffic control procedure has now been implemented and its effects are currently being monitored.
- The Department for Transport has confirmed that it is considering bringing forward a proposal that would mean that before implementing new permanent and planned air traffic procedures that are likely to result in a redistribution of air traffic, air navigation service providers engage with affected communities. The proposal would be consulted on before adoption. If adopted, it would require certain proposed changes to air traffic control procedures of the sort that were made at Gatwick in 2013 to be consulted on in the future.

“This judicial review has done its job. There is still much work to do to make sure that Gatwick and air traffic control distribute aircraft fairly so that no one suffers intolerable noise, but restoring the pre-2013 air traffic control procedures should permit that to happen and is all we could have achieved via the courts. The regulatory change to be proposed by the Department of Transport will help

make sure that no other community suffers the dramatic increase in noise that we experienced without proper consultation. More broadly we believe the government, the CAA and the industry are now far more aware of the need for communities to be fully involved in any change in flight paths or air traffic control procedures that might increase aircraft noise. Regulation and governance of the noise impact of the aviation industry still needs fundamental reform, but these changes are important steps in the right direction.”

CAA STATEMENT

“We confirm that Mr Barraud has withdrawn his judicial review proceedings concerning the process followed by the CAA in respect of aircraft arriving at Gatwick airport from the east.

The CAA is very aware of the impact that aviation noise can have and is mindful of the need for local communities to have a fair say when changes to the structure of airspace are proposed. To that end we have undertaken a significant amount of work to propose, where we can, the opportunity for communities to participate in this process. We expect to see full implementation of these proposals by the end of 2017.”