

RUSHMOOR BOROUGH COUNCIL AND TAG FARNBOROUGH AIRPORT LTD.
REPORT ON THE OPERATION OF THE LEGAL AGREEMENT ACCOMPANYING
THE PLANNING PERMISSION FOR THE BUSINESS AVIATION FACILITY AT FARNBOROUGH AIRPORT
JULY 2010

This table examines the clauses of the existing legal agreement accompanying the planning permission for business aviation at Farnborough Airport; a deed signed on 10 October 2000. It has been prepared at the request of the Farnborough Aerodrome Consultative Committee. The table identifies each clause within a series of categories, what is its requirement and how it has been met.

CLAUSE NO.	SUMMARY OF REQUIREMENT	OBLIGATION ON	COMMENT
Schedule 1	Aircraft Movement Records		
1a	Detailed electronic record of all aviation movements including aircraft registration number, time of movement, aircraft type, ICAO chapter, MTOW, origin or destination, and runway use.	TAG	Obligation met and continuing.
1b	Provide the Council with real-time computer access to the details recorded above and keep such records available for 5 years.	TAG	Obligation met and continuing. Computer access available in Environmental Health Services at RBC.
1c	Compile and submit to RBC, a summary of movements every quarter. The frequency of this report shall be reviewed after a year.	TAG	Obligation met and continuing . Quarterly reports are submitted on a regular basis to RBC and are immediately placed on their website.

	Noise Control		
2a	Control all aircraft movements (other than Airshow or military) so as not to exceed the annual noise budget (as defined). Any spare capacity within one year's budget shall not be carried forward to a future year.	TAG	Obligation met and continuing . Annual INM report includes noise contours for the past year and predicted for the year ahead. These are placed on RBC website.
2b	Subject to agreement with RBC, may operate within a different noise budget defined by noise contours of differing land area or position.	TAG	This would allow changes where a noise benefit can be demonstrated. This could allow changes identified by the Quiet Flying Programme.
2c	Prohibit the movement of aircraft that give rise to an SEL of greater than an amount agreed with RBC. This SEL shall be no higher than the Local Plan policy.	TAG	Obligation met and continuing . The SEL restriction in Policy FA2.2 is set at 98.9 EPNdB.
2d	Attempt to achieve a reduction over time in the noise impact of flying.	TAG	Obligation met and continuing . An example of this is the work carried out by the Quiet Flying Programme since its formation in 2007. This is assessed in yearly comparisons in the Performance Monitoring Reports.
2e	Discourage the use of aircraft reverse thrust except where its use is required for safety reasons. This control will be published in the UK Air Pilot and the Company's Conditions of Use.	TAG	Obligation met and continuing. The UK Air Pilot can be found at www.ais.org.uk
2f	Ban Chapter 2 aircraft from 1 January 2001 and phase out use of the ATP, 748 Jetstream turbo-prop aircraft. In any event, not permit the use by Chapter 2 aircraft between 2100 and 2200 hours.	TAG	Obligation met, though clause is now redundant due to UK wide ban on Chapter 2 aircraft.

2g	Reach agreement with RBC on preferred noise routes and acceptable tolerance limits, and publish them in the Air Pilot. A Track Monitoring System will be implemented. Any modifications or improvements may from time to time be made in the interests of public and environmental amenity, in agreement with RBC.	TAG	Obligation met and continuing. The Air Pilot can be found at www.ais.org.uk
2h	Compliance with the Track Monitoring System will be enforced by TAG, except for those instances when aircraft are required by air traffic control to deviate for reasons of safety.	TAG	Obligations met and continuing . These are monitored in each case and not just in response to complaints. Where unjustified deviation occurs, TAG has the ability to ban the operator.
2i	Ensure that pilots operate their aircraft to minimise noise disturbance to the areas around the Airport. Any controls shall be agreed with RBC and published in Air Pilot and the Company's Conditions of Use.	TAG	Obligation met and continuing.
2j	Restrictions on engine ground running and testing, other than routine pre-flight checks. Any engine ground running and testing will take place in a designated area to be agreed with RBC.	TAG	Obligation met and continuing . Currently on south side. The designated area for engine ground running and testing is to be reviewed following the construction of the new second hangar.
2k	Auxiliary power units will not be operated between 2230 and 0630 hours.	TAG	Obligation met and continuing.
2l	All aircraft shall be parked so that their air intakes face away from nearby residential properties and parked aircraft in the area shown on the plan will use ground power units rather than auxiliary power units.	TAG	Obligation met and continuing.

2m	Insert an entry into the Air Pilot requiring helicopter pilots to operate in accordance with minimum noise procedures to be agreed with the Council.	TAG	Obligation met. The Air Pilot can be found at www.ais.org.uk
2n	Offer sound insulation (terms to be agreed with RBC) to owners of residential, academic or health care premises which are predicted in any forthcoming period to be subject to noise levels of 60dB(A)Leq (16hr annual average), other than Airshow or military.	TAG	Obligation met.
2o	Periodically to produce predictive noise contours based on actual movements.	TAG	Obligation met and continuing . Reports submitted on a regular basis and placed on RBC website.
2p	Devise a noise monitoring scheme (terms to be agreed with RBC) with data to be provided to RBC and the precise location of the monitors to be agreed with RBC.	TAG	Obligation met. Copy available on RBC website
2q	Annually employ a suitably qualified noise consultant to audit the noise modelling and monitoring work. The audit will be included in the performance monitoring report.	TAG	Obligation met and continuing.
2r	Provide RBC with real-time computer access to data from the fixed noise monitors and a quarterly summary shall be provided within 4 weeks after end of the quarter.	TAG	Obligation met and continuing . Included in the quarterly report and published on RBC website.
2s	Also provide data from mobile monitoring points on a quarterly basis to RBC.	TAG	Obligation met and continuing.

2t	The frequency, nature and extent of all noise reporting shall be reviewed with RBC after 2 years.	TAG	Obligation met. Review took place in 2005.
	Air Quality		
3a	Devise a scheme (to be agreed with RBC) for monitoring nitrogen dioxide in the residential vicinity of the aerodrome.	TAG	Obligation met Copy placed on RBC website.
3b	The extent and scope of the monitoring of nitrogen dioxide shall be reviewed after 18 months.	TAG	Obligations met. Review took place in 2005.
3c	A quarterly report of the monitoring data shall be provided to RBC within 4 weeks of the end of the quarter.	TAG	Obligations met and continuing. Quarterly reports are placed on RBC website.
	Aircraft Weight		
4a	No business aircraft in excess of 50 tonnes MTOW will land or take off, except the Boeing Business Jet and the Airbus A319 Corporate Jet. These excepted movements shall not exceed 400 in the first year, and then shall be a maximum of 1,500 movements per annum.	TAG	Obligation met and continuing. Also controlled through a planning condition.
4b	No business aircraft in excess of 80 tonnes MTOW shall land or take off at the aerodrome.	TAG	Obligation met and continuing.
	Freight		
5a	No aircraft shall carry more than a total of 100k of freight into or out of the aerodrome (except racehorses).	TAG	Obligation met and continuing. TAG do not possess the equipment or facilities to handle large amounts of cargo.

5b	No more than 100 aircraft movements a year may involve the transportation of racehorses.	TAG	Obligations met and continuing. Records are kept and are available.
	Safety		
6a 6b	Use all reasonable endeavours at all times to improve levels of third party risk associated with the aerodrome, and undertake a safety audit addressing third party risk once a year and provide RBC with a performance monitoring report.	TAG	Obligation met and continuing. Forms part of the annual performance monitoring report and is placed on the RBC website.
	Community Benefits and Environmental Improvements		
7a	Submit a management plan for approval by RBC, to include measures to conserve that part of Eelmoor Marsh Site of Special Scientific Interest within the aerodrome; the area designated by RBC as a Site of Nature Conservation Interest; and to provide for the translocation of species rich grassland.	TAG	Obligation met. The current management plan is due to be reviewed and updated later this year.
7b	Encourage training opportunities and work experience placements for students at the site, with the agreement of Farnborough College of Technology.	TAG	Obligation met and continuing.
7c	Provide funding to RBC for a community environmental fund to be levied on business aviation movements at a rate of £2 per movement and £5 per Boeing Business Jet or Airbus A319 Corporate Jet movement, to be paid annually and to be used for environmental enhancement projects within the areas surrounding the aerodrome with	TAG	Obligation met and continuing. Last year's contribution totalled £47,058. FACC received a report in November 2009 on how the fund has been used.

	arrangements and a timescale to be agreed with RBC.		
	Aerodrome Safeguarding		
8.1	A Safeguarding Map shall be deposited with RBC and other relevant local authorities (as indicated by Section 4 of the Civil Aviation Authority CAP 168, identifying areas subject to height and activity restrictions to safeguard the operations at the Aerodrome.	TAG	Obligation met.
	Complaints		
9a	Keep a record of all complaints, and a record of TAG's response to those complaints and the action taken, if any, to remedy the situation.	TAG	Obligation met and continuing.
9b	Supply details of all complaints to RBC on a monthly basis.	TAG	Obligation met and continuing. These are then put onto RBC's website (appropriately protected under data protection).
	Performance Monitoring of the Legal Agreement		
10a	Submit a Performance Monitoring Report at the end of each calendar year detailing the performance against the objectives set out in this agreement.	TAG	Obligation met and continuing. The annual performance monitoring reports are placed on RBC's website.
Schedule 2	Airport Consultative Committee		
1.1	Establish an Airport Consultative Committee in consultation with TAG.	RBC	Obligation met.

	Complaints		
2.1	Pass TAG any complaints about the operation of the Aerodrome within a period of 24 hours of receipt, in order that TAG may speedily consider and, if appropriate, seek to remedy the matter.	RBC	Obligation met and continuing.
	Safeguarding of Aerodrome Operations		
3.1	Promptly notify TAG of planning applications which may affect the operation of the Aerodrome so as to enable appropriate representations to be taken into account in the consideration of any such proposal.	RBC	Obligation met and continuing
3.2	Consult with TAG on proposals for development or on any other matter which could inhibit the use of the site for civil aviation purposes, including the imposition of Tree Preservation Orders.	RBC	Obligation met and continuing.