**PRESS RELEASE**

29 December 2017

For immediate use

LAWFULNESS OF HEATHROW CONSULTATION QUESTIONED

The London Boroughs of Hillingdon, Richmond upon Thames and Wandsworth and the Royal Borough of Windsor and Maidenhead have questioned the lawfulness of the Government's consultation on the expansion of Heathrow Airport.

In their submission to the Department of Transport (submitted on 19th December 2017), they write that: "A consultation, to be lawful, must be approached with an open mind", before citing several instances where ministers at the Department for Transport have indicated that their "mind is prematurely but firmly made up” (1).

These include a statement by then Aviation Minister, Lord Callanan, on 13 July 2017, in which it was stated that the work to analyse the responses was progressing and that the Government is “fully committed to realising the benefits that a new Northwest runway at Heathrow would bring.”

And an appearance on Newsnight, on 17 July 2017, by Chris Grayling, in which the Secretary of State for Transport claimed that, provided Parliament agreed, Heathrow would "definitely be going ahead".

In their response to what the DfT have called the Consultation on the Revised National Policy Statement, the four boroughs also question whether the Government has yet taken into account the responses to the earlier consultation, to which they had responded in May 2017.

The four Boroughs believe that, had the approach been genuinely open minded, and the evidence considered, then expansion at Heathrow would already have been rejected not only on the grounds of air pollution and excessive noise which are obvious and overwhelming reasons against a 3rd runway at Heathrow, but also because new evidence, presented in the revised consultation, that suggests Heathrow:

* fails to deliver any economic advantage over Gatwick
* would need Government subsidy of essential transport access and/or subsidised flights
* will not (contrary to Government assurances) operate with less noise than Heathrow does today

Indeed, not only does the Government's own Revised National Policy Statement suggest that Gatwick is likely to provide greater economic benefit to the UK over a sixty-year period; but it has downgraded the "Net Present Value" of the Heathrow scheme (a measurement of benefits that also takes costs into consideration) at no more than £3.3 Billion over sixty years with it and, quite possibly, leading to an overall loss of £2.2 Billion to the UK economy.

Damning about the environmental consequences of an expanded Heathrow, the four boroughs write that: "Our last consultation response pointed out that there was no evidence that an expanded Heathrow would do anything other than exceed lawful and dangerous limits for air pollution and now we have the new Air Quality Plan, it is clear that the draft Airports NPS is inconsistent with Government obligations on achieving and maintaining air quality in London and the surrounding area, including the Royal Borough of Windsor and Maidenhead".

Paul McGuinness, Chair of the No 3rd Runway Coalition, of which the four boroughs are part, said: "There's a growing sense that the case for Heathrow's third runway is falling apart. The evidence, including the government's own, simply no longer stacks up to support it. The only thing they seem to have on their side is the DfT, whose prejudgement in advance of its own consultation, is now raising serious legal questions in the year ahead.”

ENDS.

Notes:

1. Joint response to the Revised National Policy Statement, London boroughs of Hillingdon, Richmond, Wandsworth & Royal Borough of Windsor & Maidenhead, 19 December 2017 [https://www.hillingdon.gov.uk/article/32420/Our-response-to-governments-NPS-consultation](https://www.hillingdon.gov.uk/article/32420/Our-response-to-governments-NPS-consultation%22%20%5Ct%20%22_blank)

For more information:

Rob Barnstone: 07806 947050, Robert.barnstone@outlook.com