

Report to the Cabinet

Report reference: C-011-2017/18
Date of meeting: 7 September 2017



**Epping Forest
District Council**

Portfolio: Asset Management & Economic Development

Subject: National Police Air Service – Potential Relocation to North Weald Airfield.

Responsible Officer: Derek Macnab (01992 564050).

Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

- (1) That a lease under the proposed general terms outlined in the report, be entered into with the National Police Air Service for an operational base at North Weald Airfield; and**
- (2) That, if recommendation (1) above is agreed, the final detailed terms of the lease be delegated to the Asset Management and Economic Development Portfolio in consultation with the Director of Neighbourhoods.**

Executive Summary:

The National Police Air Service (NPAS) have approached the District Council to determine whether they could relocate their current operation at Lippitts Hill to North Weald Airfield. This report outlines the Air Service's requirements and considers the potential environmental impact of their operation. In addition, the revenue consequences of the National Police Service becoming a tenant on the Airfield are detailed within the resources section.

Reasons for Proposed Decision:

To formally respond to the request from NPAS to relocate to North Weald Airfield.

Other Options for Action:

As a public sector partner, it would be unreasonable to not consider the NPAS request; however, this is an option available to the Council. Additionally it would be possible to reduce the length of the potential lease, although it should be noted that a considerable amount of capital is to be invested. Similarly to restrict flying times may render the proposal impossible for operational reasons.

Report:

1. The National Police Air Service (NPAS) provide air support to the 43 police forces of England and Wales from a current network at 15 bases. In May of this year, the Council was approached by the Head of Estates and Head of Business Services at NPAS with a view to exploring the feasibility of relocating their current base at Lippitt's Hill (within Epping Forest) to North Weald Airfield.

2. NPAS have been given notice to leave their current location by the expiry of their lease on 31 March 2018. They are looking initially for a temporary site to relocate their operation in the short-term with a view to establishing a permanent base. North Weald as an active operational Airfield, geographically well located to suit their operational requirements, was identified by NPAS as a potential site to re-base. As such, the Council were approached to start to explore the possibility. A site meeting was held at North Weald Airfield to gain a greater mutual understanding of the potential considerations such a move would involve.

3. As a result of the site meeting, it was established that NPAS wish to operate three helicopters and a fixed wing aircraft from North Weald. In order to store, maintain and operate the aircraft, they would require initially at least one acre of land, on which they would construct a hangar of approximately 35 x 35m (1,225 sq.m) with some portable office accommodation for support staff. Subject to planning approval, they would then seek to construct a more permanent facility of similar scale going forward. A suitable location on the Airfield has been identified by the management of the Airfield, which would not adversely affect other users. (Appendix 1).

4. Attached at Appendix 2 is a letter from NPAS Chief Operating Officer, confirming their requirements.

5. The Council has previously agreed to retain flying activities at North Weald. Officers have also been tasked to seek opportunities to intensify aviation, with a view to generating additional revenue to offset the costs of managing and maintaining the Airfield. Currently, the Herts and Essex Air Ambulance Service successfully operate two aircraft from North Weald with very little complaint. The Air Ambulance Service have also recently approached the Council with a view to establishing a more permanent base for the future needs of their service. However, a key consideration for any potential relocation of NPAS to North Weald, is that in comparison to the Air Ambulance Service, the number of movements they have requested will be considerably higher, i.e. 20,000 per annum compared to the Air Ambulance's 1300 per annum and critically they would require 24 hour a day operation, 365 days a year.

6. In order to evaluate the request from the NPAS and cognisant of the history of complaints generated by their current operation at Lippitts Hill, Officers have requested that NPAS undertake a comprehensive Environmental Impact Assessment to include a noise assessment, covering all proposed hours of operation.

7. Having received and reviewed the Environmental Impact Assessment (EIA) and Noise Assessment, the following has been concluded. Although a formal EIA is not likely to be required, West Yorkshire Police wished to progress the application giving due regard to both the local community and the environment. Accordingly a report was commissioned alongside two other specific studies (a noise assessment and an ecological survey) to identify any potential areas of environmental risk, and appropriate mitigation measures, and support their application for the scheme.

8. The screening study has considered the range of issues required by the EIA Directive and EIA Regulations, and a number of recommendations for further action or mitigation have been made in relation to the control of dust and general pollution during construction, archaeology and built heritage, impacts on other commercial users of the site and airfield events, and management of potential flood risk. It is recognised that the main concern relating to the relocation of the base will be the potential for noise impacts on local residents. However, the noise assessment has concluded that significant adverse effects from noise are unlikely to arise from the operation of the helicopter base at North Weald, if the proposed take-off and landing routes identified in the report are adhered to, and some additional noise

management measures are used in the operation of the base.

9. Overall this study has concluded that, if the outlined recommendations are implemented, the proposal can be progressed without significant adverse effects arising on the local community or the environment. In order to help ensure compliance, it is also proposed that a number of noise monitoring stations are installed in sensitive locations around the airfield (similar to the system utilised by Stansted Airport), funded by the NPAS, which would record any noise limit breach and result in a financial penalty to the NPAS.

10. In parallel to the production of the EIA, discussions have been held between the Council's Chief Estates Officer and NPAS Head of Business Services around the terms of any potential tenancy. In summary, NPAS are seeking a ground lease and they would look to meet the capital costs of their hangarage etc. themselves. The Council has been advised that a similar size NPAS facility in Doncaster (excluding the land) cost in the region of £2.88million. Negotiations to this point indicate that it would be possible to generate in the region of £120,000 per annum, comprising ground rent and movement fees (number of movements capped at 20,000). Further details are included in Resource Implications section below.

11. In reaching a decision on the NPAS proposal, Members will need to balance the likely environmental impact against the potential revenue benefits to the Council of the proposal, which is in line with the Council's stated objective of intensifying aviation activity. This also needs to be considered alongside our role as a public body in supporting the Police in ensuring community safety and crime reduction.

Proposed Heads of Terms of Lease:

- Land area of approximately 1 acre with the ability to increase to 1.25 acres, subject to requirements – please see attached plan illustrating preferred NPAS location.
- 25 Year Lease, with 5 year reviews upwards only.
- Total Annual payment of £120,000 split between rent and landing rights.
- No break clause in lease due to level of investment but lease to be developed outside of the 1954 Landlord and Tenant Act, therefore no automatic right of renewal.
- Movements of a maximum of 20,000 a year (10,000 up and 10,000 down), seeking to average less than 30 movements per day.
- Adherence to designated flightpaths designed to minimise potential noise disturbance over populated areas, with flightpaths to be rotated sequentially.
- Noise monitoring station to be funded by NPAS and any recorded breach of noise limits to result in financial penalties.
- Maintenance and ground testing to be allowed only during airfield daytime opening hours.
- No flight training or operational exercising to be allowed in vicinity of airfield.

Resource Implications:

Total annual payment of £120,000, split between rent and landing rights. In addition, National

Non-Domestic Rates will be payable.

Legal and Governance Implications:

If the proposal was to proceed, an appropriate Lease would need to be developed and entered into by both parties.

Safer, Cleaner and Greener Implications:

As referred to in the main report.

The Council is an active partner in the Safer Communities Partnership and has a history of positively supporting local policing. Although the new NPAS base will serve Metropolitan London, it is what they have termed a “borderless” service and will in addition, meet the needs of air policing across a wider region, to include Essex. The base will also play an important role in National Anti-Terrorism Activities.

Consultation Undertaken:

None to date.

Background Papers:

Correspondence from NPAS
Environmental Impact Assessment
Noise Assessment

Risk Management:

NPAS have a strong covenant and should prove to be a reliable tenant. There is a risk that once established the operational requirements of the service increase significantly and environmental impact increases. There may be a reputational risk to the Council if the request was declined, but conversely, there may be concerns from local residents around noise and disturbance. The Council are also engaged in discussions with the Herts & Essex Air Ambulance, who enjoy considerable public support, about their long-term aspirations for North Weald. However, it must be recognised that there will be a cumulative effect of helicopter movements at the Airfield, if NPAS were also to be based there.

Equality Analysis:

The Equality Act 2010 requires that the Public Sector Equality Duty is actively applied in decision-making. This means that the equality information provided to accompany this report is essential reading for all members involved in the consideration of this report.

Equality analysis report

Use this report template to record your equality analysis. This report is a written record that demonstrates that you have shown *due regard* to the need to **eliminate unlawful discrimination, advance equality of opportunity and foster good relations** with respect to the personal characteristics protected by equality law. Due regard must be paid at formative stages of policy or service development, changes, or withdrawal.

To assist you in completing this report, please ensure you read the guidance notes in the Equality Analysis Toolkit and refer to the following Factsheets:

- Factsheet 1: Equality Profile of the Epping Forest District
- Factsheet 2: Sources of information about equality protected characteristics
- Factsheet 3: Glossary of equality related terms
- Factsheet 4: Common misunderstandings about the Equality Duty
- Factsheet 5: Frequently asked questions
- Factsheet 6: Reporting equality analysis to a committee or other decision making body

If you require further help, please contact the Performance Improvement Unit.

Step 1. About the policy, service change or withdrawal

Name of the policy, service or project: <i>be specific</i>	National Police Air Service – potential relocation to North Weald Airfield
Revised / new / withdrawal:	New
Intended aims / outcomes/ changes:	The provision of a base for the National Police Air service
Relationship with other policies / projects:	Increased aviation use of the western side of the airfield.
Name of senior manager for the policy / project:	Jim Nolan
Name of policy / project manager:	Jim Nolan

Step 2. Decide if the policy, service change or withdrawal is equality relevant

Does the policy / project / service process involve, or have consequences for employees or other people? If yes, please state who will be affected. If yes, then the policy / project is equality relevant.	If yes, state which protected groups: No
If no, state your reasons for this decision. Go to step 7. <i>The majority of Council policies and projects are equality relevant because they affect employees or our communities in some way.</i>	If no, state reasons for your decision: The decision to allow the relocation of the NPAS from Lippitts Hill to North Weald will result in a part of the airfield which is not used being put to use. The environmental and noise impacts have been assessed by independent experts and subject to some conditions the conclusion is that there will be no adverse impacts on the surrounding

	<p>neighbours or environment.</p> <p>The only consequences for staff are an increased use of the airfield by NPAS.</p> <p>It could be argued that the NPAS presence will have the effect of increasing security for the airfield and our tenants.</p>
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Step 3. Gather evidence to inform the equality analysis

What evidence have you gathered to help you understand the impact of your policy or service change or withdrawal on people? What does your evidence say about the people with the protected characteristics? If there is no evidence available for any of the characteristics, please explain why this is the case, and your plans to obtain relevant evidence. Please refer to Factsheet 2 '*Sources of evidence for the protected characteristics*'

<i>Characteristic</i>	<i>Evidence (name of research, report, guidance, data source etc)</i>	<i>What does this evidence tell you about people with the protected characteristics?</i>
Age		
Dependents / caring responsibilities		
Disability		
Gender reassignment		
Marriage and civil partnership		
Pregnancy and maternity		
Race / ethnicity		
Religion or belief		
Sex		
Sexual orientation		

Steps 4 & 5 Analyse the activity, policy or change (*The duty to eliminate unlawful discrimination*)

Based on the evidence you have analysed, describe any actual or likely adverse impacts that may arise as a result of the policy decision. Where actual or likely adverse impacts have been identified, you should also state what actions will be taken to mitigate that negative impact, ie what can the Council do to minimise the negative consequences of its decision or action.

<i>Characteristic</i>	<i>Actual or likely adverse impacts identified</i>	<i>Actions that are already or will be taken to reduce the negative effects identified</i>
Age		
Dependents / caring responsibilities		

Disability		
Gender reassignment		
Marriage and civil partnership		
Pregnancy and maternity		
Race / ethnicity		
Religion or belief		
Sex		
Sexual orientation		

Step 6.

The duty to advance equality of opportunity

Can the policy, service or project help to advance equality of opportunity in any way? If yes, provide details. If no, provide reasons. *(Note: not relevant to marriage and civil partnership)*

<i>Characteristic</i>	<i>Ways that this policy, service or project can advance equality of opportunity</i>	<i>Why this policy, service or project cannot help to advance equality of opportunity:</i>
Age		
Dependents / caring responsibilities		
Disability		
Gender reassignment		
Pregnancy and maternity		
Race / ethnicity		
Religion or belief		
Sex		
Sexual orientation		

The duty to foster good relations

Can the policy, service or project help to foster good relations in any way? If yes, provide details. If no, provide reasons. *(Note: not relevant to marriage and civil partnership)*

<i>Characteristic</i>	<i>How this policy, service or project can foster good relations:</i>	<i>Why this policy, service or project cannot help to foster good relations:</i>
Age		
Dependents / caring responsibilities		
Disability		
Gender reassignment		
Pregnancy and		

maternity		
Race / ethnicity		
Religion or belief		
Sex		
Sexual orientation		

Step 7. Documentation and Authorisation

Summary of actions to be taken as a result of this analysis (add additional rows as required):	Name and job title of responsible officer	How and when progress against this action will be reported
1. None required.		
2.		
3.		

Name and job title of officer completing this analysis:	Jim Nolan - AD
Date of completion:	07/08/17
Name & job title of responsible officer: (If you have any doubts about the completeness or sufficiency of this equality analysis, advice and support are available from the Performance Improvement Unit)	Derek Macnab
Date of authorisation:	07/08/17
Date signed copy and electronic copy forwarded to PIU equality@eppingforestdc.gov.uk	07/08/17

Step 8. Report your equality analysis to decision makers:

Your findings from this analysis (and any previous analysis) must be made available to a decision making body when it is considering the relevant service or policy.

Therefore you must:

- reflect the findings from this analysis in a 'Due Regard Record' (template available), and attach it as an appendix to your report. The Record can be updated as your policy or service changes develop, and it exists as a log of evidence of due regard;
- Include this equality information in your verbal report to agenda planning groups or directly to portfolio holders and other decision making groups.

Your summary of equality analysis must include the following information:

- if this policy, service change or withdrawal is relevant to equality, and if not, why not;

- the evidence base (information / data / research / feedback / consultation) you used to help you understand the impact of what you are doing or are proposing to do on people with protected characteristics;
- what the evidence base (information / data / research / feedback / consultation) told you about people with protected characteristics;
- what you found when you used that evidence base to assess the impact on people with the protected characteristics;
- whether or not your policy or service changes could help to advance quality of opportunity for people with any of the protected characteristics;
- whether or not your policy or service changes could help to foster good relations between communities.