

## **HEATHROW AIRPORT CONSULTATIVE COMMITTEE**

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The Right Honourable Douglas Alexander MP,  
Secretary of State for Transport,  
Great Minster House,  
76 Marsham Street,  
London, SW.1P 4DR

17 March 2007

Dear Secretary of State,

### **The Draft EU-US Air Transport Agreement**

I am writing to you on behalf of my Committee to express our concerns about the implications of this Draft Treaty for Heathrow Airport, an aspect which seems not to have received attention in the evidence given to the House of Commons Transport Committee last Tuesday nor, indeed, in any of the recent Press and Media coverage.

In that Transport Committee hearing, much of the discussion was on the presumed benefits for consumers, - the passengers - from the wider competition which would follow the signing of the Treaty, particularly at Heathrow.

The Draft Treaty appears to be quite unequal in that it would grant to US airlines widespread rights to operate in Europe which they do not currently possess whilst there would be little reciprocity in giving European airlines and investors more in operating rights and attractive investment opportunities.

Moreover, it strikes at the supremacy of Heathrow Airport in European aviation creating opportunities for other European airports to compete with Heathrow to attract traffic which do not currently exist.

Given the existing right of establishment enshrined in European Legislation, together with the greater concentration of North Atlantic routes at Heathrow which is proposed, there will be incentives for some European carriers to expand their operations there and to tap into the increased interlining traffic which can be expected.

Virtually the only UK interest which would seem to gain from the proposals is British Midland, or BMI, which is in a position where, because of its range of slot holdings, it could achieve its long held ambition to operate services to the United States.

Apart from that, the implications for the wide range of interests represented on my Committee appear to be adverse.

For several years past, there have been warnings that if an Agreement such as is now proposed were approved, a wholesale move from Gatwick to Heathrow of routes serving the United States could be expected.

The Chief Executive of British Airways was reported a few days ago as saying the airline would transfer its Atlanta, Dallas and Houston services from Gatwick to Heathrow.

The runway slot situation at Heathrow is, of course, critical to obtaining new air access rights to serve that airport. But both British Airways and British Midland already have sufficient slots that they could alter their route mix to accommodate more North Atlantic services. As for other airlines, while it is difficult to obtain slots, it is not impossible as history has shown when a pair of them can be sold for £10 million – and long haul routes are more profitable than short haul routes.

If the Draft Treaty is signed and air access to Heathrow opened up to more long haul routes, there will be an increased number of flights by larger, noisier aircraft, particularly in the environmentally sensitive early morning hours and, probably, on the quota for night flights.

This will put even more pressure on the already congested passenger handling infrastructure and transport facilities during these hours.

Although the text of the Draft Agreement is not available to the public, we understand that the US authorities during 2006 insisted on the inclusion of a clause protecting their airlines from the imposition of restrictions on the operations of their airlines at Community airports for environmental reasons. It is our understanding that a prime reason for this was the night flight restrictions and quotas at Heathrow Airport.

As you will be aware, that is widely regarded as a very necessary safeguard for the many thousands of people who are overflowed by aircraft arriving at Heathrow during the night hours and in the early morning. Any possibility that those safeguards could be breached would be regarded as a very serious matter.

New pressures can be expected to seek more capacity at Heathrow by, for example, the introduction of Mixed Mode operations and its associated operations, all of which have yet to be the subject of the much delayed public consultation next Summer.

There will also be pressure to relax the current cap of 480,000 air transport movements upon which many of our member organisations place great importance and there will be new support for the case for construction of a third runway for short/medium haul aircraft operations so as to leave the two existing runways for long haul flights. The report of the “Project for the Sustainable Development of Heathrow” has yet to be published of course, the Government has to take a view of it and there will need to be a public consultation and a Public Inquiry before construction of a third runway could commence.

As already mentioned, apart from British Midland which would benefit, the other UK airline interests represented on my Committee can expect to be adversely affected by increased competition with possible job losses.

The Chairman of the Commons Transport Committee was unable to obtain from you a clear statement of intent as to whether you could or would oppose the signing of the Treaty.

As the Draft Treaty stands, it is almost entirely to the disadvantage of the United Kingdom's interests and, particularly, has some very adverse implications for the interests which my Committee represents. May I urge you to resist the signing of the Draft Treaty in its present form and encourage further negotiations to obtain a much better outcome for our national interests, including those referred to above at Heathrow.

Yours sincerely,

*Sam Jones*

Sam Jones  
Chairman