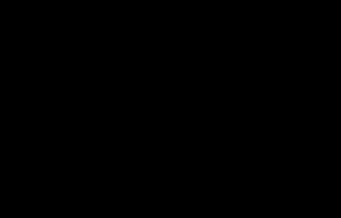


7 May 2021

Ms E Humphrey



Dear Ms Humphrey,

**Town and Country Planning Act
Appeal by MAG APP/C1570/W/20/3256619, London Stansted Airport, Essex CM24 1QW**

Response to Panel Request of 24 April 2021 in Respect of Government Press Release of 20 April 2021

This letter is the Appellant's ("STAL's") response to the Panel's request for comments concerning the Government's press release about the inclusion of International Aviation and Shipping ("IAS") emissions within the UK's national carbon budget.

However, in light of Uttlesford District Council's ("UDC") response submitted on 23 April, it is necessary to address first the procedural matters that have been raised.

Procedural Issues

It is incorrect for UDC to suggest that the 'inquiry remains open'. The inquiry was in fact closed by the Panel on the last sitting day, 12 March 2021. Of course, a discretionary power exists for inspectors to re-open inquiries if it is considered 'fit' to do so.¹

Despite UDC's assertions, STAL does not consider the content of the press release merits re-opening the inquiry. The matters contained in the press release were traversed at length during the evidence of the carbon witnesses, including that of Mr Neil Robinson for STAL, as explained further below. In these circumstances, it is entirely appropriate (and in accordance with normal practice) that matters such as this be dealt with in writing. It is noted that since UDC's letter of 27 April 2021 the Panel has provided its response to UDC's request, and STAL is entirely supportive of the position taken by the Panel.

Response to the Government Press Release

The Government's approach to accounting for emissions from aviation has been set out in Mr Robinson's proof of evidence (STAL 8/2). In his proof, at section two, Mr Robinson explains that the first to fifth carbon budgets include emissions from domestic aviation and that, consistent with Section 30(1) of the Climate Change Act 2008, these budgets do not formally include emissions from international aviation (and

¹ Rule 19(4) The Town and Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2000.

shipping). However, the budgets were set at a level that took account of emissions from international aviation and shipping by providing headroom. For the purposes of the budget setting process, it was assumed that (at 2050) total emissions from international aviation would be 37.5Mt – referred to as the ‘planning assumption’ - and therefore this level of emissions would be consistent with the first to fifth carbon budgets.

The first to fifth carbon budgets were intended to set a trajectory consistent with the Government’s target to reduce emissions by 80% (against a 1990 baseline) by 2050. With the change in Government policy in 2019 to increase the stringency of the UK target to a reduction of 100% (otherwise known as “net zero” emissions), future carbon budgets will need to set out a more aggressive trajectory. To begin this process, in December 2020 the CCC published its advice on the sixth carbon budget (“6CB”). This advice was summarised in Mr Robinson’s supplementary proof of evidence (STAL 8/4).

As Mr Robinson set out in his supplementary proof of evidence, the CCC advised Government that emissions from international aviation should be included in the 6CB (para 4.2) but that *‘the primary policy approach to reducing emissions from international aviation and shipping (IAS) should be at the international level. These sectors are global in nature and there are some risks that a unilateral UK approach to reducing these emissions could lead to carbon leakage (under certain policy choices) or competitiveness concerns’* (para 4.4).

The Government has announced its decision on the 6CB, confirming that it has accepted the advice of the CCC as to the level at which the budget should be set and that it intends to legislate for a more stringent emissions trajectory consistent with the achievement of net zero emissions.

With regard to emissions from international aviation, the Government has now confirmed that these emissions will be formally included in the UK’s 6CB, although this position will be subject to a further assessment in 2025, seven years ahead of the budget’s implementation, to reflect any *‘significant developments in international or domestic policy’*.

Whilst the recent announcement will affect how the Government formally accounts for emissions from international aviation, it does not imply any change in the Government’s approach to the management and mitigation of these emissions. As Mr Robinson set out in Section 4 of his proof of evidence, the Government has a long-standing policy approach to address aviation emissions as part of a global framework, under the leadership of ICAO. Furthermore, Mr Robinson went on to explain that this policy approach has been consistently and repeatedly re-stated by the Government, as set out in the body of evidence submitted to the inquiry and explored extensively during his own evidence.

To provide context and clarity to the recent decision on the 6CB, the DfT issued a statement to aviation stakeholders, a copy of which is appended to this letter. The DfT’s Deputy Director, Climate Change, has again re-stated the long-standing policy that the *“Government recognises that global action helps reduce the risks of competitive market distortions and carbon leakage that can come with acting alone, and remains committed to global action to tackle international aviation emissions through international processes at the International Civil Aviation Organization (ICAO)”*.

Mr Robinson also set out in Section 2 of his proof of evidence that the carbon budgeting process has always taken account of emissions from international aviation and that the inclusion of these emissions in the 6CB is a technical accounting change, not a substantive change in the Government’s approach. The press release accompanying the Government’s decision on the 6CB explicitly states that the change is intended to *“allow for these emissions to be **accounted for** consistently’* and that *‘following the CCC’s recommended budget level **does not mean** we are following their specific policy recommendations”* (emphasis added).

It remains to be seen how the Government will set the 6CB across all sectors of the economy to work towards the national net zero commitment at 2050 and its new 78% target for 2035. However, what is clear from the evidence considered at the inquiry, is that important technological advances in the aviation sector allow considerable scope for growth in aviation activity in parallel with a reduction in the aviation planning assumption of 37.5Mt, should the Government so determine.

There is no suggestion in the recent press release that the Government intends to move away from its MBU policy. As Mr Robinson emphasised in his evidence, the inclusion of IAS emissions in the 6CB does not change the nature of the assessment upon which the MBU policy is based: it merely formalises the status of the longstanding aviation planning assumption.

Yours sincerely,



Alistair Andrew, MRTPI
Head of Planning Services
MAG

Enc. DfT E-Mail to Stakeholders, 20 April 2021

Alistair Andrew

From: Holly Greig
Sent: 20 April 2021 14:15
Cc: Darryl Abelscroft; Alex Philpott; Phil Harper; Rannia Leontaridi
Subject: The Sixth Carbon Budget and International aviation emissions

Dear Stakeholder,

The Government has announced today that it will set the world's most ambitious climate change target in the Sixth Carbon Budget, to reduce carbon emissions by 78 per cent compared to 1990 levels, in line with the recommendation from the independent Climate Change Committee. For the first time, this Carbon Budget will also legally include the UK's share of international aviation (and shipping) emissions, which will allow for these emissions to be accounted for consistently (UK domestic aviation emissions are already included).

The Sixth Carbon Budget limits the volume of greenhouse gases emitted over a five-year period covering 2033-2037 at 965MtCO₂e, taking the UK more than three-quarters of the way to reaching net zero by 2050. The Sixth Carbon Budget will ensure Britain remains on track to end its contribution to climate change, while remaining consistent with the Paris Agreement temperature goal to limit global warming to well below 2°C and pursue efforts towards 1.5°C.

International aviation emissions are an important part of our decarbonisation effort. The Government recognises that global action helps reduce the risks of competitive market distortions and carbon leakage that can come with acting alone, and remains committed to global action to tackle international aviation emissions through international processes at the International Civil Aviation Organization (ICAO). We already play a leading role in the development and implementation of measures driving emissions reduction in the international aviation sectors at ICAO, including securing and developing the CORSIA scheme, and now in ICAO's work towards a long-term emissions reduction goal for international aviation.

The UK is also already taking domestic action to reduce aviation emissions, for example, through the work of the Jet Zero Council, the £125 million we are investing into the Future Flight challenge, including aviation within our new UK Emissions Trading Scheme and allocating £18m of further funding for commercialisation of Sustainable Aviation Fuels. We will set out further decarbonisation plans for aviation in the Transport Decarbonisation Plan and Net Zero Aviation Consultation, which I would encourage you to respond to.

The Government will conduct a further assessment of the treatment of international aviation (and shipping) emissions in carbon budgets in 2025, reflecting on any significant developments in international or domestic policy.

If you have any questions or would like to discuss any of the above, please do not hesitate to contact me.

Many thanks,
Holly



Miss Holly Greig
Deputy Director, Aviation Decarbonisation Division