

## **Professor John Adams**

### **Statement on behalf of the Stop Bristol Airport Expansion campaign**

**Transcript delivered to the BAL Appeal Inquiry, Weston-super-Mare on 23<sup>rd</sup> July 2021**

*Please note that this transcript [tagged 'Adams SBAEx transcript'], submitted on 23<sup>rd</sup> July, differs substantially from and replaces the first draft submitted on 22<sup>nd</sup> July [tagged 'Adams SBAEx 230721'] This latter document should be expunged from the Inquiry record.*

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#### **Introduction**

Thank you for this opportunity to address the Inquiry. I am (Professor) John Adams and I live in Butcombe parish, less than a mile from the Airport, where I have been resident there for 24 years. Before that I lived for 15 years in Bristol. I have brought up both my children in the region and my grandchildren are now here.

I'm speaking here on behalf of the Stop Bristol Airport Expansion campaign (SBAEx). SBAEx made its submission back in March so I won't repeat the issues raised in that submission but would like to extend a couple of points made in the 'End Note' of our submission.

This planning application and now the Appeal against its refusal has aroused widespread public interest, indeed passion. An enormous effort has been made by the Local Authority officers and the officers serving this Inquiry to seek and channel public opinion into the planning system, right up to the testimonies we have been hearing over the last few days.

However, there remains a good deal of uncertainty on how this extensive consultative exercise will make an impact on the outcome of the Inquiry. The Inquiry Appeal Guidelines are vague and, to that extent, unhelpful. With full respect for the conduct and integrity of the Inquiry we can find little reassurance that there is a sound mechanism through which public opinion articulated so widely over many months will play a significant role in the decision-making process. We'd like to use this opportunity to air this concern about the impact of public opinion on the decisions arising from this inquiry process, and why we think public opinion is a material factor.

#### **Uncertainties: status of inquiry**

In his opening remarks, Airport's Counsel's focused on legal technicalities. However, in a couple of apparently casual asides, he seemed to seek to position the Inquiry as closely as possible to a court of law. And, yes, to a layman this environment and procedure does feel like a court of law.

Yet the Planning Appeal Guidelines are unambiguous: this Inquiry is not a court of law. 'An inquiry is the most formal of the appeal procedures... *It is not a court of law*, but the proceedings will often seem to be quite similar.'<sup>1</sup>

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<sup>1</sup> 'PI directive': Para.13.1, <https://www.gov.uk/government/publications/planningappeals-dealt-with-by-an-inquiry-taking-part>

It seems to us that one fundamental difference lies in the role of the contribution of public knowledge and opinion. The Inquiry guidelines state that people are encouraged to take part in the inquiry process: ***'Local knowledge and opinion can often be a valuable addition to the evidence given by the appellant and the local planning authority.'***<sup>2</sup> There is a degree of ambiguity here: obviously knowledge of a locality is not confined to local inhabitants, nor is the opinion of local residents determined by anything other than the reach of their intellectual curiosity.

However, it's clear that the Inquiry is both a legal and a political process, an analytical forum in which technicalities will be debated but also a forum open and responsive to informed public views, but the ambiguous guidance just cited gives little confidence that inquiries will necessarily attach significant value of the testimonies that have been so assiduously encouraged by the consultative procedures. It is very encouraging that, on the evidence of the last few days in this room, this Inquiry appears to demonstrate that the Planning Inspectorate is in line with many other official UK bodies in taking public opinion – public wisdom - increasingly seriously: not simply as a symptom of healthy democracy but because public opinion within and beyond the locality embodies an extraordinary range and depth of knowledge. We appreciate that public opinion, in itself, may not be a 'material consideration' – but we would like to assert that *evidence of the weight of public opinion is material to the decisions of this Inquiry and should therefore play a major role in the decision-making process.*

### **Groundswell of opinion against Airport Expansion**

At local level, public opinion was powerfully expressed when North Somerset elected an independent council back in May 2019. The great majority of the councillors elected featured opposition to Airport expansion in their individual manifestos and this was reflected in the rejection of the Airport planning application back in Feb 2020. More widely the overwhelming regional opposition to Airport expansion, rooted in public opinion, is a matter of record: regional councils (including Bristol and Bath), town councils (including Weston-super-Mare), and many parish councils have voted against expansion, supported by local Members of Parliament. Many community groups have voiced opposition to Airport expansion, and, across the region, public meetings organised by community and campaign groups have filled local halls to capacity to discuss issues and arguments. Public demonstrations have attracted many hundreds of protesters; public opinion has generated a torrent of coverage across press, media and social media for nearly two years, showing the strength of feeling and knowledge-based concerns about Airport expansion. Over 8,000 individuals voted against expansion in the original public consultation organised by the LA – and psephologists will confirm that this simply represents the tip the iceberg (I won't develop the metaphor in terms of frozen votes or anything else).

This Inquiry itself embodies the public opposition to expansion: while the Airport legal team is ultimately funded by the \$200 billion dollar assets of its Canadian owners, the anti-expansion legal representation of Rule 6 groups has been paid for entirely from the public pocket – both through our council tax and through the groups, like ourselves, who have

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<sup>2</sup> 'PI directive': Para.9.1, <https://www.gov.uk/government/publications/planningappeals-dealt-with-by-an-inquiry-taking-part>

raised funds for these legal expenses through Crowdfunding and other fund-raising initiatives.

This all adds up to an extraordinarily wide-ranging, informed and powerful articulation of public opinion against the expansion of Bristol Airport.

However, despite the widespread opposition to Airport expansion we lack clarity of the ways and extent to which public opinion will impact on this Inquiry. Without such transparency it's difficult to assuage the scepticism expressed in some quarters who see this Inquiry as a bureaucratic tick-box exercise designed to reign in the wilful and unruly tendencies of local democracy. If the Inquiry were simply a technical exercise the guidelines and the extensive, expensive consultations would be revealed as a simple cosmetic. This would constitute a major and cynical abuse of public trust in the planning procedure, with wider implications for the integrity of local democracy.

We would make a strong and respectful request for the wisdom of public opinion to inform the Inquiry's deliberation at every stage, and for an indication of the impact and value of public opinion in the final Inquiry Report.

A further uncertainty on which many of us would appreciate clarification arises within the liminal area between local and national responsibilities. The appeal hasn't been called in by a Secretary of State, although it appears to meet the criteria for such action, namely that Airport expansion is quite possibly 'a development of major importance having more than local significance' and 'gives rise to substantial regional or national controversy'.<sup>3</sup> This perhaps indicates that the Secretary of State feels the Appeal is of primarily regional significance and is perfectly well addressed at regional level. In which case regional knowledge, experience and attitudes to Airport expansion must surely play a major part in the Inquiry process.

### **Appeal outcome**

This appeal is taking place in the heartland of North Somerset at a time when Council services for the community – education, social care and other resources– are under stress as never before in our lifetimes. Why was the appeal even necessary? Surely the Airport had prepared options together with a risk assessment in the event of the planning application not succeeding. Was there a Plan B? Or was there simply a presumption that the application would be nodded through, as so often in the past? There were and are many imaginative, sensitive and sustainable options for the future open to the Airport. None of these seems to have been considered (and few would depend on an increase in passenger numbers). In short, this appeal reflects the Airport's complete lack of preparation for a refusal of the original application and an unreformed determination to pursue a Master (sic) Plan designed solely as a commercial exercise to boost profits and asset values.

Defending this appeal comes at high cost to the council – in other words to every council taxpayer including myself. Now we learn from the Airport's counsel that the Airport and its wealthy owners have decided to go after the Council for its share of the costs of this appeal should it succeed. In other words, to go after every council taxpayer in North Somerset to recover the costs of an action *which BAL itself instigated*. This would be widely seen as an act of vindictive reprisal by a corporate psychopath, squeezing every last penny from the depleted community services essential to every resident from nought to ninety.

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<sup>3</sup> SoS 30 June 2008 [Quoted in 'FoE guide. Public inquiries: a Campaigners Guide Oct 2020' pp3,20.]

**End note**

We have tried to make the case that planning appeal guidelines invite public participation through a range of consultative measures in place. It is less clear how an Inquiry will register the impact of public opinion that has been generated by the application and encouraged every step of the way through these public consultation exercises. We are asking, with great respect, for transparency on the ways and extent to which public opinion has influenced the decisions of the Inquiry, with such clarification incorporated in the final report of the Inquiry.

And, beyond this, we are asking that this insensitive and obdurate appeal should be dismissed.

Thank you.