



Department for Transport

Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR
Tel: 0300 330 3000

Web Site: www.gov.uk/dft
Your Ref: 00035164

John Gass

By email: [REDACTED]

27 March 2025

Dear John Gass,

Thank you for your further email of 5 March 2025 to the Department for Transport, which requested that your complaint be escalated to stage two of our complaints process. I am replying as a Deputy Director within the Department's Aviation Directorate.

I note that you believe that the Department's previous responses do not correspond with legislative requirements as set out in the Civil Aviation Act 1982 and the Town and Country Planning Act 1990.

I have reviewed the response that was issued to you on 5 March 2025. This was the Department's reply to your formal complaint of 1 January, which followed correspondence exchanges about London Luton Airport and sound insulation of your property between December 2023 and December 2024. The response of 5 March apologised for the delay in responding to your initial complaint, which due to an administrative error had not been actioned sooner by the Department. Please also accept my apologies for this oversight.

Aside from this delay, I am satisfied that the Department has responded to your correspondence appropriately.

In your email of 5 March, you stated the response you have been provided does not correspond with the legislation, and specifically Section 30 of the Civil Aviation Act 1982. However, I am content that the response you received was appropriate, as Section 30 does not provide for noise control of an airport by the Secretary of State. This is because noise control provisions are detailed elsewhere in the Civil Aviation Act 1982:

- a) Section 78 enables the Secretary of State to require that aircraft operators and aerodrome operators take steps to mitigate noise and vibration during take-off and landing at certain aerodromes.
- b) Section 79 enables the Secretary of State to set up a scheme requiring the manager of certain aerodromes to make grants towards the cost of sound-proofing buildings affected by noise and vibration.

The powers in Sections 78-79 apply only to aerodromes designated by the Secretary of State under Section 80. Currently designated aerodromes are Heathrow, Gatwick and Stansted. Sections 78-79 do not apply to London Luton Airport as this airport is not designated under Section 80. If Section 30 were intended to include powers for Secretary of State to control noise and vibration at all aerodromes, there would be no need for Section 80 to limit such powers to designated aerodromes.

Previous correspondence has therefore explained that London Luton Airport's noise controls are part of the planning conditions imposed by its local authority – not by the Secretary of State – so, the responsibility for any specific noise-related matters at London Luton Airport is a matter for the airport's management team and the relevant local authority.

I therefore consider that the Department has explained its position about the matters you have raised on each occasion. However, if you feel that your complaint has not been satisfactorily resolved, you can ask the Department to refer the matter to an Independent Complaints Assessor (ICA). This is stage three of our complaints process. Further information about ICAs, including what they can and cannot look at, is published on GOV.UK [here](#).

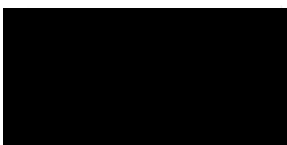
You can ask the Department to refer your complaint to an ICA, by contacting our complaints team at:

Maladministration Complaints
Department for Transport
3rd floor, One Priory Square
Hastings
East Sussex TN34 1EA

Email: ComplaintsDfTC@dft.gov.uk

I hope the response above clarifies the Department's position further.

Yours sincerely,



Ian Elston
Deputy Director, Aviation Directorate

The UK Government is currently seeking feedback on our standard of service in correspondence. If you would like to provide feedback, please could you do so via the following link [here](#). This feedback will be collected anonymously and can be submitted until Monday, 31 March 2025.