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**FRIENDS OF THE EARTH
RIGHTS & JUSTICE CENTRE**

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Your Reference:

Our Reference: PM/GP/156.1

3 December 2008

Dear Sir

**London City Airport- Application to vary conditions under S73 Town and Country Planning Act,
Application number 07/01510/VAR**

The proposal to increase the number of flights to and from London City Airport each year, contained in the above application and consultation carried out by Newham Council, has serious potential race equality impacts. We were therefore very concerned by your letter of 24 November 2008, in which you confirmed that *"no [race equality impact assessment] was submitted as part of the application, nor was this raised as an issue during the consultation process"*. Our concern is increased by the fact that we have seen no other evidence of any consideration at all of the race equality impacts of the proposal.

Section 71(1) of the Race Relations Act 1976 requires Newham Council properly to consider, on the basis of proper analysis and consultation, whether the conduct of its functions in relation to the proposal gives rise to any issue of potential unlawful race discrimination, or matters which may affect the development of good race relations between persons of different racial groups. This is important, because, if Newham Council does so consider, then it will need to give serious consideration to what steps can be taken to ameliorate any detrimental effects of its conduct upon these important policy objectives.

We urge you to ensure that a full race equality impact assessment is carried out, and the findings taken into consideration, before planning permission is granted for the above application (if indeed that proves to be the right course of action after the assessment has been carried out). For the reasons set out above, we consider that it would be unlawful for Newham Council to grant planning permission without first having done so.

Please confirm that Newham Council agrees to the above course of action, or please explain in full why you do not agree that it is necessary to carry out a race equality impact assessment before proceeding with any grant of planning permission.

You will recognise that this is a matter of grave concern and considerable public interest not merely to our client but to all those concerned with the equalities impacts of the potential developments at London City

Community
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Airport. It is obviously a matter of public importance that this matter is corrected at the earliest opportunity and, ideally, without the need for the involvement of the Courts. In this light, and as grant of planning permission for the above application is expected early in the new year, we ask that you respond within seven days of the date of this letter in order that we can advise our client (and others interested in this issue).

Yours faithfully

Friends of the Earth Rights & Justice Centre