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Written by [Alex J. Williams](#) [2] | Sunday 25 November 2007



It was no great surprise to hear from the Transport Secretary Ruth Kelly this week that consultations are to begin on proposals for the expansion of Heathrow airport. Among the options to be examined are proposals for a 2,200m third runway and a sixth terminal.

The announcement that consultations are to begin on the expansion of Heathrow Airport has reignited the old debate between those who seek to defend the countryside and those who favour the benefits of increased air travel. These plans ? which include the destruction of an entire village to make way for terminal six? have proved particularly controversial.

The issue is a difficult one. On the one hand, good airport infrastructure is vital in a globalized economy. A lack of capacity can prove damaging to economic competitiveness, whereas greater air travel can aid growth. On the other hand, the rights of property owners and communities in rural areas deserve protection.

Ultimately, the flaw lies in the premise of the debate ? that this is a matter for the government to negotiate a compromise on. Indeed, the very existence of such a heated argument is a result of the decision lying in politically motivated planners? hands.

It should be up to the airport to negotiate with local residents and landowners to try and find a solution that works for all concerned. Their interests cannot possibly be understood or represented by disconnected Westminster politicians. Where agreement cannot be reached, it should be for the common law to ensure fair and just compensation for parties affected by the expansion. Judges are far better at balancing the competing claims of neighbours than government.

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