

**STRUCTURE PLAN AND
REGIONAL PLANNING ISSUES PANEL
TUESDAY 12 OCTOBER 2004**

Item No.

3

Members of Panel: M Bayes, R Clements (Sub), A Dodd, D Drake, J Metcalf (Sub), M Saunders, R J Smith, I Simpson, W Storey (Chairman), B A York.

Response To Dft Consultation On Night Flight Restrictions.

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1. Purpose of Report

1.1 To inform the Panel and seek their views on the Government's consultation paper regarding the proposed future regime for restrictions on night flying at the 3 main airports in the south east; Heathrow, Gatwick and Stansted, prior to the consultation deadline of 29 October 2004.

2. Background

2.1 The three major London Airports operated by BAA, Heathrow, Gatwick and Stansted are subject to limits on aircraft movements at night. The night flights limits are imposed by Government after consultation and the present regime was due to end in October 2004. This period was extended by one year, to 30 October 2005, to allow proper consideration of the Government's Air Transport White Paper, the ruling of the European court on night flights at Heathrow and the new European Community legislation on noise related operating restrictions for airports.

2.2 In July 2004 a consultation process started on the next night restrictions regime. The Government intends that this regime should apply for six years, from 30 October 2005 until the end of the summer season 2011.

2.3 The consultation is being carried out in two stages. The first one covers:

- the general background to the whole of the consultation;
- the intended length of the next night restrictions regime;
- a statement of the DfT's broad aims for the night restrictions at Heathrow, Gatwick and Stansted;

- an invitation to suggest environmental objectives and specific noise abatement objectives for each of those airports;
- detailed proposals relating to the classification of aircraft, which is the main focus of this first stage of the consultation;
- further background information and extended preliminary consultation on some other aspects of the night restrictions regime; and
- an explanation of how and when the DfT shall carry out assessments to comply with European Directive 2002/30/EC and also a Regulatory Impact Assessment.

2.4 The issues relating to the way aircraft are classified for night restrictions purposes need to be resolved in stage one. The effects of different options for the length of the night quota period, the size of the noise quotas and movement limits and the ratios between them, can then be properly assessed in stage two.

In stage two the Government will:

- consult on the length of the Night Quota Period (NQP), particularly as to whether the NQP should remain as it is now (2330 - 0600) or whether it should be extended, perhaps to make it the same as the full night period (2300 - 0700), looking at the three half-hour segments at the beginning and end of the current NQP as follows:
2300 – 2330
0600 – 0630
0630 - 0700;
- carry out detailed assessments of the number and types of services currently operating during these three half-hour segments in order to give some indication of the impacts of possibly adjusting the NQP (and, if so, what the appropriate movements limits and noise quotas might be);
- at Heathrow, where the morning shoulder period (0600 - 0700) is particularly important for arrivals, take account of the interface with the Project for the Sustainable Development of Heathrow including the implications for the capacity and operation of the runways;
- at all three airports, propose new movements limits and noise quotas;
- consider whether to introduce controls to prevent 'bunching' of flights at any particular time of night, or at either end of the NQP, if it proposes to extend it. If controls were needed for each individual time band that might raise transparency and administrative issues;
- propose further noise insulation schemes in respect of night disturbance. (The new criteria in *The Future of Air Transport* relate to daytime noise only.)

2.5 During the course of the consultation the Government will therefore cover all their outstanding commitments. These are:

- (i) to take account of the responses to the question asked in the consultation on *The Future Development of Air Transport in the*

- United Kingdom: South East* about the length of the night restrictions regime;
- (ii) to consider the results of the EPNL monitoring in a way consistent with European Directive 2002/30/EC;
 - (iii) to draw on the results of the QC System Review;
 - (iv) in the light of the results of (ii) and (iii) to consider banning aircraft classified as QC/4 from being scheduled to operate 2330 - 0600 hours;
 - (v) to make use of the findings of ERCD Report 0204 on reanalysis of differences between Arrivals and Departures;
 - (vi) to consult on a possible extension of the night quota period (as promised in the decision on Heathrow Terminal 5);
 - (vii) to consult on reducing the departure noise limits that apply in the present night shoulder (2300-2330 and 0600-0700) and night quota period (2330-0600) to an extent consistent with other changes (if any) in the night restrictions; and
 - (viii) to consult on a proposal to install two additional fixed noise monitors at Heathrow.

Stage one deals with commitments (i) to (v), with stage two intended to deal with commitments (vi) to (viii).

Demand for Night Flights

- 2.6 The demand for night flights is increasing as demand for aviation increases. There are 4 particular pressures:
- Long Haul Passenger Flights which having flown over night arrive in London in the early morning enabling business people to have a full day of meetings or fly on to other destinations. This is an issue for Heathrow rather than Stansted.
 - No Frills and Charter Passenger Flights which leave early and arrive late so that they can achieve 3 or 4 rotations in a day maximising the use of the aircraft.
 - Express Freight services which provide 24 hour delivery across the globe and therefore have to fly at night.
 - Cargo flights which travel at night when there is spare runway capacity available.
- 2.7 The latter three demands are all experienced at Stansted. The Government anticipate (in SERAS) that by 2030 more than half the forecast 80,000 freighter movements in the south east might prefer to travel at night, 3 times as many as in 2000.
- 2.8 The Government in its Air Transport White Paper recognises that noise from aircraft operations at night is widely regarded as the least acceptable aspect of aircraft operations. However it goes on to say we need to 'strike a balance between local disturbance, the limits of social

acceptability and the economic benefits of night flights'. This consultation is a part of this balance.

The consultation questions

- 2.9 Chapter 9 of the consultation report picks up nine questions that are included in the earlier chapters. Responses to the consultation will be expected to be in line with this format. The questions are each set out in Appendix A with a suggested response. In general, the responses are intended to follow on from the principle that noise nuisance arising from night flights should be restricted to the fullest extent possible, with the goal of the eventual elimination of night flights. The Hertfordshire County Council responses are in the main restatements of the responses made by the Strategic Aviation Special Interest Group (SASIG), which has prepared a joint local authority response informed by a technical officers' meeting.

3. Conclusion

- 3.1 This report sets out the content of the first stage of the Government's consultation on Night Flight Restrictions, and at Appendix A suggests responses to the specific consultation questions. The views of the Panel are sought on the proposed content of the consultation response.

APPENDIX A

HERTFORDSHIRE COUNTY COUNCIL PROPOSED RESPONSE TO THE CONSULTATION QUESTIONS IN THE NIGHT FLIGHT RESTRICTIONS AT HEATHROW, GATWICK AND STANSTED

Q1. Are there any other matters that you think we should cover in this consultation in addition to those set out in paragraph 2.4 of this paper?

RESPONSE

1. The most important topic missing from the consultation is a clear statement on the economic justification for night flights to UK residents and an assessment of the economic, environmental and social costs. The work needs to look separately at the business, leisure and freight demands for night flights to the communities. Until this has been done, by an independent assessor working to a Steering Group of advisors from all sectional interests, then no further policy development can be justified.
2. The second major topic is the definition of the Night Quota Period (NQP) which must be a critical element of the policy framework. The night restriction period should cover the period when most people want the chance to go to sleep and controls over aircraft movements should be over a long enough "night" to allow the average person to try to get at least 8 hours sleep. The NQP should therefore be from 2300 hrs to 0700 hrs rather than the present 2330 hrs to 0600 hrs. More information is still required regarding sleep disturbance caused by aircraft.
3. The third major issue relates to those airports not covered by the Government's night flight restrictions. Assessments are needed on the impact on other London and UK airports of any restrictions at Heathrow, Gatwick and Stansted. It is unacceptable that night flights could be transferred from the 3 designated airports to, for example, London Luton where no movement and quota limits are in place.

Q2. Do you have any comments on the assessments described in Annex B of the consultation document? (see paragraph 4.1)

RESPONSE

4. The first table on page 46 of the consultation document shows that the number of movements in the night period at Heathrow, Gatwick and Stansted have been fixed for the whole of 1999-2005 period:-

<u>Movements limits</u>	Season	Heathrow	Gatwick	Stansted
	Winter	2,550	5,250	5,000
	Summer	3,250	11,200	7,000

5. At Heathrow the noise quota has also been constant (at 4,140 for the winter season and 5,610 for the summer season) so with the number of movements and noise quota constant there has been no policy requirement leading to the introduction of quieter aircraft. At Gatwick the noise quotas have required a marginal reduction (from 6,820 to 6,640 in the winter and 9,550 to 9,000 in the summer) so there has in theory at least been some requirement for the introduction of quieter aircraft.
6. The position at Stansted is a reversal of this. The noise quota has been allowed to grow in the winter season from 3,110 to 3,550 and in the summer season from 4,350 to 4,950. With a constant number of movements (5,000 and 7,000) the noise quota policy has allowed for a considerable increase in the noise profile of the aircraft being used at Stansted.
7. The section setting out movements limits and quotas for the 1999-2005 period (page 46) shows an unacceptable situation of airlines being able to introduce noisier aircraft at Stansted over time. Hertfordshire County Council supports the introduction of noise limits and quotas which discourage rather than encourage the use of noisier aircraft.
8. The section showing the number and types of night flights at Stansted (page 38) provides information for the night period (23.00 – 07.00 hrs local time) for the Winter 02/03 and Summer 03 periods. There were 21,306 movements, 13,634 being for passengers and 5,349 for freight.
9. The figures for the Night Quota Period (23.30 – 06.00) are for the year 2003 There were 9,046 movements in this period out of a total of 21,332 movements in the full night period. The statutory limit is 12,000 movements.
10. The consultation document does not make it sufficiently clear that 58% of 'night' movements (12,286) take place in the periods 23.00 to 23.30 and 06.00 to 07.00, periods which Hertfordshire County Council believe are particularly stressful for residents. There are times when people are either trying to get to sleep or trying to stay asleep before having to awake in the morning.
11. The document should show the numbers of flights (arrivals and departures) by hour and the type of flight involved. The movement figures for Stansted would show the high number of departures in the hours 05.00 – 06.00 and 06.00 – 07.00. These are largely No Frills aircraft starting their 3-4 rotations for the day and clearly illustrate that the low fares being achieved are at the cost of disturbance to local Stansted residents.

Q3. Do you have any comments on the presentation of the noise contours and other information in Annex C? (see paragraph 4.2 - 4.13 of the consultation report)

RESPONSE

12. The tables on pages 58, 59 and 60 of the consultation document, showing forecasts of night flights without new restrictive measures, illustrate that there is no capacity for any significant increase in flights during the night quota period at Heathrow. At Gatwick and Stansted there is scope for some increase, particularly in winter, but only up to the limit of the movements and noise quota published.
13. Were the maximum movement limit and noise quota to be utilised at Stansted and Gatwick, there would be a significant increase in the area (sq km) and population affected. Without the limits the increase would be even greater.
14. The DfT comment that the number of night flights at Heathrow, Gatwick and Stansted cannot increase much if the restrictions continue unchanged, unlike the situation at some other European airports. Data on the historical and likely future growth in night movements at other European airports, and the populations affected, should be included in Annex C.

Q4. a) Do you have any comments or suggestions for environmental objectives and specific noise abatement objectives for each airport? (see paragraph 6.6 of the consultation report)

b) If so, please state for each objective the base case indicator against which it should be assessed.

RESPONSE

15. The objectives have changed over time, and have generally become more lenient. The DfT should at least explain why this has been happening and take this opportunity to tighten them up. Overnight freight has become a way of working for many businesses and is particularly used as part of the “just-in-time” culture. The arguments of the leisure industry are that they need night movements to ensure that expensive aeroplanes are used round the clock and achieve three/four return trips to Europe. Thus residents are affected at night to keep down the prices of holidays – this is not acceptable.
16. The overriding objective should be to phase out all but the essential movements between 11.00pm and 7.00pm. The second phase consultation should provide enough information to help identify those movements that are essential.
17. There is little point in suggesting specific objectives for each airport until information has been provided to enable the performance of the

1998/9 objectives to be evaluated. Common objectives for the 3 airports may prove more valuable.

Q5. Are you content that we should retain the QC system for classifying aircraft? (see paragraph 7.4 of the consultation report)

RESPONSE

18. The quota system is now generally accepted and should be retained. However as quieter aircraft are coming in to use, with the concept of a 0.25 count perhaps later also needing a 0.125 count, it may be time to re-calibrate.
19. The movement limit should not be increased simply to allow more quieter movements as even quiet movements are disturbing.

Q6. Do you have any comments on the proposals to:

a) remove the weight limit for jet aircraft able to qualify as exempt but, at the same time, to extend the QC system downwards by a further band to QC/0.25 (84 - 86.9 EPNdB)?

b) retain the minus 9EPNdB adjustment for arrivals?

c) prohibit QC/4 aircraft from operating between 2330 hours and 0600 hours (see paragraphs 7.5-7.23 of the consultation report)?

RESPONSE

20. (a) It would seem sensible to create a QC 0.25 for the lighter aircraft that are currently exempt.
- (b) Retention is supported though the adjustment should now be 7 rather than 9 EPNdB.
- (c) The proposal to prohibit QC4 aircraft is welcomed though it is unlikely to have much impact on actual night flights compared to the voluntary ban. Consideration should be given to extending the ban for the whole of the night period.

Q7. Do you have any comments on:

a) the value of there being common arrangements at the three airports?

b) retaining the same night quota period at the three airports (see paragraphs 8.1-8.11 of the consultation report)

RESPONSE

21. (a) Common arrangements seem sensible to aid the general understanding of the issue, albeit specific quotas should obviously take account of the suitability of that airport to accommodate night flights, if any.

(b) The night quota period should be the same at each airport – and should be from 11.00pm to 7.00am, but divided into three sectors so that the central period is the same as the current quota period.

Q8. (a) Points relating to density of population and ambient noise seem more germane to issues concerning the size of the noise quotas and the number of movements permitted, rather than to the length of the night quota period: do you disagree?

(b) Are you aware of any reason why we should not take account of the comment in the WHO *Guidelines* that responses to aircraft noise are less likely to be influenced by ambient noise than are some other types of noise? (see paragraphs 8.12-8.13 of the consultation report)

RESPONSE

22. (a) The night quota period should be the same length, 2300-0700 hrs, at each airport, irrespective of the population count.
- (b) The WHO comment should be ignored as those who live in a quiet area, such as around Stansted, are affected for a longer time period as each aircraft passes overhead than those living in areas of higher ambient noise. Further information about the consideration of ambient noise is required, particularly some indication of how much aircraft noise exceeds ambient levels in the areas around the three airports.

Q9. Do you have any suggestions for further controls on movements during the night quota period if it is extended? (see paragraph 8.14 - 8.17 of the consultation report)

RESPONSE

23. The night quota period should be extended but controls are needed in the shoulder periods so that movements currently either side of the NQP are both restricted and cannot be moved to an even more undesirable time of night. The overall objective should be to gradually reduce the noise nuisance. This can be achieved by reducing the number of movements and/or the quota count. Ultimately there should be a very low number of movements at any airport where disturbance is caused.
24. The present controls allow, in theory at least, for a very large number of movements to take place on any single night or indeed in any shorter time period. This is a result of the quotas relating to a season. Consideration should be given to setting a maximum number of movements per hour and per night – perhaps related to a figure which is no bigger than double the average.

OTHER GENERAL COMMENTS-

25. Paragraph 7.12 of the consultation report requests airlines and others to provide financial information. This should already have been provided by the DfT at this stage. One of the key arguments for night flights has been their supposed economic importance – yet no such justification has been seen. This must be rectified in the second stage. Due to the lack of this information it has not been possible to consider night restrictions in the context of sustainable development principles.
26. Consideration has to be given to airports which are not subject to Government imposed night flight restrictions. There would be no value in restricting flights at Stansted if they then migrate to Luton. Effective night flight restrictions should be imposed at all airports either voluntarily by the airport operators or as determined by central or local government to ensure all residents near airports are adequately protected.
27. Finally Hertfordshire County Council would reiterate that night noise remains an extremely contentious issue. Any proposal to increase the night noise climate as a result of this consultation will be strongly resisted. The policy should be to extend restrictions over the whole of the night period and to reduce night flights over time.