

Response to Department for Transport Consultation on Night Flight Restrictions at Heathrow, Gatwick and Stansted



Stop Stansted Expansion ('SSE') was established in 2002 in response to Government proposals for major expansion at Stansted Airport. We have some 7,500 members and registered online supporters including 150 parish and town councils and local residents' groups and national and local environmental organisations. Our objective is to contain the development of Stansted Airport within tight limits that are truly sustainable and, in this way, to protect the quality of life of residents over wide areas of Cambridgeshire, Essex, Hertfordshire and Suffolk, to preserve our heritage and to protect the natural environment.

Introduction

This document is SSE's response to the Department for Transport's Consultation on Night Flight Restrictions as contained in the two documents *Night Flight Restrictions at Heathrow Gatwick and Stansted (January 2017)* and the related *Impact Assessment dated 16 November 2016*. We do not consider that the contents of this submission are confidential and we have no objection to its publication.

SSE welcomes the opportunity to respond to this consultation while noting that the normal two-stage process has been condensed into a single stage and the time period for responding has been reduced to under seven weeks instead of the normal three months.

SSE does not agree with the proposed environmental objective as it offers weaker protection than the Environmental Noise Directive and is also compromised by an unsupported claim of the benefits of night flights. There has been no evaluation of benefits against costs. Our objection is explained in our response to Q1a.

SSE believes that:

- **The environmental objective should be to "ensure that the harmful effects of aircraft noise disturbance are prevented, avoided or reduced by progressively reducing the number of night flights and by the use of less noisy aircraft".**
- **The proposed new night flights regime does not provide local communities around Stansted Airport with an equitable balance of environmental protection and attaches far too much weight to the commercial interests of Stansted Airport and the airlines which operate to and from Stansted all through the night.**

Response to the 10 questions in the DfT Night Flight Restrictions Consultation

Q1a. How strongly do you agree or disagree with our proposed environmental objective for the next regime?

A1a. SSE does not agree with the proposed environmental objective to "*encourage the use of quieter aircraft to limit or reduce the number of people significantly affected by aircraft noise at night, while maintaining the existing benefits of night flights*".

Firstly, "*to limit or reduce the number of people significantly affected by aircraft noise*" is weaker environmental protection than intended by the Environmental Noise Directive where it clearly states in its objectives "*...to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to exposure to environmental noise*".¹

Secondly, and self-evidently, "*maintaining the existing benefits of night flights*" cannot be conflated with mitigating the adverse noise impacts that night flights cause. The assertion of "*maintaining the existing benefits*" has precluded a proper cost-benefit analysis to be undertaken for the adverse impacts upon communities around airports and under flight paths. SSE believes that the current consultation process in this regard is flawed. It does not provide a balanced assessment of the growing evidence of the social cost associated with the adverse impacts, particularly at night. Adverse health effects from noise are well established, particularly

¹ Directive 2002/49/EC, June 2002, Article 1, Objectives.

poor performance at work from interrupted sleep and impaired cognitive development in primary school children who live near airports. This has a further detrimental impact on the economic cost of aviation to the nation. It is worth reflecting that many people whose sleep is disturbed by aircraft at Stansted Airport would be up early the next morning to travel to high value jobs in the City of London or may have equally high-pressure jobs in, say, healthcare or teaching. A proper cost-benefit analysis on night flights would have reflected these realities.

SSE welcomes “the use of quieter aircraft” while at the same time disagreeing with the terminology “quieter”. All aircraft are intrinsically noisy machines; some are less noisy than others.

However, the introduction of less noisy aircraft is not in itself sufficient mitigation to reduce the number of people significantly affected by aircraft noise at night. This is because the method of measurement of aircraft noise levels by averaging over a 6½ hour period is wholly inadequate. While a 48dB LAeq contour is an improvement in protection over a 55dB LAeq contour, the DfT is relying upon an out-of-date system for assessing aircraft noise impacts, based as it is on dose/response surveys in the early 1980s when the volume of air traffic movements was much less than today. A doubling of like-for-like aircraft movements would increase the LAeq measurement by only 3dB.

Moreover, the LAeq measurement is a seeming contradiction to the fundamental operation of the proposed NFR regime which is based on movements and QC ratings. In other words, the regime operates as closely as possible to what people actually hear – the number of noise events and the noise level of each event, not to average LAeq levels. It is the number of flights at night which is the most determining factor of environmental noise harms. It is noteworthy that Stansted has more than twice as many night flights as are permitted at Heathrow. The number of night flights needs to be reduced to make any noticeable reduction in the number of people affected by aircraft noise.

Noise level measurements should take full account of the recommendations set down in the WHO *Guidelines for Community Noise* and the WHO *Night Noise Guidelines for Europe* and we remind the DfT of the commitment it gave in July 2004:

“The [WHO] guideline values are very low. It would be very difficult, if not impossible, to achieve them in the short to medium term without draconian measures – but that is not what the WHO proposed. The recommendation was that the Guidelines for Community Noise should be adopted as long term targets for improving human health. This is also consistent with the advice above. The UK Government is committed to take account of this. In respect of aircraft noise at night, the 30 year time horizon of the White Paper, provides a suitable time parameter for ‘longer term.’”²

This Government commitment, given some twelve years ago, was to achieve compliance with the WHO *Guidelines for Community Noise* in the longer term, which was defined as being by 2030. While the DfT Consultation Document acknowledges that “since 1993, evidence of the relationship between noise exposure and sleep disturbance has increased”, it is to be regretted that DfT has not provided any progress report, targets and milestones towards achieving compliance with the WHO *Guidelines for Community Noise* by 2030.

While the WHO recommendation is that noise events exceeding 45 dBA Lmax indoors should be limited if possible, WHO also says that the adverse effects of noise on sleep occurs at an aircraft noise level of 32dB Lmax indoors. This is particularly relevant around Stansted where the surrounding area is rural in character with low background noise levels. In addition, a large proportion (35%) of Stansted's night flights are large, noisy cargo aircraft, many of which are very old. Unsurprisingly, these give rise to a disproportionately high level of noise complaints.

² *Night Flying Restrictions at Heathrow, Gatwick and Stansted: Stage 1 of Consultation on Restrictions to apply from 30 October 2005*, DfT, July 2004, para 3.12.

SSE is calling for an unequivocal Government commitment to phase out all night flights, progressively reducing the current 12,000 annual allowance by about 1,000 flights a year, leading to a complete ban at Stansted by 2030 except in the case of genuine emergencies.

Q1b. Do you have any additional comments on our proposed environmental objective for the next regime?

A1b. The Government's definition of 'night' applies only to the night quota period of 6½ hours from 11.30pm to 6.00am whereas the normal definition of 'night' is the 8 hours from 11.00pm to 7.00am as laid down in the WHO Guidelines for Community Noise. There are no movement restrictions on the number of aircraft that can take-off and land during the two 'shoulder' periods, from 11.00pm to 11.30pm and from 6.00am to 7.00am, the very times when most people are trying to get to sleep or just before they wake up. This is a particular problem at Stansted where the low cost carriers such as Ryanair and easyJet seek to use their aircraft for as many hours as possible each day, with the result that these early morning and late evening 'shoulder' periods at Stansted are subject to very intensive use.

SSE believes that 'night should mean night', i.e. the full 8 hours.

Aircraft are presently allowed to use reverse thrust when landing at Stansted at night. This is extremely noisy at the best of times and, in the case of Stansted, with its rural setting and low ambient levels of noise at night, the use of reverse thrust causes major disturbance.

SSE believes there should be an immediate ban on aircraft using reverse thrust at night except in the case of genuine emergencies.

Q2a. How strongly do you agree or disagree with our proposal for the length of the next regime?

A2a. In normal circumstances SSE would be content with a five year regime period starting in October 2017. However, SSE believes that the Impact Assessment ('IA') accompanying the Consultation Document is not sufficiently robust for the assessment of costs of night flights – see A10 below.

SSE believes that the IA needs to be re-scoped and revised to correct these failings and this may lead to a shorter initial length of regime such as two years. This would also have the advantage of being informed by the results of the upcoming consultation on airspace policy.

Q2b. Do you have any additional comments on our proposal for the length of the regime?

A2b. No

Q3a. How strongly do you agree or disagree with our proposal to introduce a new QC/0.125 category for aircraft between 81 and 83.9 EPNdB?

A3a. SSE welcomes the proposal to introduce a new QC/0.125 category for aircraft between 81 and 83.9 EPNdB.

Q3b. How strongly do you agree or disagree with our proposal for all aircraft quieter than this to remain QC/0 but count towards the airports movement limit?

A3b. SSE is content that all aircraft less noisy than QC/0.125 remain QC/0 in the next regime and SSE strongly agrees that they should count towards the movements limit.

Q3c. Do you have any additional comments on proposals for the Quota Count System?

A3c. No

Q4a. How strongly do you agree or disagree with the proposal for movement limits to remain unchanged at Heathrow?

A4a. No comment

Q4b. Do you have any additional comments on our proposal for Heathrow's movement limit?

A4b. No

Q5a. How strongly do you agree or disagree with the proposal for movement limits to remain unchanged at Gatwick?

A5a. No comment

Q5b. Do you have any additional comments on our proposal for Gatwick's movement limit?

A5b. No

Q6a. How strongly do you agree or disagree with the proposal to raise Stansted's movement limits to reflect the current number of exempt aircraft in operation?

A6a. SSE strongly disagrees with the proposal to raise Stansted's annual movement limits by 1,700 to reflect movements of currently exempt aircraft. It should be remembered that complaints about aircraft noise at night are disproportionately higher than the relative number of night movements.

SSE does not accept that Stansted would be disproportionately affected by a change to the rules to include previously exempt aircraft within the current annual limit of 12,000 movements. Since this rule change is merely recognising the current situation, the limit should also recognise that the winter allowance of 5,000 movements has been considerably under used. The last Winter 2015/16 and Summer 2016 seasons accounted for 12,173 total movements including exempt aircraft– the first time that this limit has been reached since it was established in 2006.

SSE believes that it would be inequitable to allow Stansted and airlines to be the sole beneficiary of the rule change. The current cap of 12,000 annual movements, with the carry over allowance, should remain in place with an adjusted Winter/Summer sub-division of numbers of movements that mirrors the current situation.

The Government's 2013 Aviation Policy Framework states: *"We want to strike a fair balance between the negative impacts of noise (on health, amenity (quality of life) and productivity) and the positive economic impacts of flights. As a general principle, the Government therefore expects that future growth in aviation should ensure that benefits are shared between the aviation industry and local communities. This means that the industry must continue to reduce*

*and mitigate noise as airport capacity grows. As noise levels fall with technology improvements the aviation industry should be expected to share the benefits from these improvements”.*³

It would clearly be inconsistent with the Government’s Aviation Policy Framework for Stansted Airport to be given an increase in its night flights quota exactly equal to the number of so called “quieter aircraft”.

Turning to the forecasts for night flights, we note that the DfT has relied upon growth forecasts of night flights from both Gatwick and Stansted to inform the IA. And it is further noted that DfT has remarked that *“Gatwick and Stansted’s night flights forecasts are higher than the overall growth estimated by the DfT Aviation Model for these airports”.*

Stansted Airport has a record of consistently over-estimating its forecast numbers of flights. For example, its last major planning application (G1) projected that 202,500 ATMs would be needed for a throughput of 25mppa.⁴ By comparison, in 2016, Stansted handled 24.3mppa with 166,000 ATMs and it looks set to handle 25mppa this year with 170,000 ATMs – 16% fewer than its G1 projection.

Stansted’s projections for cargo volumes and cargo ATMs have been especially unreliable. The G1 application projected an annual throughput of 600,000 tonnes of cargo for the 25mppa case, requiring 22,500 Cargo ATMs.⁵ As explained above, Stansted came very close to the 25mppa case last year (24.3 mppa) but the total cargo volume was just 252,000 tonnes, requiring 13,750 Cargo ATMs. This represents an over-projection of 138% on volume and 64% on ATMs. As the DfT will be aware, Cargo ATM forecasts are highly relevant when projecting the number of night flights at Stansted.

SSE trusts that the DfT will note Stansted Airport’s record of substantial over-projection of ATMs, particularly CATMs, and will be wary of accepting its projections at face value.

Q6b. Do you have any additional comments on our proposal for Stansted’s movement limit?

A6b. No

Q7a. How strongly do you agree or disagree with our proposals to encourage the use of quieter aircraft at Heathrow?

A7a. No comment

Q7b. Do you have any additional comments on how you feel noise quotas can best be set in order to encourage the use of quieter aircraft at Heathrow?

A7b. No

Q8a. How strongly do you agree or disagree with our proposals to encourage the use of quieter aircraft at Gatwick?

A8a. No comment

Q8b. Do you have any additional comments on how you feel noise quotas can best be set in order to encourage the use of quieter aircraft at Gatwick?

A8b. No

³ Aviation Policy Framework, DfT, March 2013, para 3.3.

⁴ Stansted G1 Planning Application, Environmental Statement, Vol 16, Traffic Forecasts.

⁵ Ibid.

Q9a. How strongly do you agree or disagree with our proposals to encourage the use of quieter aircraft at Stansted?

A9a. As stated in A1a above, SSE welcomes the use of less noisy aircraft. SSE is content with the proposal that the current noise quota limits serve as the starting point for reductions in the next regime. SSE maintains that it is the number of flights at night which is the most determining factor of environmental noise harms.

SSE wishes to see the number of night flights progressively reduced in the next regime and views this as the only realistic means of achieving any meaningful reduction in the impact of aircraft noise at night on communities near the airport and under flight paths.

Q9b. Do you have any additional comments on how you feel noise quotas can best be set in order to encourage the use of quieter aircraft at Stansted?

A9b. As stated in A1a above, SSE welcomes the introduction of less noisy aircraft. SSE believes that bearing down on night noise means that noise quota limits must be reduced over the five year regime. At Stansted there is currently headroom to enable this to be implemented and at the same time, and more importantly, provide an incentive to introduce less noisy aircraft.

SSE believes that Option 4b, namely to “reduce quota limits gradually over the 5 year regime at all three airports” is best suited to achieve environmental improvements. The target should be to achieve a 40% reduction by 2022 if the WHO Guidelines for Community Noise are to be achieved by 2030.

Q10. Do you have any further views on our proposals, or their potential impact on the Government's ability to fulfil the requirements of the Public Sector Equality Duty?

A10. As previously stated, SSE does not believe that a proper cost-benefit analysis has been undertaken to provide a satisfactory basis for a balanced assessment of the adverse noise impacts. The DfT's IA assumes that people living within the 48dB LAeq 6.5hr night contour are the “main affected groups”. As we stated in A1a above, this is a wholly inadequate assumption as it ignores the many more people around airports and particularly under flights paths who clearly consider themselves affected by night flights. Furthermore, by setting an environmental objective of “maintaining the existing benefits of night flights” this has precluded a proper cost-benefit analysis to be undertaken.

Stansted Airport is situated in rural surroundings with few large towns and a large number of small villages characterised by low ambient noise. This was recognised by the previous Secretary of State for Transport when he said “...that the value of the LAeq indicator does not necessarily reflect all aspects of the perception of aircraft noise. This may be especially true for rural airports such as Stansted where the ambient or background noise levels are relatively low. We would encourage the Manchester Airport Group, the operator of Stansted airport working alongside the Airport Consultative Committee to consider alternative methods which better reflect the airport's position”.⁶ In addition, a recent research study carried out by the Dutch research agency To70 found that: ‘The percentage of annoyed residents is likely to be higher in areas with low ambient noise than in high ambient noise areas. It can be misleading to compare noise annoyance between different airports, when these local differences are not taken into account. Hence, the local difference between ambient noise levels should always be taken into account when calculating the annoyance.’⁷ The IA takes no cognisance of low ambient or background noise levels around Stansted and the higher percentage of people likely to be annoyed in this otherwise relatively tranquil environment.

⁶ Secretary of State for Transport letter dated 10 December 2013 to Sir Alan Haselhurst MP.

⁷ <http://www.gacc.org.uk/resources/Ambient%20Noise.pdf>.

The Introduction to the Consultation Document asserts that aviation “*directly supports around 230,000 jobs....and contributes over £21bn to UK GDP*”. This is highly misleading since those figures include flights at all times of the day and include jobs in the aircraft manufacturing and aerospace industries. According to the Office for National Statistics, the total UK employment in aviation air transport in 2015 (excluding manufacture and aerospace) was 125,900. Gross value added (GVA) by the UK aviation industry in 2015 was £7.3 billion which is less than 10% of the GVA for the UK transport sector as a whole, i.e. including road and rail etc.

Furthermore, any calculation of economic benefits of aviation is suspect unless it takes into account the multi-billion pound UK trade deficit on overseas travel and tourism and the hidden subsidy to airlines as a result of their paying no fuel tax and no VAT, the benefit of which is about four times the revenue from air passenger duty (APD).

SSE believes that the IA, based as it is on these inadequate assumptions, is not sufficiently robust for the assessment of costs of night flights.

SSE believes that the IA needs to be re-scoped and revised to correct these failings.

*Stop Stansted Expansion
28 February 2017*