

NIGHT FLYING RESTRICTIONS AT HEATHROW, GATWICK AND STANSTED

STAGE 2 CONSULTATION

Richmond Heathrow Campaign Response

JANUARY 2014

This document is the response of the Richmond Heathrow Campaign (“RHC”) to the questions in the Department for Transport consultation document *Night Flying Restrictions at Heathrow, Gatwick and Stansted: Stage 2 Consultation (November 2013)*. The specifics of our response relate mainly to Heathrow. We do not consider that the contents of this submission are confidential and we have no objection to its publication. Contact details are provided at the end of the submission.

The Richmond Heathrow Campaign represents three amenity groups in the London Borough of Richmond upon Thames: The Richmond Society, The Friends of Richmond Green, and the Kew Society, which together have over 2000 members. The members of our amenity groups are adversely affected by noise from Heathrow Airport’s flight paths, particularly at night.

The Stage 2 consultation fragments and ignores the strategic issues and the evidence we supplied in response to Stage 1 and we intend raising this as a matter of concern with our Member of Parliament. The General Comments section below highlights our main concerns. Our responses to the specific questions in the Stage 2 consultation follow on from the General Comments.

General Comments

In our response to the stage one consultation we requested that the Stage 2 consultation should include the option of a ban in stages on scheduled air traffic at night at Heathrow, because: (a) more people around Heathrow are exposed to levels of aircraft noise at night that exceed the World Health Organisation’s guideline limit values on community noise than around any other UK or other European Union airport; and (b) the detailed analysis that we submitted of the small number of scheduled services at Heathrow in the noise quota period casts doubt on the high value that is attached to them by the DfT.

The main proposal in the Stage 2 consultation is to extend the present restrictions to 2017, with some minor changes, but with no reduction in the permitted number of noise quota points. We regard this proposal as unacceptable for a number of reasons:

- The present system of restrictions was introduced in 1993 with the objective of delivering incremental improvements in the night noise climate, and all previous reviews of the restrictions have resulted in reductions in the noise quota points.
- Residents have a legitimate expectation that, in the absence of a ban on night movements, at least the long-term policy of reducing the noise quota points will be adhered to.
- The Government itself argued before the European Court of Human Rights that the restrictions were to be reviewed and tightened regularly.
- The Government stated, in its last review of the night restrictions, that compliance of the night flights with the WHO guideline values would be achieved in stages by 2030.

The reason given in the Stage 2 consultation for extending the present restrictions to 2017 is to enable the next Government to review them in the light of any recommendations from the Airports Commission about night flights at Heathrow. But we fail to understand why the noise quota points could not be tightened now over a five year period, because the main thrust of the Commission’s final report will be longer term capacity options, which are unlikely to have any implications for the night restrictions regime until some time after 2017.

We recognise that, subsequent to the publication of the Stage 2 consultation document, the Airports Commission has recommended (as a short term capacity option) that the number of movements permitted

before 0600 should be increased in order to alleviate congestion post 0600; and that trials should be undertaken by 2015 at the latest. The recommendation is therefore a matter for this Government to take a view on. The policy of previous Governments has been to prevent any increase in scheduled movements pre-0600. The present Government must say where it stands on this issue.

We therefore ask the Government to undertake of further consultation that would include the following:

- The practicalities and economics of phasing out scheduled movements at night.
- Rejection of any increase in the permitted number of scheduled movements pre-0600, thereby removing the threat of an increase in the number of individual noise events pre-0600.
- Reduction in the number of noise quota points to be achieved by the end of the next set of restrictions (to expire in 2019 if introduced this autumn, or in 2020 if introduced next autumn), thereby reducing noise exposure levels in line with the trend over the last twenty years.
- Restriction of the scheduled movements in the noise quota period to 0530-0600, thereby providing an additional forty five minutes of respite (0445-0530).

Question 1: Do you agree with our preliminary view as to the new studies on health effects?

We note from consultation paragraphs 2.20 to 2.29 the DfT's conclusion on three new studies that "they do not prove causality between aircraft noise exposure and these [e.g. cardiovascular disease] health risks, though they do add further evidence that this may be possible." "The results of the studies will be fully explored, and alongside other existing evidence will be used to help inform our policy development further."

We agree there are uncertainties as to causality and its quantum and we support on-going research and evaluation. But taken in totality with existing evidence we are of the opinion the risks are materially greater than seemingly viewed by the DfT and require a much more urgent and aggressive response to both acquisition of the empirical evidence and the reduction in night time noise based on a timetable for achieving the WHO targets and the reduction in night time noise in line with the previous Government's commitment to achieving the WHO values by 2030 ¹.

The issue needs to be set in the context of the WHO guidelines that say the sleep period should be at least 8 hours for most people and the all too evident widely accepted fact that the existing noise levels at night are too high and are decreasing too slowly and in the context of population growth in the southeast with an increasing number of people affected.

Given that the DfT now propose to extend what has been a flat-lining night period regime for the last two years for another three years to 2017 with seemingly no comprehensive plan for gathering empirical evidence, no noise reduction timetable and no material incentives or tighter regulations to reduce noise over the next three years we can only conclude the DfT place much less value on the negative health effects than we do and therefore we do not agree with the DfT's "preliminary view".

Question 2: Do you have any further views on the costs and benefits, including health impacts, which we should take into account in our decision?

Options: Neither in the main consultation report nor the Impact Assessment is there a comprehensive appraisal of a ban of night flights in the Noise Quota Period (2330 to 0600) or Night Period (2300 to 0700). Many respondents to Stage 1 consultation (ourselves included) sought a Night Period ban at

¹ In July 2004 the Department for Transport gave the following commitment regarding achieving the WHO targets for night flights by 2030:

The 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 parameter for 'longer term'.

Source: *Night Flying Restrictions at Heathrow, Gatwick and Stansted: Stage 1 of Consultation on Restrictions to apply from 30 October 2005* (July 2004), paragraph 3.12). The 30 year time horizon of the White Paper ran to 2030.

Heathrow, phased or otherwise. We believe a Night Period ban should be an Option presented for consideration and is likely to be the only one that can achieve WHO noise targets. Any rational choice should surely also consider an Option that bears down on Night Period noise to achieve WHO targets over a prescribed timetable using incentives and restrictions for comparison with a total ban. There is no justification for only considering two very similar Options (1 and 2) in the consultation that make virtually no attempt to reduce the noise impact over the next three years but instead increase the risk of greater impact with the proposal for Early Morning Smoothing (see our response to Question 7).

Night Flight benefits: In our response to Stage 1 we analysed the demand for and connectivity of the 16 night flights at Heathrow and the scope in the day time to cater for these and flights in the shoulder periods and we urge the DfT to take account of the evidence we supplied and the conclusions that minimise the economic value lost by a ban. Even if one were to accept the industry claims for substantial economic value to the UK of night flights (which we do not) the loss of value through a ban as opposed to a transfer to the daytime is on shaky ground and we urge the DfT to subject the industry claims to a much more rigorous independent evaluation than has been the case to date.

Environmental Costs: We have commented on the health impact in our response to Question 1. There is also the added negative impact in terms of annoyance and disturbance and reduced quality of life caused by aircraft noise at night. Our comments in response to Question 1 apply to these issues also; they require urgent action rather than remaining unchanged for the last two years and then a further three years as is proposed.

Question 3: Do you agree with the proposed environmental objectives?

We refer to the table listing environmental objectives in paragraph 4.4 of the consultation. The following comments are compliant with the Aviation Policy Framework.

1. In addition to reducing the number of people significantly affected (objective “1”) the impact on those that remain affected should be reduced and we do not mean just those “significantly” affected. We are not convinced by the widely adopted concept of a threshold. Instead the cumulative moderate levels of annoyance and harm need to be addressed as well.
2. Noise exposure can be concentrated on relatively few people or dispersed and the number of people affected (objective “1”) should not be relied on as the only criteria to assess and manage overall noise impact. We believe this criterion is being given relatively too much weight.
3. Existing noise impacts are too high and we believe objective “1” is inadequate in merely “limiting” noise impact to current levels or only providing the “possibility” of reduction. There needs to be targeted reduction of noise impact towards WHO guideline limits over a defined period of time, which in our view requires a phased ban in the Night Period.
4. Objective 3 seeks to maintain a stable regulatory regime pending decisions on future airport capacity. We do not agree that night time noise decisions should await proposals from the Airports Commission in 2015. A reduction in noise impact over the next three years is too important an opportunity to miss and surely cannot adversely impact any conclusions the Commission might make on longer term capacity or vice versa. The Commission’s Interim Report has now been issued and the only proposal directly impacting night flights in the next three years is “Early Morning Smoothing” (including related trials). We address this proposal later in response to Question 5. The proposal does not obviate the need for or restrict the provision of noise reduction over the next three years. We submit that decisions on meaningful noise reduction should not be postponed until 2016.
5. As discussed in our response to Question 1 we believe the objectives for Heathrow should not merely leave movement numbers, quota point limits and restrictions on noisiest aircraft unchanged (excepting the restriction between 2300 and 2330 which will have minimal impact). We believe there should be a phased ban or at the very least all these controls should be tightened as we argued in our response to the Stage 1 consultation.
6. The objectives as stated cannot be translated into action without clear definition of noise and its impact and the measurement metrics used to assess satisfaction of the objectives. The consultation generally leaves this subject in question. We suggest that the issue is not only about average noise energy, the number of flights, the noisiest aircraft or the number of people affected but also about the value of uninterrupted respite and pattern of interruption.

Question 4: Do you agree that the next regime should last until October 2017?

As commented in our response to Question 3 we believe the link to the Airports Commission Final Report in 2015 is not relevant and that decisions on a meaningful reduction in noise impact should not be postponed until after a general election in May 2015 and that once decisions are taken the regime should run for five years following the necessary lead-in time. We therefore believe steps need to be taken to revise the Heathrow regime in time for further consultation and decision before the general election in 2015 and implementation no later than October 2015 for a five year term.

Question 5: Do you have any views on the revised dispensations guidance?

We broadly agree the approach to dispensations.

However, we are opposed to the suggestion in paragraph 4.22 that existing flights in the early morning arrival period might be redistributed thus permitting an increased number of arrivals before 0600 in order to reduce the use of both runways for arrivals in the early morning period. This seemingly is what the Airports Commission has subsequently proposed as Early Morning Smoothing (Interim Report paragraph 5.45 et seq).

There currently is night time rotation of easterly/westerly preference whenever permitted by weather conditions and runway alternation in the 0600 to 0700 period. This gives people respite potentially during 3 out of 4 weeks. The Commission's Interim Report shows stack build-up to an annual average of around 8 minutes before 0700. We understand the rules to be that NATS can activate TEAM when stack delays are 10 minutes or more in the 0600 to 0629 period and 5 minutes or more in the 0630 to 0659 period. The Commission says TEAM was used in 2012 summer season and 2012/13 winter season almost every day. In earlier years TEAM has been reportedly used 70% to 90% of the days. Clearly even with rotation people experience a considerable number of days when there are de-alternated flights in the 0600 to 0700 period.

However, we do not agree the solution is to increase the number of flights landing before 0600. The noise improvement resulting from uninterrupted alternated respite between 0600 and 0700 will be more than offset by the extra movements and consequential noise before 0600. The quota point limit will need to be increased, which is contrary to the long-term objective of a reduction. We suggest the issue needs to be addressed by managing the flow of planes arriving in the stacks and smoothing of the slots scheduled during the day to relieve pressure in the early morning, as we discuss in our response to Question 7. We are opposed to any trials on this issue but should there be any then it is important that there is prior consultation on the programme and strong empirical evidence as justification before proceeding to implementation.

Question 6: Do you agree that we should maintain the existing movement and noise quota limits until October 2017? If not, please set out your preferred options and reasons – this could include the noise and economic impact of any alternatives.

No – they should be reduced. See our response to Question 1

Question 7: Do you have any comments on our forecasts to October 2017?

Heathrow has considerable spare passenger capacity (current 70 mppa use against existing 90 mppa capacity). Last May we submitted to the Airports Commission substantive evidence that forecast loads are too low. In the event the Commission's Interim Report last December increased the forecast loads previously used in the DfT model. We have not yet fully examined the upward revision but suggest an upward adjustment to fleet average loads should be reflected in the DfT forecasts.

In addition, we argued in our response to Stage 1 consultation that smoothing the scheduled daytime flights at Heathrow would provide the capacity to absorb night flight demand without loss of connectivity and provide increased resilience - all within the 480,000 ATMs per year in segregated mode. Since Stage 1 the results of Operational Freedom trials have been published showing little or no benefit. We believe Daytime Smoothing to be far more preferable to de-alternation from highly questionable Operational Freedoms and Early Morning Smoothing.

Serious consideration of Early Morning Smoothing by the Commission and the DfT suggests that Daytime Smoothing is potentially viable and we urge the DfT to examine and present it as a means to facilitate a Night Period ban.

Question 8: Do you have any views on how the benefits of quieter aircraft can be shared in future between communities living close to the airport and the aviation industry?

The concept of sharing the benefits of quieter aircraft between communities and the aviation industry, and to be fair the wider interests of passengers and the UK economy, has long been our objective and is now part of the Aviation Policy Framework. However, in the past, growth in movements has tended to more than offset noise reduction. The terms of sharing remains too opaque. The interested parties have not been able to agree the costs and benefits let alone what the balance should be.

Question 9(a): Do you agree with extending the operational ban of QC/8 and QC/16 aircraft to the entire night period (23:00 – 07:00)?

Yes, although it appears affected flights are very infrequent so there will be no material improvement in noise levels.

Question 9(b): Do you agree with our assessment of the costs and benefits in the draft IA?

No. Please see our response to Question 2.

Question 10: Are there any other changes to the regime which we should consider?

In the absence of an immediate ban we have suggested in our response to Question 2 that there be an Option for a planned noise reduction to WHO targets. One proposal we recommend in this regard would be to concentrate the 16 arrivals in the Quota Period in the half hour between 0530 and 0600.

Scheduled movements by QC/4 aircraft are currently banned 23:00-06:00 but operational movements are permitted. We propose that all movements by QC/4 aircraft should be banned 2300-0700.

Scheduled and operational movements by QC/2 aircraft are currently permitted 2300-0700. We propose a ban on scheduled QC/2 movements 2300-0700 and an operational ban 2330-0600.

Question 11: Do you have any further comments on the scope for trialling new operational procedures which have potential noise reduction benefits in the period up to 2017?

We are not against trials in principle but there should be much greater clarity in design of the trials and communication with communities as to nature and timing of trials. We oppose trials that include more arrivals before 0600 due to the impact on peoples' sleep.

We hope any future trial would improve upon the unsatisfactory way the Freedom Trial decision process is being handled with the Airports Commission in its Interim Report now seemingly ignoring the results and proposing implementation outside the scope of the trials and with inadequate controls.

Question 12: Are there any other matters you think this consultation should cover?

No comment.

Question 13(a): Do you agree with the locations of the proposed new noise monitors at Heathrow? If not, are there alternative locations you would favour and why?

No comment.

Question 13(b): Do you agree with the proposal to apply runway-specific limit adjustments for easterly departures at Heathrow? If not, please give reasons.

Yes in principle.

Impact Assessment questions

Question 1: Do you agree with our assessment of how movements and quota usage are likely to change over the period to the end of the summer season 2017 at Heathrow, Gatwick and Stansted?

Due to the frozen restrictions over the next three years and the relatively short time frame we doubt there will be material changes to Heathrow usage.

Question 2: Do you agree with our assessment of the costs and benefits of option 1 at Heathrow, Gatwick and Stansted? Would you expect there to be any additional costs and benefits?

No. Please see our response to Question 2 of the main consultation and the following comments:

Paragraph 4.1.1 of IA (Costs under Option 1).

Air passenger and freight inconvenience: there are only 16 flights which is marginal compared with the 1600 arrivals and departures over 24 hours. Other passengers and freight would benefit by re-distributing the 16 flights after 6am, because of (a) the 480 000 limit (i.e. all flights have to operate within that restriction, regardless of day or night) and (b) the heavy demand for slots (i.e. they would not be un-used if switched to post 0600). These additional benefits from switching need to be offset against the costs - they might even show a net benefit.

Aircraft operators and airports: as for air passenger and freight inconvenience, there might even be a net profit.

Administrative costs of monitoring the restrictions: we note that these are treated by DfT as minimal and we make no further comment.

Other costs (mainly loss of revenue and additional economic benefits): as with above, the compensating benefits from switching the aircraft slots to post-0600 have to be set against the costs of the loss of those slots pre-0600.

On the stacking and congestion after 0600, this is as much the fault of the industry as of the regulations in not having a more evenly balanced schedule across each hour of the day period.

Question 3: Do you agree with our assessment of the costs and benefits of option 2 at Heathrow, Gatwick and Stansted? Would you expect there to be any additional costs and benefits?

No. Please see our response to Question 2 of the main consultation and the following comments.

Paragraph 4.2 of IA (Costs under Option 2).

The same criticisms as for paragraph 4.1.1 apply regarding the existing scheduled aircraft types and the noise to which they give rise. The noisier aircraft are no longer in use in the night quota period. The reason is not given, but presumably operational (i.e. not driven to it by regulation). Any benefits and costs of the additional features under Option 2 are therefore marginal compared with Option 1.

Paragraph 8.6 of IA (Human Rights).

Until such time as WHO standards have been achieved there must be a question as to whether human rights are being protected. The fact that nothing is done before 2017 and that 13 years have passed without achieving WHO standards casts doubt on the process and raises human rights issues. Furthermore, an increase in the noise quota points as per Early Morning Smoothing raises further human rights issues.

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