

DECEMBER 2020 NIGHT FLIGHT CONSULTATION QUESTIONS 6 - 12

Suggested summary response

We do not agree that the existing restrictions at the designated airports should be maintained for a further two years from October 2022 to October 2024. This would be complacent and irresponsible.

It is wholly unacceptable that there has been no bottom-up review of the night flight regime since 2006. Further prolonging this is indefensible. The Government is failing to take seriously the aviation noise that it acknowledges is least acceptable and is neglecting increasing evidence that night noise from aircraft has serious health consequences for impacted people. This proposal is also inconsistent with policy in other sectors: the working hours of most noise generating commercial operations are much more robustly controlled by regulations or planning conditions.

In the remainder of the current regulatory period, to 2022, the government should make clear to designated and other airports that it expects them to eliminate night flights or reduce them materially by restricting them to services of substantial economic importance and emergencies. There is no reason to continue to operate services at night when there is ample capacity at times of day that have less serious health and community impacts.

Thereafter, from 2022, it should ban night flights at all UK airports. If any night flights are to be permitted they should be limited to those that are genuinely essential for economic reasons. The government should also develop and implement regulation to ensure that any such flights are operated by the least noisy categories of aircraft on all occasions and that future pricing of night flights fully reflects the costs they impose. These arrangements should include a ban on all QC4 and QC2 aircraft movements for a full eight-hour night period.

Suggested full response

Noise abatement objective for the period October 2022 to October 2024

6 Do you agree with our October 2022 to 2024 night noise objective for the designated airports? Provide evidence to support your view.

No.

By requiring the unsubstantiated benefits of night flights to be maintained, the objective is one-sided and subjective. It is also wholly inconsistent with the government's repeated assertion that it takes aircraft noise at night very seriously and with policy in other sectors: the working hours of most noise generating commercial operations are much more robustly controlled by regulations or planning conditions.

The government's proper role as noise regulator at the designated airports is to assess carefully and objectively the benefits and costs of night flights and strike an appropriate balance. There has been no such assessment for over 15 years. Maintaining the current objective in the way proposed would further defer the meaningful evaluation of night flight benefits and costs, and of policy options, that is badly needed and that any serious regulator would wish to undertake. It would enable the government to ignore, again, the "*growing evidence that exposure to higher levels of aircraft noise can adversely affect people's health*" in favour of preserving unnecessary and unjustified benefits for the aviation industry.

In addition, maintaining the current objective is inconsistent with maintaining the current movement and quota limits. The objective is to “*maintain the existing benefits of night flights*”. However, the current night flight limits exceed capacity actually used and would therefore allow Gatwick to increase night flights in the winter period significantly and increase the average quota size of aircraft. These increases would give the industry substantial additional benefits at the expense of communities, rather than maintaining existing benefits. If the objective is to be maintained winter night flight movement limits and all quota limits should be reduced to ensure it is achieved.

7 Do you agree with how our October 2022 to 2024 draft noise objective for the designated airports will be measured? Provide evidence to support your view.

No.

Given we do not agree with the proposed objective, it follows that we do not agree with the government’s proposals for measuring it.

Specifics of the regime from October 2022 to October 2024

8 Do you agree that we should maintain the existing restrictions for two years from October 2022 to October 2024? Provide evidence to support your view.

No. This proposal is complacent and irresponsible. It is wholly unacceptable that there has been no bottom-up review of the night flight regime since 2006. The opportunity for noise improvements through effective regulation has been missed. Further prolonging this state of affairs will perpetuate a position where there is no meaningful incentive for the industry to use quieter aircraft at night. The Government is failing to take seriously the aviation noise that it acknowledges is least acceptable to people and is neglecting increasing evidence that night noise from aircraft has serious health consequences for people overflown.

In the remainder of the current regulatory period, to 2022, the government should make clear to all airports that it expects them to eliminate night flights or reduce them substantially by restricting them to services of substantial economic importance and emergencies. It should ensure that there are strong pricing disincentives for airlines to operate at night.

Thereafter, from 2022, the government should ban night flights at all UK airports for a full eight-hour period each night. If any night flights are to be permitted they should be limited to those that are genuinely essential for economic reasons. The government should also develop and implement regulation to ensure that any such flights are operated by the least noisy categories of aircraft on all occasions and that future pricing of night slots fully reflects the costs they impose. As discussed above, winter night flight movement and all quota limits should be reduced to ensure the proposed objective is achieved.

We are aware that some airlines will argue that night flights enable them to achieve higher aircraft utilisation and offer lower prices. We understand these arguments but do not believe they justify night flights at Gatwick. Gatwick's services are overwhelmingly leisure related so night flights at the airport do not have significant economic or trade value. The health and other community costs they impose are too high a price to pay for cheap flights for the small section of society who fly frequently. If building aviation back better is to mean anything it must mean putting people's health and welfare ahead of unsustainably cheap ticket prices and airline profits.

The Department’s core arguments for its proposal are twofold.

First that maintaining the existing limits is the “fairest” approach given the uncertainty around post-COVID-19 consumer behaviour and the recovery of the aviation sector. We do not agree.

Successive governments have failed to carry out a proper evaluation of the costs and benefits of night flights for many years. Although COVID is likely to have a short to medium term impact on demand, it is not a proper reason to defer that evaluation again. The key issue is not how much night flight demand returns post-COVID but rather the criteria to be used to determine whether night flights are to be permitted at all, based on their benefits and costs. There is no good argument for further delaying that policy analysis. The government should therefore urgently carry out a detailed, objective, assessment of the costs and benefits of night flights.

Secondly, the Department argues that it does not have sufficient evidence at this stage to support a substantial change in policy.

This is complacent and irresponsible. The Department for Transport has had many years to consider properly the extensive health and other costs night flights impose on local communities and to put in place much more robust regulatory mechanisms that ensure such flights only take place where there is exceptional evidence of substantial net economic benefits. In that time it has made significant progress in areas that benefit some aviation stakeholders. But it has made negligible progress on night flight issues that are of great importance to local communities and many of which were flagged up very clearly in the 2017 consultation. Its failure to take account of the growing evidence that exposure to aviation noise, particularly at night, has adverse effects on health is irresponsible. It should address any evidence gaps now.

The impacts of maintaining the existing restriction from October 2022 to October 2024

9 What would be the impacts to you should the government maintain the existing restrictions for 2 years, from October 2022 to October 2024? Provide evidence to support your view.

Night flight activity would be higher than can, in our view, be justified by reasonable cost benefit analysis, resulting in adverse health, well-being and economic impacts for communities. It is likely that some airports would seek to artificially ensure full or near-full utilisation of their night flight movement and quota limits in order to support arguments for retaining (or increasing) those limits after 2024.

10 What would be the impacts to you should the government allow the night flight restriction in place at the designated airports to lapse. Provide evidence to support your view.

The impact would be devastating. Unregulated night flight activity would be inconsistent with numerous past government policy statements and should be inconceivable. It would also be likely to be unlawful. It would be likely to lead to substantial additional adverse health, well-being and economic impacts.

Operational ban on QC4 aircraft movements during the night quota period (23:30 to 06:00)

11 Do you agree we should ban QC4 rated aircraft movements from operating at the designated airports between 23:30 and 06:00 from October 2022?

Yes.

Our view is that the government should ban all night flights from October 2022. If it decides to roll over the existing restrictions for a further two years it should ban all QC4 and QC2 aircraft movements for a full eight-hour period each night. We believe the ban on operating QC4 rated aircraft at night should commence immediately rather than wait until 2022.

12 Provide evidence to support your view.

We note that only some 0.05% of night flights in summer 2019 were operated by QC4 rated aircraft. The impact of a ban on the industry would therefore be minimal.