

Night flight restrictions

Your details

Q1. Your (used for contact details only):

name? Peter Barclay

email? info@gacc.org.uk

Q2. Are you responding:

on behalf of an organisation?

Organisation details

Q3. You are responding as:

from a community group?

Q4. What is the:

the number of people your organisation employs?

the main business or activity of the organisation?

-
GACC is the principal environmental group seeking to protect areas impacted by Gatwick's operations.

Q5. In what region of the United Kingdom is your activity predominantly based?

South East (England)

Your local airport

Q6. What airport affects you most?

Gatwick

Maintaining the existing regime at designated airports for 2 years, from October 2022 to October 2024

Q7. Do you agree with our October 2022 to 2024 night noise objective for the designated airports?

No

Provide evidence to support your view.

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.

Q8. Do you agree with how our October 2022 to 2024 draft noise objective for the designated airports will be measured?

No

Provide evidence to support your view.

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

In any event, night noise should be measured, reported and managed down to the WHO's recommended maximum level of 40 dB Lnight and TAG should be updated to incorporate recent evidence.

Specifics of the regime from October 2022 to October 2024

Q9. Do you agree that we should maintain the existing restrictions for two years from October 2022 to October 2024?

No

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.

Impacts of maintaining the existing restrictions from October 2022 to October 2024

Q10. What would be the impacts to you should the government maintain the existing restrictions for two years, from October 2022 to October 2024 (provide evidence to support your view)?

Comments:

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.

Q11. 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)?

Comments:

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 (23:30-06:00)

Q12. 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

Q13. Provide evidence to support your view.

Comments:

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.

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 be minimal.

Revising our night flight dispensation guidance

Q14. What are your views on the:

findings of the night flight dispensation review?

The review shows that the night flight dispensations system is not fit for purpose. Three points stand out in particular. First that the definitions of flights qualifying for dispensations are inadequate. Many events that should be accommodated in normal scheduling processes and within standard resilience planning are being claimed as dispensations, to the cost of local communities. Secondly that the arrangements by which airports approve their own dispensations have been abused. Many flights that do not qualify for dispensations have nonetheless been approved and dispensations have been used by Gatwick and Stansted routinely to increase the number of flights operating at night in the summer. Thirdly that there has been inadequate reporting and monitoring of dispensations, including by the Department which does not appear to have taken its responsibility for overseeing the dispensation system sufficiently seriously. Given the fact that over 2,000 dispensations have been granted incorrectly the government's view that it "does not have significant concerns relating to how airports have used their powers to grant dispensations" is unsustainable.

proposals for the night flight dispensation review?

Disruption of any kind should only qualify for dispensation in genuinely exceptional circumstances. Any event that occurs regularly (annually or more often) at an airport is clearly not exceptional and should be accommodated in airports' routine scheduling processes. The definition of exceptional events should be by reference to external reporting, for example Met Office Red or Amber warnings or the declaration of a Major Incident by the relevant Police Force. Disruption that is within the control of an airport or the aviation industry generally, or which can be accommodated by operational procedures and proper resilience planning, such as network capacity, IT failure, cumulative delays and industrial action, should never qualify for dispensation. Dispensations should be granted by the Secretary of State, not by airports. Each dispensation should be reviewed thoroughly and reported to all relevant stakeholders. There should be a process for disputing dispensations, and consequences if dispensations are granted incorrectly.

Revising our night flight dispensation guidance

Q15. Should disruption due to local weather qualify for dispensations?

No

Provide evidence to support your view.

Disruption due to weather should only qualify for dispensation in genuinely exceptional circumstances. Any weather condition that occurs regularly (annually or more often) at an airport (e.g. fog, strong winds, snow and ice) is clearly not exceptional and should be accommodated in airports' routine scheduling processes. Weather dispensations should not be at the discretion of the airport but linked to external weather reporting, for example Met Office Red or Amber warnings for the area in question. In any event weather dispensations should only be granted by the Secretary of State under Section 78(5)(f).

Q16. Should disruption due to en-route weather qualify for dispensations?

No

Provide evidence to support your view.

En-route weather should be accommodated in airlines' and airports' routine scheduling processes. In any event en-route weather dispensations should only be granted by the Secretary of State under Section 78(5)(f).

Q17. Should disruption due to foreign airport weather qualify for dispensations?

No

Provide evidence to support your view.

Foreign airport weather should be accommodated in airlines' and airports' routine scheduling processes. In any event, foreign weather dispensations should only be granted by the Secretary of State under Section 78(5)(f).

Delays caused by industrial action (referred to as strikes in dispensation guidance)

Q18. Should disruption caused by ATC industrial action qualify for dispensations?

No

Provide evidence to support your view.

Industrial action is a matter for, and generally within the control of, the aviation industry and its supply chain. The consequences of failure by the industry to manage industrial relations adequately should be borne by the industry not by communities near airports or under flight paths.

Q19. Should disruption caused by industrial action by airport staff qualify for dispensations?

No

Provide evidence to support your view.

Industrial action is a matter for, and generally within the control of, the aviation industry and its supply chain. The consequences of failure by the industry to manage industrial relations adequately should be borne by the industry not by communities near airports or under flight paths.

Q20. Should disruption caused by industrial action by airline staff qualify for dispensations?

No

Provide evidence to support your view.

Industrial action is a matter for, and generally within the control of, the aviation industry and its supply chain. The consequences of failure by the industry to manage industrial relations adequately should be borne by the industry not by communities near airports or under flight paths.

Network capacity delays

Q21. Should network capacity delays qualify for dispensations?

No

Provide evidence to support your position.

Network capacity is a matter for the aviation industry and its regulators to manage. The consequences of failure by the industry to do so adequately should be borne by the industry not by communities near airports or under flight paths. In addition, capacity bottlenecks have in recent years been frequent events and are often predictable. They should therefore be accommodated in airlines' and airports' routine scheduling processes.

Delays caused by serious criminal or terrorist activity affecting multiple flights

Q22. Should delays caused by serious criminal or terrorist activity that affect multiple flights qualify for dispensations?

Yes

Provide evidence to support your view.

We support serious criminal or terrorist activity qualifying for dispensations. However, independent criteria should be used to determine whether an incident is sufficiently serious. We suggest the criteria should be whether a Major Incident has been declared by the relevant Police Force or other public body.

Cumulative delays

Q23. Should cumulative delays qualify for dispensations?

No

Provide evidence to support your view.

Airports and airlines should plan sufficient resilience into their schedules to allow them to cope with day period delays.

Emergencies

Q24. Should dispensations be permitted for flights delayed to the NQP due to a medical emergency that has passed?

No

Provide evidence to support your view.

Managing medical issues and disruptive passengers should be a standard part of airlines' operating procedures. The industry should accommodate occasional delays into the night period within their overall night flight allowances rather than impose additional burdens on communities near airports or under flight paths.

Q25. Should dispensations be permitted for flights delayed to the NQP due to a police emergency (for example a disruptive passenger) that has passed?

No

Provide evidence to support your view.

Managing medical issues and disruptive passengers should be a standard part of airlines' operating procedures. The industry should accommodate occasional delays into the night period within their overall night flight allowances rather than imposing additional burdens on communities near airports or under flight paths.

Q26. Should dispensations be permitted for the repositioning of emergency service (including medical transplant) aircraft?

No

Provide evidence to support your view.

The number of emergency service repositioning flights is likely to be a tiny proportion of total night flights. They should be accommodated within airports' overall night flight allowances rather than imposing additional burdens on communities near airports or under flight paths.

Reducing carbon emissions

Q27. Should dispensations on the basis of reducing carbon emissions be permitted?

No

Provide evidence to support your view.

Flight times, including the likely number of early arrivals in any given season, are predictable. Airlines and airports should plan their schedules with sufficient flexibility to allow early arrivals to land within permitted movement caps.

Pre-emptive dispensations

Q28. Should pre-emptive dispensations be permitted?

No

Provide evidence to support your view.

Airports are responsible for managing their schedules and should accommodate the risk of poor weather within them.

Other airport operator granted dispensations

Q29. Should dispensations be granted for information technology failures?

No

Provide evidence to support your view.

The consequences of failure by the industry to manage its IT properly should be borne by the industry not by communities near airports or under flight paths

Q30. Supply any further views or evidence on the guidance allowing airport operators to grant dispensations you may have?

Comments:

Airports appear to have sought ever more imaginative and inappropriate reasons for granting dispensations, on an industrial scale, as they have made fuller use of their night flight movement limits. The effect of this has been to expose local communities to more flights and greater night noise than the regulations envisage. This should stop. Dispensations should be granted rarely, in truly exceptional circumstances, not many times a day as has happened at Gatwick and Stansted in recent years. Each dispensation should be reviewed thoroughly and independently and reported to all relevant stakeholders. There should be a process for disputing dispensations, and consequences for granting dispensations incorrectly.

Government dispensations

Q31. What are your views on government dispensations overall (provide evidence to support your view)?

Comments:

In general we have few issues with government dispensations. They should continue to be granted rarely, in truly exceptional circumstances. They should not be granted for the departure of those attending major international events such as major football tournaments.

The structure of the night flight restrictions at the designated airports beyond 2024

Q32. What length should the night flight regime beyond 2024 be?

4 to 5 years

Provide evidence to support your view.

Our view is that all night flights, other than emergencies and humanitarian flights, should be banned at all UK airports from 2022. If any night flights continue to be permitted they should be limited to those that are genuinely essential for economic reasons. There should be reviews of the night flight ban every five years from 2022.

Q33. How do you think the length of regime will affect you (provide evidence to support your view)?

Comments:

Please see answer to question 32.

The quota count (QC) system

Q34. Do you think that QC is the best system for limiting noise at the designated airports?

No

Provide evidence to support your view.

Please see answer to question 32.

If any night flights continue to be permitted they should be regulated through a combination of movement limits, quota limits and economic incentives not to fly in periods that have the greatest community impact. Future movements should be limited on both an annual and a monthly basis, with no carry over between months or seasons.

Any future QC system should include progressive and challenging reductions in noise quotas over time. All good regulatory systems lead industries, by creating incentives for them to improve their performance, rather than lagging them by passively locking in benefits they have already achieved.

In relation to economics, any future regulatory system should ensure that airlines are financially incentivised not to operate in periods that have the greatest community impact and that charges for those periods both fully reflect the costs they impose and vary in a way that helps ensure that such flights are operated by the least noisy categories of aircraft on all occasions. Airports should be required to report annually on their compliance with these economic arrangements.

Q35. What do you think are the:

advantages of changing to a new system? Please see answer to question 34.

disadvantages of changing to a new system? Please see answer to question 34.

Q36. Do you have evidence of other noise management regimes being used elsewhere and how they compare with the current system?

No

A new QC category

Q37. Should we introduce an additional QC category for quieter aircraft in the longer-term?

Provide evidence to support your view.

Please see answer to question 32.

There should not be a new QC category if night noise was to be managed through QC limits only.

Reintroduce an exempt category

Q38. Should the government reintroduce an exempt category?

No

Exempt category evidence

Q39. Provide evidence to support your position.

Comments:

In no circumstances should the government reintroduce an exempt category

The government's 2017 consultation stated: "This [the then existence of an exempt category] could undermine the purpose of the restrictions set by the Government and would fail to prevent communities being exposed to the harmful impacts large numbers of these flights could cause. The potential for a large number of exempt operations would also mean the restrictions would fail to offer the transparency that communities around airports would expect it to, or offer any reassurance of the total number of flights that they could expect to be exposed to."

Its 2017 decision document said: "we also continue to believe counting all aircraft towards an airport's movement limit is the correct approach. As explained within our consultation document and impact assessment, these aircraft can still expose affected communities to noise levels that the WHO identify as being capable of causing sleep disturbance. It is therefore right that they are treated in a proportionate way to other aircraft."

Since 2017 additional evidence on the impact of night flights on health has emerged and the WHO has advised governments to adopt stricter controls over them. It is inconceivable that the benefits of such flights could outweigh their adverse health impacts.

Re-baseline the noise quota system

Q40. Do you think we should re-baseline the night quota system in the longer-term?

Don't know

Provide evidence to support your view.

Please see answer to question 39. We have no specific view on re-baselining provided it does not increase the number of aircraft permitted to operate at night or the noise they generate.

Night quota period

Q43. Would you be impacted if the NQP was extended to 23:00 to 07:00?

Yes

Business impact evidence

Q44. Provide evidence to support your view.

Comments:

The government should ban (or regulate tightly as set out in our answers to questions 32 and 34) flights for an eight-hour period each night, giving people around airports and under flight paths the opportunity to have a full night's sleep consistent with health guidelines.

The precise timings of that ban should reflect the periods of the day that have the greatest community and health impacts. Those periods could conceivably be different at different airports and at different times of the year. They should be identified through research and surveys at each airport.

Night quota period

Q45. Do you think night flights in certain hours of the NQP have a greater impact on local communities than other times of the NQP?

Yes

Certain hours of the NQP impact

Q46. Provide evidence to support your view.

Comments:

Flights are likely to have substantial impacts at times when most people are trying to get to sleep. In addition any flight that wakes people at a time when they cannot rapidly return to sleep will have a major impact on them. Periods of greatest impact should be identified through research and surveys at each airport.

Night quota period

Q47. Would a mechanism that disincentivises aircraft movements in periods of the night that are more sensitive for communities impact you (provide evidence to support your view)?

Yes

Disincentivising aircraft movements evidence

Q48. Provide evidence to support your position

Comments:

The government should ban (or regulate tightly as set out in our answers to questions 32 and 34) flights for an eight-hour period each night, giving people around airports and under flight paths the opportunity to have a full night's sleep consistent with health guidelines. If a full ban is not imposed, flights should be particularly disincentivised in periods of greatest community sensitivity.

Banning the noisiest aircraft

Q49. What would be the impact on you if QC4 rated aircraft movements were banned between 23:00 and 07:00 after October 2024?

Comments:

In our view there should be an immediate ban on operating QC4 rated aircraft for a full eight-hour period each night. We note that only some 0.05% of night quota period flights in summer 2019 were operated by QC4 rated aircraft. The impact of a ban on the industry is therefore likely to be minimal.

Q50. What would be the impact on you if a scheduling ban was placed on QC2 rated aircraft movements between 23:30 and 06:00 after October 2024?

Comments:

In our view there should be a ban on operating QC2 rated aircraft for a full eight-hour period each night from 2022. We note that only some 3% of night quota period flights in summer 2019 were operated by QC2 rated aircraft. The impact of a ban on the industry is therefore likely to be limited.

The consultation document appears to suggest that a ban will only be considered if it is consistent with airlines' fleet replacement plans. We think this is the wrong approach. Government regulation and action should lead the industry and incentivise it to improve its performance, not merely catch up with actions the industry has already taken.

Q51. What would be the impact on you or your business if a scheduling ban was placed on QC2 rated aircraft movements between 23:00 and 07:00 after October 2024?

Comments:

See our answer to question 48.

Q52. If bans are introduced should the implementation be staged?

No

Ban evidence

Q53. Provide evidence to support your position.

Comments:

See our answer to question 47 and 48.

Future movement and noise quotas

Q54. In a future regime how should we manage the number of aircraft movements (detailing the airport or airports relevant to your view)?

Comments:

Our view is that all night flights, other than emergencies and humanitarian flights, should be banned at all UK airports from 2022.

If any night flights continue to be permitted they should be limited to those that are genuinely essential for economic reasons and their impacts should be tightly regulated as set out in our answer to question 34.

The Government should also impose a maximum number of flights per month and per night at each airport. At Gatwick for example there are extreme variations in the number of night flights, from 76 a night in some weeks in the summer peak to only 7 a night on some weeks in winter.

Q55. In a future regime how should we manage an airports' noise allowances (detailing the airport or airports relevant to your view)?

Comments:

Our view is that all night flights, other than emergencies and humanitarian flights, should be banned at all UK airports from 2022.

If any night flights continue to be permitted they should be limited to those that are genuinely essential for economic reasons and their impacts should be tightly regulated as set out in our answer to question 34.

Managing night noise through QC limits only

Q56. Should we remove the movement limit and manage night flights through a QC limit only?

No

Q57. Provide evidence to support your view.

Comments:

In no circumstances should night flights be managed through a QC limit only.

The government's 2017 consultation stated: "This [the then existence of an exempt category] could undermine the purpose of the restrictions set by the Government and would fail to prevent communities being exposed to the harmful impacts large numbers of these flights could cause. The potential for a large number of exempt operations would also mean the restrictions would fail to offer the transparency that communities around airports would expect it to, or offer any reassurance of the total number of flights that they could expect to be exposed to."

Its 2017 decision document said: "we also continue to believe counting all aircraft towards an airport's movement limit is the correct approach. As explained within our consultation document and impact assessment, these aircraft can still expose affected communities to noise levels that the WHO identify as being capable of causing sleep disturbance. It is therefore right that they are treated in a proportionate way to other aircraft."

The same arguments apply to removing the movement limit, with even greater force. Since 2017 additional evidence on the impact of night flights on health has emerged and the WHO has advised governments to adopt stricter controls over them.

Ring-fencing

Q58. Should we introduce a ring-fencing mechanism to ensure night slots are available for:

	Yes	No	Don't know?
commercial passengers?			X
dedicated freight?			X
business general aviation?			X

Q59. Provide evidence to support your view.

Comments:

Ring fencing should not be introduced if it might increase the number or noise of night flights.

Unused allocation during seasons

Q60. Should an airline be able to use unused allowances later in the season?

Don't know?

Q61. If the government decided that unused allowances should be returned to the airport's pool, what would be the impacts on:

communities?	Rolling over of allowances should not be permitted if it might increase the number or noise of night flights either in total or at specific times of the year.
airports?	-
airport users?	-
airlines?	-
business in and around airports?	-

Carry-over of limits between seasons

Q62. Do you agree or disagree that the current carry-over process benefits you?

Disagree

Q63. Provide evidence to support your view.

Comments:

The carry over process disadvantages communities around Gatwick and Stansted airports. Neither airport uses its full winter movement quota and can therefore use carry over to increase their summer limit on a regular basis.

Q64. What changes, if any, would you like to see to the carry-over process and how would this impact you?

Comments:

See answer to question 61.

Our national night flight policy

Q65. How fair a balance between health and economic objectives do you think our current night flight approach is?

Very unfair

Provide evidence to support your view.

The current approach to night flights does not properly balance health and economic objectives.

As discussed in our earlier answers, there has been no meaningful attempt to carry out a proper evaluation of the costs and benefits of night flights for many years. Historic limits have been rolled over repeatedly, or, in the case of quota limits, tweaked to take account of technological progress already made by the industry. But the current limits do not reflect up-to-date evidence on the health and other costs of night flights or any serious assessment of the economic benefits of night flights. The government should therefore urgently carry out a detailed, objective, assessment of the costs and benefits of night flights.

In our view the historic justifications for night flights no longer withstand scrutiny.

At some airports they perpetuate a low-cost carrier business model that generates levels of leisure flights that are inconsistent with climate imperatives, which primarily serve a small section of society, at prices that do not reflect the true costs they impose. We do not believe that facilitating three low cost carrier aircraft rotations daily comprises a valid economic rationale for night flights.

Many of the business interactions night flights previously facilitated, particularly at Heathrow, have been replaced with video calls and other alternatives to air travel, and the cargo night flights deliver is rarely time critical. None of these facts have been considered properly by government and none is reflected in the current night flight limits and wider regulation.

This is not surprising given the Department chose not to undertake any meaningful analysis of costs and benefits in 2017 and has not done so for many years. By setting an objective then of "maintaining the existing benefits of night flights" the Department precluded the carrying out of a proper cost-benefit exercise in accordance with normal government policy. There was no objective attempt to balance the interests of impacted communities, the aviation industry and the wider economy or to take account of the growing evidence that exposure to aviation noise at night has adverse effects on health. It is now almost 15 years since the government considered night flights in a meaningful way, despite recognising, it says, that they are "the least acceptable form of aircraft operations" and claiming to take them "very seriously".

Q66. What are your views on the health impacts of aviation noise at night, including potential impacts on different groups in society (provide evidence to support your view)?

Comments:

Numerous studies have found a link between night flight noise, annoyance, stress and ill-health.

The World Health Organisation's Environmental Guidelines strongly recommend reducing noise levels produced by aircraft during night time below 40 dB L_{night}, as aircraft noise above this level is associated with adverse effects on sleep. https://www.euro.who.int/__data/assets/pdf_file/0008/383921/noise-guidelines-eng.pdf

Other studies are at the attached links: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2696954/>
<https://hacan.org.uk/wp-content/uploads/2019/04/Night-Flights-Revisited.pdf>
<https://academic.oup.com/eurheartj/article/42/8/844/6046141>

Q67. What are your views on the economic value of night flights, including the potential value on different businesses and aviation sectors (provide evidence to support your view)?

Comments:

The economic value of night flights are modest or, in many cases, negative.

At airports such as Gatwick and Stansted they perpetuate a low-cost carrier business model that generates levels of leisure flights which are inconsistent with climate imperatives, that primarily serve a small section of society, at prices that do not reflect the true costs they impose. If proper account was taken of the climate, community and loss of productivity costs such flights impose it is likely that they would have negative true economic value.

Many of the business interactions night flights previously facilitated, particularly at Heathrow, have been replaced with video calls and other alternatives to air travel, and only a small proportion of the cargo night flights deliver is time critical. Further information on freight traffic is set out in the report here: <https://www.airportwatch.org.uk/wp-content/uploads/Air-Freight-Report.pdf> .

Q68. What are your views on changes to aircraft noise at night as result of the COVID-19 pandemic (provide evidence to support your view)?

Comments:

The COVID-19 pandemic further weakens the case for any night flights.

Many businesses have found that alternatives to travel, such as video conferencing, are effective, substantially cheaper than air travel and less environmentally damaging. It is therefore likely that business travel, often cited as a reason for night flights, will reduce permanently.

In addition, the industry forecasts that traffic volumes will remain below pre-pandemic levels for many years. It should therefore be possible to accommodate all flights at times of day that have the least total community impact.

Future technology

Q69. In your opinion what are the advantages or disadvantages that the emergence of new technology will have in relation to night noise from aircraft within the next 10 years (provide evidence to support your view)?

Comments:

Developments in aircraft design are likely to have decreasing effects on noise over the next ten years, as they have done for the last decade.

COVID-19 has led to many new aircraft orders being cancelled or delayed, and while inefficient, noisier aircraft have been retired from passenger service, many have been picked up by logistic companies whose business is booming.

Proposal to include a night noise reference in our noise objective

Q70. Should we include a reference to night noise when we publish a revised aviation noise objective?

Yes

Night noise reference

Q71. What factors relating to night noise should we include if we do introduce a noise reference in our revised aviation noise objective?

We would welcome a reference to night noise in a revised aviation noise objective. However, any reference should be clear and capable of objective interpretation and enforcement by independent regulatory, planning and enforcement bodies. The wording proposed in the consultation is, in common with government's wider aircraft noise policy, vacuous and of no practical benefit or meaning. It is therefore not fit for purpose.

In our view night flights should be banned. If any are to be retained the government's policy should be that aircraft should only operate at night where there is strong evidence that they have very substantial net economic benefits having taken account of all community, health and climate costs. The government should also mandate much more robust regulation of night flight noise in line with our response to question 34.

Airport designation

Q72. Should the government set criteria for airport designation?

Yes

Q73. What do you think are the:

advantages to the government setting criteria for airport designation?

The appropriate question is not whether setting criteria for designation has advantages or disadvantages to the government but whether it is necessary to achieve effective regulation of aircraft noise. Current regulation of aircraft noise is weak, disjointed, ineffective and confusing. Multiple bodies have some involvement, but none is accountable. No person or entity has an explicit remit and the authority to achieve a long-term, sustained reduction in aviation noise, and the health impacts it causes, and for promoting, delivering and enforcing individual initiatives in pursuit of that goal. There is a regulatory vacuum. Designation offers a solution to those issues if it is accompanied by the development of robust, effective arrangements for the regulation of aircraft noise using the powers the Civil Aviation Act 1982 Act provides. Please see our answer to question 72 for further detail.

disadvantages to the government setting criteria for airport designation?

Q74. What factors, if any, do you think we should consider when setting criteria for designation?

Yes.

Designation has the potential to achieve effective regulation of aircraft noise if the powers it affords to the Secretary of State were exercised in a responsible and meaningful way. At present they are not. For example the Secretary of State sets noise abatement procedures at the designated airports under Section 78 of the Civil Aviation Act 1982. However, the procedures at Gatwick have not been changed since 2004 and at Stansted since 2007. Similarly, for reasons set out in our answers to other questions, regulation of night flights at the designated airports is inadequate and inconsistent with good regulatory practice.

Whilst we support the development of criteria for designation of airports, that should be accompanied by the development of robust, effective arrangements for the regulation of aircraft noise using the powers that designation provides, or by the introduction of an alternative effective form of regulation.

Factors should include the size of the airport in ATM and passenger number terms, the population affected, the strategic importance of airports and the emissions and other climate impacts of aircraft using the airport.

Q75. How should any criteria for designation be agreed?

The Department should develop a draft set of criteria for designation together with proposals for the effective regulation of aircraft noise (in both day and night periods) using the powers that designation provides. It should discuss them informally with stakeholders through its normal engagement channels, including ANEG, and then consult formally on them.

Q76. What impact, if any, do you think the designation of an airport have on:

communities?	Designation has the potential to achieve effective regulation of aircraft noise if the powers it affords to the Secretary of State were exercised in a responsible and meaningful way. See our answers to questions 71 - 73.
airports?	-
airport users?	-
airlines?	-
business in and around airports?	-

Q77. What impact, if any, do you think the de-designation of an already designated airport (Heathrow, Gatwick, Stansted) will have on:

communities? De-designation of an airport should only be considered if the government has first put in place effective arrangements for the regulation of aircraft noise at that airport. No such arrangements currently exist at any of the designated airports. If such arrangements were not put in place it is likely that night flights and noise would increase, potentially very substantially. Any airports which are de-designated or which remain non-designated should be required to follow clear guidelines on areas like best operational practice, sound insulation, night flights, general noise reduction and community engagement set out by the Government and/or ICCAN.

airports? -

airport users? -

airlines? -

**business in
and around
airports?** -

Final comments

Q78. Any other comments?

The noise contours in Appendix G of the consultation do not adequately represent the numbers of people affected by night flights. The government is well aware from multiple sources that many thousands of people outside the 48 dB LAeq contour are impacted by these flights. It should measure night noise down to WHO guideline levels and take account of these impacts in a full cost:benefits assessment.