

Night Flights Consultation
Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR

If telephoning please ask for: Planning Policy
01306 879248

Email: planning.policy@molevalley.gov.uk

By email only: night.flights@dft.gov.uk

12 May 2021

Dear Sir / Madam,

Consultation: Night flight restrictions at Heathrow, Gatwick and Stansted airports beyond 2024, plus national night flight policy

I am writing on behalf of Mole Valley District Council (the Council) to respond to the second part of the current Night Flights consultation regarding night flight restrictions and options for future night flight policy beyond 2024. Mole Valley borders Gatwick Airport and many communities in the south of the district are significantly impacted by noise, both during the day and at night, resulting from aircraft departing the airport.

- Name:** Councillor Margaret Cooksey, Cabinet Member for Planning
Email: planning.policy@molevalley.gov.uk
- Responding:** on behalf of an organisation
- Responding as:** another organisation: Local Authority
- Number of people organisation employs:** 275-300
Main business activity: Local Government
- Region:** South East (England)
- Most affecting airport:** Gatwick Airport
- What are your views on the findings of the night flight dispensation review, and proposals for the night flight dispensation review?**
The Council agrees that there should be more transparency and scrutiny of any dispensations granted. Guidance should be given to airports on the information they are expected to share and the data that should be published online.

The Council believes that disruption of any kind should only qualify for dispensation in truly exceptional circumstances. In recent years, dispensations at Gatwick Airport have increased significantly, from 421 in summer 2017 to 770 in summer 2019. The result of this is that communities local to airports suffer from many more night flights, and the

frequency of these noise events have a direct impact on residents' health through sleep disturbance.

As Gatwick Airport has grown, flight schedules become tighter and airspace becomes more crowded. This means that as a result of any bad weather or industrial action, dispensations increase as more flights are being displaced into the NQP. The Council recognises the benefits for doing so with regards to passenger convenience and airline operations, however it is unfair that the negative impacts of dispensations granted are felt by residents close to airports. The current system and criteria does not incentivise the industry to tackle the root cause of the problem.

The Council is of the opinion that an allocation should be built into the night flights quota and movement limits to account for adverse weather and industrial action. This should be done in a way that is fair to the industry but also to those communities and residents that suffer health impacts as a result from the sleep disturbance that night flights cause. The current quota and movement limits should not be increased to facilitate this approach, particularly considering the number of night flights at Gatwick is already much higher than other designate airports.

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

Only in genuinely exceptional circumstances. Please see the answer to Q7 above for further details.

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

Only in genuinely exceptional circumstances. Please see the answer to Q7 above for further details.

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

Only in genuinely exceptional circumstances. Please see the answer to Q7 above for further details.

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

Only in genuinely exceptional circumstances. Please see the answer to Q7 above for further details.

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

Only in genuinely exceptional circumstances. Please see the answer to Q7 above for further details.

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

Only in genuinely exceptional circumstances. Please see the answer to Q7 above for further details.

14. Should network capacity delays qualify for dispensations?

The Council believes that a review should be undertaken of the capacity and resilience of the network. At present, flight schedules are so tight that small delays have cumulative effects on the network and it is the residents and communities close to the airport that ultimately suffer the consequences, as flights are displaced into the NQP. The approach suggested in Q7 would allow for dispensations to be granted for network capacity delays, but only in genuinely exceptional circumstances.

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

Yes. Such delays are unforeseen and therefore an allocation cannot be built into the night flights quota and movement limits to account for them.

16. Should cumulative delays qualify for dispensations?

Only in genuinely exceptional circumstances. Please see the answer to Q7 and Q14 above for further details.

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

Yes, but only for that flight and not for subsequent turnarounds.

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

Yes, but only for that flight and not for subsequent turnarounds.

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

Yes.

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

The Council is hesitant to answer such a broad question without any further detail provided. The example given of an aircraft being held in a stack until the end of the NQP if it arrives in UK airspace earlier than expected could be mitigated by better managing its flight time and slowing its cruise speed. This would be a more appealing solution than allowing it to land earlier, in the NQP, which would add to the sleep disturbance impacts experienced by local communities and residents.

21. Should pre-emptive dispensations be permitted?

No. Tight scheduling and network capacity is responsible for many delays and dispensation requests, and this should be better managed by tighter regulation of the dispensation process to ensure that dispensations are only granted in genuinely exceptional circumstances.

22. Should dispensations be granted for information technology failures?

Only in genuinely exceptional circumstances. Please see the answer to Q7 above for further details.

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

As a way of building public confidence in the regulation and monitoring of the dispensations process, the Independent Commission on Civil Aviation Noise (ICCAN) could potentially have an important role in undertaking periodic reviews of night flight dispensations granted, to assess compliance as well as opportunities to further improve the process.

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

Government dispensations should be granted only in genuinely exceptional circumstances. Such decisions should be transparent and carefully monitored. Please see the answer to Q7 and Q14 above for further details.

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

4 to 5 years. The Council is supportive of retaining regimes that are for a period of 5 years or shorter, as such a timescale would allow for review at an appropriate frequency.

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

An appropriate length of regime is important for the Government to build trust with communities that at present feel unfairly impacted by high movement and quota limits. Any future regime should therefore be reviewed at an appropriate frequency and should include movement limits with no carry over between seasons, progressive reductions in noise quota limits and economic incentives not to fly in periods of the night that have the greatest health impact on local communities and residents.

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

The existing QC system is in need of review to ensure it remains an effective tool as technology advances and less noisy aircraft are introduced. A combination of aircraft movements, noise quota and economic incentives to operate the least noisy aircraft is needed to control both the number and type of aircraft flying at night.

Any advantages or disadvantages of changing to a new system cannot be evaluated until an alternative is put forward. It is important that any new system does not lead to an increase in the number of aircraft movements at night.

28. What do you think are the:

a. advantages of changing to a new system?

b. disadvantages of changing to a new system?

Any advantages or disadvantages of changing to a new system cannot be evaluated until an alternative is put forward. It is important that any new system does not lead to an increase in the number of aircraft movements at night.

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

No.

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

Yes. It is reasonable that less-noisy aircraft should have a new QC rating and that this should extend to any aircraft that has a noise footprint that exceeds 60dB L_{Amax} over any residential dwelling near an airport.

31. Should the government reintroduce an exempt category?

No. Even the least noisy aircraft have an adverse impact on the health of residents that live near to airports. It is therefore the correct approach to count all aircraft in an airport's movement limit, unless it can be proven that a particular aircraft type's noise footprint does not affect any residential property close to an airport.

32. Provide evidence to support your position.

WHO night noise standards state that 10+ events exceeding 45dB LAmax internally (equating to 60dB LAmax externally) are likely to cause an adverse health impact. At Gatwick, 11,200 movements are allowed in the summer NQP which roughly equates to 50 per night. There were on average an additional 56 movements per night during the shoulder periods. This equates to over 100 events per night exceeding 45dB LAmax internally, assuming windows are slightly open for ventilation. Therefore, any aircraft capable of disturbing a resident has to be included in the QC system to ensure it remains fit for purpose.

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

Re-baselining the night quota system would appear to make sense to increase the system's accessibility.

34. What factors should we consider when anticipating how to best future proof a re-baselined QC system?

The system should intend for a QC0 to have no impact on any resident.

35. What costs, if any, would you anticipate in re-baselining the QC system?

The Council cannot comment on any potential specific financial costs of re-baselining the QC system. However, we believe that at present, the system is complex and confusing, and the benefits of increasing the system's accessibility to better inform residents about the health impacts of overflying aircraft will justify any financial costs incurred.

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

Extending the NQP to 23:00 to 07:00 would bring the ability to control movements in the full night period. This would have a health benefit to communities and residents close to an airport as sleep disturbance is not limited to 23:30-06:00.

37. Provide evidence to support your view.

The Council believes that the Government should provide further detail on the implications of extending the NQP to 23:00 to 07:00 before a fully informed view can be reached and evidence provided to support or oppose such proposals. At present it is not clear whether the intention of the extension would be to improve the health and wellbeing of residents, or to improve the efficiency of airline operations.

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

This is a question that should be posed to health experts in order for the Government to be able to assess robust evidence when considering the issue. The Council accepts that sleep patterns vary and it is generally accepted that 8 hours of sleep are required on average, however we are not in a position to provide evidence on which periods of an 8 hour sleep are the most important for one's health and wellbeing.

39. Provide evidence to support your view.

As per Q38, the Council is not in a position to provide evidence on the matter.

40. 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)?

A mechanism that disincentivises aircraft movements in periods of the night that are more sensitive for communities would have a positive impact on residents and

communities close to airports that currently suffer health and wellbeing impacts from sleep disturbance.

41. Provide evidence to support your position.

As per Q38, the Council is not in a position to provide evidence on the matter however any incentives to reduce aircraft movements in periods of the night will lead to a lesser frequency of noise events that cause sleep disturbance for local residents.

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

Banning QC4 aircraft between 23:00 and 07:00 would be welcomed as these are the noisiest aircraft and therefore the impact of such aircraft on the health and wellbeing of residents would be reduced, if replaced with less noisy aircraft.

43. 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?

The Council would welcome a scheduling ban on QC2 aircraft movements between 23:30 and 06:00 after October 2024, which would help to reduce the level of sleep disturbance felt by local communities and residents.

44. 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?

No comment.

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

It would be appropriate for the ban to be introduced over a period of transition.

46. Provide evidence to support your position.

A similar transition period was given to the phase out of QC8 and QC4 aircraft.

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

The Council recognises Gatwick Airport's national importance and supports its contribution to the regional economy. However, we are sceptical of the specific economic benefit of night flights and believe the Government should form a robust evidence base to demonstrate their benefit and which future policy could take account of.

The Council would be supportive of a future regime that significantly reduces the number of aircraft movements at night through a phased approach, which would lead to significant health and wellbeing benefits for local communities and residents that have been unfairly impacted for many years. Of course, any future regime would need to consider route viability, cargo requirements, connectivity and operational resilience. However, such matters should not be prioritised over the health of residents. We would support measures than incentivise a declining reliance on the demand for night flights, and that removes the ability for any underuse of the limits and quotas to be carried over to the following season.

We would also highlight that communities and residents that are in close proximity to Gatwick Airport are unfairly penalised by the comparatively high number of night flights at the airport, compared to the other designated airports. The Council would therefore support a future regime that is more fair and equitable for these airports, and does not give any airport a competitive advantage or disadvantage.

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

As per Q47, measures should be introduced that incentivise airlines to reduce reliance on the need for night flights to support their business model. All aircraft movements contribute to sleep disturbance and it is important that even the least noisy aircraft count towards any movement limit, which alongside a quota limit and noise abatement procedures forms the best method of control.

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

No.

50. Provide evidence to support your view.

At Gatwick Airport, it is the movement limit that prevents additional flights as the quota limit is too high and is never reached. In addition, even the least noisy aircraft contribute towards sleep disturbance and therefore the frequency and number of noise events needs to be managed for the health and wellbeing of local residents

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

- a. commercial passengers? No.
- b. dedicated freight? Yes.
- c. business general aviation? No.

52. Provide evidence to support your view.

The Council believes that some time-sensitive dedicated freight flights may be appropriate at night. We are sceptical as to the real need for any commercial passenger flights at night, and certainly do not support any personal business flights at night that would benefit very few at the expense of the health and wellbeing of local communities and residents.

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

No.

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

- a. communities?
- b. airports?
- c. airport users?
- d. airlines?
- e. business in and around airports?

Returning unused allowances to the pool would have an unfair impact on local communities and would not utilise the opportunity to improve the health and wellbeing of residents through a reduction in night flights and sleep disturbance.

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

Disagree.

56. Provide evidence to support your view.

The Council is of the belief that the current carry-over process does not benefit local communities as it can potentially add a significant number of additional night flights in a

season. At Gatwick, it leads to an increase in summer movements which have a greater impact on local residents that choose to open windows at night in the warmer weather. This contradicts the Government's policy on limiting or reducing night noise.

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

The carry-over process should be ended, to bring significant health and wellbeing benefits to local residents and to end the artificial inflation of the summer movement limit at Gatwick resulting from the winter quota being too high.

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

Unfair. Not enough importance is placed on the health and wellbeing of the communities that suffer from the impacts of night noise.

59. 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)?

As previously stated, the impact of sleep disturbance on health and wellbeing becoming more apparent. The Government should ensure it gathers further robust evidence as to the long-term health impacts of aviation noise at night and the wide-ranging costs associated with those impacts.

60. 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)?

As previously stated, the Council is sceptical of the economic value of night flights. Similarly to Q59, the Government should gather robust evidence with regards to any economic benefit and carefully assess this against the health impacts.

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

The Council regrets the economic difficulties felt as a result of the COVID-19 pandemic and recognises the difficult period that the aviation industry has faced. However, one beneficial consequence of the pandemic has been the significant reduction in aircraft noise at night and residents have become accustomed to the quieter nights. It is likely that if night flights begin to increase, residents will be more sensitised to the noise and this will lead to an increase in annoyance felt. The Government should therefore act swiftly to ensure that the benefits felt by residents during the pandemic in respect of night noise are retained in the future, particularly considering the demand for commercial aviation is not expected to fully recover for many years to come.

62. 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)?

The Council does not believe the increased use of less noisy aircraft will have any significant benefit to residents and the health impacts associated with night noise and therefore technological advances cannot be relied upon to deliver any meaningful change for communities.

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

Yes, as night noise affects people differently to daytime noise and is more intrusive. Policy should clearly reflect this.

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

The policy should be ambitious and aim to reduce the number of people affected by the 10+ N60 contour. In addition, policy should extend to other disciplines such as housing to ensure no new dwellings are built in areas exposed to a high level of aircraft noise. The Government's standard method for calculating housing need should be revised to reflect such circumstances.

65. Should the government set criteria for airport designation?

Yes, to ensure communities are adequately protected from any impacts brought about by expansion proposals.

66. What do you think are the:

- a. advantages to the government setting criteria for airport designation?**
- b. disadvantages to the government setting criteria for airport designation?**

An advantage of setting criteria for airport designation is that it will ensure that night flights are not displaced from a designated airport to an undesignated airport. There are no disadvantages we wish to highlight.

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

The number of residents inside the predicted 10+ N60 contour.

68. How should any criteria for designation be agreed?

Designation criteria should be developed through a period of engagement and consultation with relevant stakeholders including local authorities. This period should also be utilised to consider and develop proposals for the effective regulation of aircraft noise, both during the day and at night.

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

- a. communities?**
- b. airports?**
- c. airport users?**
- d. airlines?**
- e. business in and around airports?**

This would be entirely dependent on the airport and the existing controls placed on it through the planning process.

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

- a. communities?**
- b. airports?**
- c. airport users?**
- d. airlines?**
- e. business in and around airports?**

De-designation should only be considered if the Government first puts in place effective arrangements for the regulation of aircraft noise. At Gatwick Airport, there is not currently a planning cap to regulate the number of aircraft movements or level of noise both during the day and at night, and therefore de-regulation could lead to a significant increase in

night flights, noise, and the consequential health impacts felt by local communities. It is also important to highlight that the impacts of night noise are not always felt by communities and residents in the same authority boundary as the airport itself, and therefore de-designation may lead to conflicting opinions between authorities on the benefits and impacts of night flights. In particular, residents of Mole Valley are affected by two Gatwick departure routes and designation retains the ability to limit the impacts caused by flights, especially at night, for those residents. The Council is therefore against de-designation.

71. Any other comments?

No.

If you require any clarification of any of the points raised above, please do not hesitate to contact me.

Yours faithfully,

Councillor Margaret Cooksey
Cabinet Member for Planning