



By email:
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Sessions House
County Hall
Maidstone
ME14 1XQ

28th February 2017

Dear Sir/Madam,

Department for Transport Consultation: Night Flight Restrictions at Heathrow, Gatwick and Stansted

This is Kent County Council's (KCC) response to the consultation by the Department for Transport (DfT) on proposals for revised night flight restrictions up to 2022. KCC has 84 elected Members representing approximately 1.5 million residents in Kent, and has substantial experience with aviation issues affecting our communities. In this regard, KCC regularly attends the Gatwick Airport Consultative Committee (GATCOM), and also responds to consultations from London Gatwick and London Southend as well as the Civil Aviation Authority.

In formulating this response, notification of the consultation was sent to all local Members in the areas affected by overflight from Gatwick asking for their views. KCC has an existing *Policy on Gatwick Airport* that was adopted by Cabinet in December 2014. This has also formed the basis of our response.

Turning to UK aviation policy more widely, we were very pleased with the long-awaited announcement of Heathrow as the preferred location for an additional runway. If additional runway capacity is not provided then London's connectivity will worsen compared to other global cities, which will in turn restrict the UK's economic prosperity. Further, with the current economic situation and uncertainty surrounding Brexit, it is increasingly important that London has links to emerging markets globally.

Building on the success of Heathrow will provide substantial benefits to businesses by connecting the UK with these world markets as well as increasing the choice of airlines and destinations for all passengers. Our airports discussion paper, *Facing the Aviation Challenge* (2014), extolled the benefits of better utilising our existing regional airports and this is something expansion at Heathrow will facilitate, distributing the economic benefits across the country.

As many of our residents in West Kent are adversely affected by aircraft noise from Gatwick Airport, I have great sympathy for those affected by the proposed

expansion at Heathrow. However, the compensation package is generous, including 125% of full market value for homes (plus costs) and £700 million of noise insulation for homes and £40 million for schools and community buildings. In addition to this, the six-and-a-half hour ban on scheduled night flights will ensure that residents close to the airport, or overflowed by aircraft using it, will experience a significant period of respite. Studies have shown respite to have substantial health benefits.

Currently, and in the proposals for the next regime, the night flight movement limit is much greater at Gatwick than at Heathrow, especially in the summer months. Heathrow is permitted 5,800 night-time take-offs and landings a year whereas at Gatwick it is 14,450. On a per night basis, this equates to approximately only 16 scheduled departures at Heathrow compared to 45 – 50 per night at Gatwick in the summer (18 – 20 in the winter owing to the seasonality of the airport). Further, the relatively recent changes associated with precision navigation at Gatwick resulted in a concentration of flight paths so that some residents get no respite. The impact of continuous overflight is unacceptable, especially at night, and communities cannot continue to suffer.

In the interim period before an additional runway is built, I am conscious that there is likely to be increased demand for night flights at Gatwick – either scheduled or owing to delays because of the airport operating at capacity. In the future, the proposed ban on night flights at Heathrow will put additional pressure on Gatwick and other London airports to accommodate those that can no longer use Heathrow.

Although this consultation on the night flight regime to 2022 will not see an increase in the permitted number of night movements at Gatwick, I strongly disagree with the fact that the proposals will not bring Gatwick's numbers in line with levels at Heathrow. Further, whilst it is proposed that the noise quota limits will be reduced at Gatwick, it will not be reduced by the same extent or to the same levels as Heathrow. In fact it will have a greater proportion of the total night flights in the London airport system with nearly double the noise quota limit of Heathrow in the summer. As a result, the surrounding communities will continue to suffer from this intolerable situation.

Moreover, once the third runway at Heathrow is operational, I can see no reason why the ban on night flights should not be extended to other London airports so that communities across the South East can benefit from the additional capacity at Heathrow.

With the above points in mind, the consultation questions are set out and answered below.

Yours faithfully,

Matthew Balfour

Cabinet Member for Environment and Transport

Kent County Council
Consultation Document Questions

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

Tend to disagree.

The proposed objective to “*encourage the use of quieter aircraft to limit or reduce the number of people significantly affected by aircraft noise at night, while maintaining the existing benefits of night flights*” only targets the noise levels on average and not the frequency of individual incidents. Research shows that noise events leading to sleep disturbance causes health issues such as fatigue in adults and can affect children’s educational attainment. Whilst we support the aim to encourage the use of quieter aircraft we would also argue most strongly that there should be greater restrictions on the number of night flights.

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

Whilst it is wholly desirable to reduce the noise disturbance from night flights it is nevertheless the case that in rural and semi-urban areas (such as around Gatwick and Stansted) that any single incident of noise from aircraft may be substantially above background noise levels (even from those aircraft in the exempt category) and therefore disturbing to the communities that are affected. Further, the objective requires a definition of “significantly affected” as noise disturbance is a subjective matter.

We welcome the use of the 48dB $L_{Aeq, 6.5hr\ night}$ contour instead of 55dB as this recognises new evidence about the impact of noise on sleep disturbance and health at a level below which was previously considered detrimental. Despite Gatwick’s 48dB contour for the summer 2015 and winter 2015/16 season not extending into Kent, we know from the volume of complaints and communication we receive from residents that night flights still affect them as far east as Royal Tunbridge Wells.

The summer 2015 noise exposure contours published in January 2017 show that for the whole night period the 48dB contour extends to Chiddingstone – showing the impact that flights in the shoulder periods have on communities. The consultation document states that the Government recognises the economic benefits of night flights in terms of time-sensitive freight distribution. This does not apply to Gatwick. Figures from 2010 showed that Heathrow carries 86%¹ of UK belly-hold freight whereas Gatwick predominantly caters to low cost short haul carriers who do not transport freight. We argue that the volume of night flights is reduced as far as possible to a level comparable with Heathrow.

It is vital that the Department for Transport (DfT) recognises that measuring noise contours only assesses the average impact, which disguises the true variance of

¹ http://www.fta.co.uk/export/sites/fta/_galleries/downloads/air_freight/Skyhighweb.pdf

noise from Gatwick Airport. It only takes one event to disturb someone's sleep. Consideration should be given to this fact when setting the new regime. We support the QC/0 category aircraft counting towards the movement limit in the night period because this will ensure that there is transparency for communities in the total number of night flights they should expect.

As research into noise is furthered then the night flight restrictions should be reviewed, for example taking into account contours of annoyance or effects on educational attainment. Further research is particularly needed into the effect of individual noise events.

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

Agree.

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

We consider it appropriate to set the regime to 2022 at which point the work towards the proposed third runway at Heathrow would be substantially progressed. Additionally, we very much support the opportunity to agree bespoke arrangements with the airport locally – including outside of the planning process. This, however, needs to be carefully monitored so that any local agreement involves representation from all appropriate bodies so that the situation for individual communities is not any worse than would be the case under Government controls. Therefore, we will await the proposals for this method of setting controls in the forthcoming airspace policy consultation.

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

Agree.

These aircraft will still disturb people so it is sensible to capture them within the quota limit. Further consideration should be given to other new categories as research and technology improve.

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

Agree.

With regards to Gatwick Airport, airlines have orders for new aircraft (such as the Airbus A320neo) that will be quieter than the current QC/0.25 category. If these were to remain exempt from the movement limits as well as the noise quota limit then theoretically they could operate throughout the night period without restriction. Counting them towards the movement limit but not the noise quota (in combination with lowering the noise quota limit – see Q8a. and Q8b.) will incentivise the use of quieter aircraft but not increase the overall number of flights in the night period

beyond what is currently permissible. This will improve transparency for communities affected.

However, although we agree with this principle, we would argue that the movement limit at Gatwick Airport should be substantially lower than as proposed – see Q5a. and Q5b.

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

We believe that with the commencement of the new regime the opportunity should be taken to ban QC/4 aircraft from the night period entirely, as is currently the case for QC/8 and QC/16 aircraft. Although at Gatwick there have been very few QC/4 aircraft used in recent years, those that are used generate a lot of unrest in the communities affected. In line with this approach, consideration should be given to a scheduling ban on QC/2 aircraft during the night quota period. These measures would encourage the use of quieter aircraft.

We also believe that the ability to carry over a proportion of unused noise quota and movement quota should be removed in the next regime. The current system results in uncertainty for communities and, because of the seasonality at Gatwick, effectively amounts to a higher summer limit.

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

As the Kent County Council area is unaffected by noise from night flights at Heathrow we defer to the relevant Local Authorities on this matter.

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

As the Kent County Council area is unaffected by noise from night flights at Heathrow we defer to the relevant Local Authorities on this matter.

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

Strongly disagree.

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

KCC's *Policy on Gatwick Airport* strongly opposes the current movement limits. In the summer months Heathrow is permitted 3,250 movements whereas Gatwick is permitted 11,200, or more than three times as many. Whilst we acknowledge that the two airports have different operating models, it is still unreasonable to expect the communities surrounding Gatwick to have an unfair burden on night flights compared to the remainder of the London airports system. This is particularly true

in West Kent where the disadvantages of the proximity of the airport are felt but none on the economic benefits are received.

We note that the proposed inclusion of QC/0 aircraft in the movement limit is in effect a small reduction in the total allowance (in summer 2016 there were 53 movements by exempt aircraft) but also that the number of people affected by night noise has in fact increased since the last regime. This, in combination with the negative health impacts of night flights, presents a strong case for lowering the movement limit. Again, our policy states that numbers of night flights at Gatwick should be at least a level that is comparable with Heathrow and we ask the DfT to revise the proposed Gatwick movement limits downwards to begin to achieve this aim.

As stated above (Q3c.), we believe that the ability to carry over unused movements between seasons should be removed.

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

As the Kent County Council area is unaffected by noise from night flights at Stansted we defer to the relevant Local Authorities on this matter.

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

As the Kent County Council area is unaffected by noise from night flights at Stansted we defer to the relevant Local Authorities on this matter.

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

As the Kent County Council area is unaffected by noise from night flights at Heathrow we defer to the relevant Local Authorities on this matter. However, we believe that quieter aircraft should be encouraged at all airports and so our comments in relation to Gatwick will also be relevant to Heathrow and Stansted.

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

As the Kent County Council area is unaffected by noise from night flights at Heathrow we defer to the relevant Local Authorities on this matter. However, we believe that quieter aircraft should be encouraged at all airports and so our comments in relation to Gatwick will also be relevant to Heathrow and Stansted.

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

Disagree – proposals should go further (see Q8b.).

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

The proposed noise quota has been set to ensure that the airport will not use more noise than at present if it uses its full movement quota (as Gatwick does in the summer). Whilst it is positive that this will prevent routes using noisier aircraft, the proposals in effect mean that the airport need not improve on its current performance. We believe that the proposals should go further and actively incentivise the use of quieter aircraft in the future. The suggestion in the consultation document of staggering a decrease in the noise quota over the years of the regime would achieve this and afford the airport and airlines time to change their operations and for new aircraft to come online.

We also ask that Government has taken into account the effect of the quota freeze on the noise performance of airlines so that the new regime accurately reflects what should have been achieved in the interim.

Even with the proposed reduction in noise quota in the winter, this still leaves substantial unused quota. In the winter 2015/16 season the total quota use was 953 and the proposal will make 1,655 the new limit. This leaves substantial room for growth considering that in the same period 1,872 movements counted against the limit of 3,250 and that will remain unchanged. Therefore, the current proposals for reducing the noise quota in the winter will have little, if any, effect and they should be revised downwards (as should the summer limits).

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

As the Kent County Council area is unaffected by noise from night flights at Stansted we defer to the relevant Local Authorities on this matter. However, we believe that quieter aircraft should be encouraged at all airports and so our comments aircraft in relation to Gatwick will also be relevant to Heathrow and Stansted.

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

As the Kent County Council area is unaffected by noise from night flights at Stansted we defer to the relevant Local Authorities on this matter. However, we believe that quieter aircraft should be encouraged at all airports and so our comments on in relation to Gatwick will also be relevant to Heathrow and Stansted.

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

No comments.

Impact Assessment Questions

We consider these questions more suitable for the aviation industry and cannot provide further evidence for your impact assessment.