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Sessions House  
County Hall  
Maidstone  
ME14 1XQ

24<sup>th</sup> March 2021

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Dear Sir/Madam,

**Department for Transport Consultation: Night Flight Restrictions**

This is Kent County Council's (KCC) response to the consultation by the Department for Transport (DfT) on proposals for the continuation of existing night flight restrictions at Heathrow, Gatwick and Stansted airports between 2022 and 2024, plus future night flight policy. This response has been discussed by Members of KCC's Environment and Transport Cabinet Committee on 18th March 2021. We appreciate that the Department has allowed us additional time to respond given how important aviation noise issues are in Kent.

KCC has 81 elected Members representing approximately 1.6 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, London Heathrow, London City, London Southend and Manston Airport, as well as the Civil Aviation Authority.

KCC fully recognises the role the aviation industry plays in the local, regional and national economies, and the positives airports bring in terms of employment and vital transport connections for both business and leisure purposes. I would encourage DfT to work with the aviation industry to use every opportunity the recovery from the pandemic presents to adopt a more sustainable approach to aviation.

As per our response to the 2017 night flights consultation, **if a complete ban on night flights was to be introduced at Heathrow as part of their third runway proposals then** I see no reason why a ban on night flights should not be applied to all London airports so that all are treated equally, and so that communities across the South East can benefit from future additional capacity.

The consultation questions are set out and answered below with a focus on Gatwick as this airport has the greatest noise impact on Kent's residents. We have also chosen to respond to those questions most relevant to us as a local authority.

Yours faithfully,

Michael Payne  
Cabinet Member for Highways and Transport  
Kent County Council

## Consultation Document Questions

The 'About You' questions (Q1-6) are answered within the attached covering letter.

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

**No**

Provide evidence to support your view.

It is understood that for the purpose of the October 2022 to October 2024 regime, the Department for Transport (DfT) intends on maintaining the existing night noise objective. As per our response to the 2017 night flights consultation, the 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 average noise levels from incidents, 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.

**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.

We welcome the use of the 48dB LAeq 6.5hr night contour instead of 55dB as this recognises the impact of noise on sleep disturbance and health at a level below which was previously considered detrimental.

However, it is vital that the Department for Transport recognises that measuring noise contours only assesses the average impact, which disguises the true variance of noise from Gatwick Airport. It only takes one event to disturb someone’s sleep. Consideration should be given to this fact when maintaining the existing regime and setting new ones in the future.

**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.

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. In other words, more than three times as many. Whilst we accept that the reasons for this are due to the different operating models of the airport and the needs of low cost carriers to have late night arrivals, it is still unreasonable to expect the communities surrounding Gatwick to have an unfair burden from 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 the direct economic benefits are unproven when compared to other local authority areas closer to the airport.

We note that the inclusion of QC/0 aircraft in the movement limit has achieved 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 (pre-pandemic) has in fact increased since the last regime. Residents have more recently (during COVID) been able to benefit from quieter skies and returning to pre-pandemic levels of night flights will have a significant impact on local communities. **Where it is not feasible to ban night flights except for emergencies,** there is at least a strong case for lowering the movement limit and our policy states that numbers of night flights at Gatwick should be at least a level that is comparable with Heathrow. We believe that the ability to carry over unused movements between seasons should also be removed.

**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.**

KCC strongly agrees with the proposal 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.

The impact of one noisy aircraft at night can have knock-on effects on sleep disruption and deprivation, even if subsequent aircraft movements are made by quieter aircraft. Therefore, the noisiest aircraft should be banned, and the ban extended to include the entire night time period (23:00 – 07:00) and not just the night time quota period (23:30 – 06:00). This is so that people are not prevented from getting to sleep in the 'shoulder' period between 23:00 and 23:30, or awoken early between 06:00 and 07:00.

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

Given the disturbance that dispensation flights cause to local communities during the night period, it is imperative that allowances are made only in the case of emergencies and that the government, airports and airlines do everything within their power to reduce the number of avoidable night flight dispensations.

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

**3 years**

Provide evidence to support your view

We consider it appropriate to set the next night flight regime to cover a three year period beyond 2024. At this point it will be possible to determine whether or when the aviation industry has fully recovered from the impacts of COVID-19. Work towards Heathrow's third runway and Gatwick's northern runway proposals would also by then have been substantially progressed.

Furthermore, in the future if the Development Consent Order for Heathrow's third runway is approved, then 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. Therefore, it is important the next night flight regime does not allow for the impact of a

proposed ban on night flights at Heathrow to have an adverse effect on other designated airports.

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

**Yes**

Provide evidence to support your view.

KCC agrees that the Quota Count (QC) system is currently the most appropriate way to manage night noise at the designated airports. The system also encourages airlines to introduce quieter and more technological advanced aircraft into their fleet. However, the QC system must regularly be reviewed to ensure it remains the most appropriate system for limiting noise and incentivise airlines to utilise the quietest aircraft within their fleet for the night period.

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

**No**

**Q57. Provide evidence to support your view.**

Even the quietest aircraft, including those that are exempt from the QC limit, will still disturb people so it is sensible to capture them within the movement limit.

With regards to Gatwick Airport, airlines have seen the roll out of new aircraft (such as the Airbus A320neo) that are quieter than the current QC/0.25 category. If these were to be 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) 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.

Further consideration should be given to other new categories as research and technology improve, and we would argue that the movement limit at Gatwick Airport should be substantially lower than current restrictions.

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

KCC believes 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.

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

**Unfair**

Provide evidence to support your view

KCC recognises the economic arguments for allowing limited night flights, particularly long haul flights from emerging economies, which bring economic benefits to the UK.

However, KCC does not agree that the existing movement and noise quota limits should be maintained, but rather that night movements and noise quota limits at Gatwick should be reduced in order to give residents under the flight paths, who are over-flown all day long as well as at night, are at the very least, allowed a decent night's sleep.

Gatwick's business aspirations are to compete with Heathrow, therefore it is only fair that it should be subjected to the same night flight restrictions. This is particularly important in West Kent where the disadvantages of the proximity of the airport are felt but limited direct economic benefits are experienced.

**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)?**

There is continually emerging evidence on the impacts of aviation noise that strongly demonstrates the real health costs felt by individuals, including evidence that people are becoming more sensitive to noise than they have been before. Additionally, research is now being carried out on areas of air quality that have previously had limited research in an aviation context, such as ultrafine particulate matter. Ultimately the financial burden of health impacts due to the aviation sector are picked up by the Public Health England (PHE) and National Health Service (NHS), and there are additional economic costs in terms of reduced productivity. However, unsustainable growth in the industry including more intensive use of the existing runways will lead to more intensive noise impacts. KCC cannot support growth at all costs and would therefore encourage a review to be undertaken following new evidence on health impacts for local communities affected by airport operations.

**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)?**

KCC fully recognises the vital economic role the UK aviation sector plays, however, the Council is keen to ensure both recovery of the sector and future growth are sustainably managed. It is imperative that the aviation industry uses the COVID-19 pandemic to rebuild itself in a sustainable way and maximise the opportunities it presents to adopt technological advances and reduce aircraft noise.

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

The COVID-19 pandemic has presented residents with a prolonged period of respite from aircraft movements, in particular those within the night period. Therefore, a return to pre-pandemic levels of night flights will be more recognisable and have a significant impact on local communities both in terms of increased noise and associated health impacts. Kent County Council would strongly encourage the DfT to utilise the unique opportunity that it currently has to adopt a more sustainable and fair approach to aviation throughout the recovery of the industry.

**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)?**

Emerging and future technological advances will enable quieter aircraft and the design of more fuel-efficient routes, faster climbs, quieter descents, and accurate navigation around populated areas; however, in some areas such as the South East the adverse impact will remain significant.

Satellite-based routes can be much more precisely flown, but this can lead to a concentration of noise. KCC is aware that this has been well-received at airports in more rural locations where routes that affect very few people can be successfully flown. However, in the South East there is a conflict between population centres and the tranquillity of our rural and protected landscapes, such as Areas of Outstanding Natural Beauty, where ambient noise levels are low and therefore aircraft noise is more noticeable than in urban areas.

Despite the emergence of new technologies which will assist in the reduction of aircraft noise, it is imperative the DfT also limit the number of aircraft movements or impose a complete ban on night flights at designated airports. Even the quietest aircraft with the most enhanced capabilities will emit noise and will still be heard, especially in the night period when background noise tends to be quieter. Affected communities deserve a period of decent respite at night and relying upon the emergence of new technologies to mitigate the impact of night flights will not be enough.

Future night flight restrictions should also consider the impact of aircraft emissions and KCC would strongly urge to Department for Transport to include the decarbonisation of aircraft within its long term policies and objectives.

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

**Yes**

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

The aviation noise objective should not only target the average night noise levels but also the frequency of individual incidents. Research shows that noise events leading to sleep disturbance causes health issues such as cardiovascular disease and fatigue in adults. Levels of productivity in adults and children's educational attainment are also proven to be negatively affected. Whilst we would support an objective 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.

It is vital that the Department for Transport recognises that measuring noise contours only assesses the average impact, which disguises the true variance of noise from Gatwick Airport. It only takes one event to disturb someone's sleep. Consideration should be given to this fact when setting a new regime.

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.

**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?

Setting a criteria for airport designation would ensure that all airports are treated fairly in terms of night flight restrictions. Currently it remains unfair that Gatwick is not required to observe the same level of night flight restrictions as Heathrow, and if there was a set criteria for an airport to meet then this would ensure all communities are treated fairly.

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

When considering airport designation the most important factor for consideration is the size of airport and the total number of aircraft movements. Furthermore, the type of aircraft flown at the airport should also be considered within the criteria. For example, an airport may have fewer overall movements but those movements may be from larger and noisier aircraft.

Any airport criteria would also need to provide some flexibility to ensure it is not so rigid that some airports are allowed to have more lenient restrictions due to its operating model or geographical location. For example, stricter night flight restrictions are imposed at Heathrow Airport due to the dense urban population which surrounds the airport, whereas Gatwick Airport currently does not have the same level of restrictions due to it being deemed to be in a more rural location. However, aircraft from Gatwick fly over a range of urban and rural areas. Additionally, the impact of noise events on those residents in rural locations will be more intense due to the tranquil nature of the surrounding area.

**Q75. How should any criteria for designation be agreed?**

Any criteria for the designation of an airport should always involve agreement from all appropriate bodies including local authorities to ensure where appropriate, the criteria best suits the needs of each individual airport and the local communities that will be and/or are already affected.

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

Local communities:

The designation of an airport should ensure the impact of night flights are appropriately monitored and mitigated to prevent local communities from being adversely affected. The designation should ensure the correct level of restrictions are in place to ensure a decent level of respite for residents across the night period and airports are held accountable for when these restrictions are not adhered to.

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

Local communities:

The de-designation of an already designated airport such as Gatwick would have a disastrous impact on local communities. Existing night flight restrictions at the airport are already unsatisfactory for those residents living under or adjacent to the flight paths and de-designating the airport would remove any controls of mitigating the effects of noise and ensuring local communities receive some element of respite during the night period.

**Q78. Any other comments?**

No other comments.