



Department
for Transport

NIGHT FLYING RESTRICTIONS AT HEATHROW, GATWICK AND STANSTED

July 2014

The Department for Transport has actively considered the needs of blind and partially sighted people in accessing this document. The text will be made available in full on the Department's website. The text may be freely downloaded and translated by individuals or organisations for conversion into other accessible formats. If you have other needs in this regard please contact the Department.

Department for Transport
Great Minster House
33 Horseferry Road
London SW1P 4DR
Telephone 0300 330 3000
Website www.gov.uk/dft
General enquiries <https://forms.dft.gov.uk>

© Crown copyright 2014

Copyright in the typographical arrangement rests with the Crown.

You may re-use this information (not including logos or third-party material) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit www.nationalarchives.gov.uk/doc/open-government-licence **OGL** or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or e-mail: psi@nationalarchives.gsi.gov.uk.

Where we have identified any third-party copyright information you will need to obtain permission from the copyright holders concerned.

Contents

Executive Summary	4
Introduction	5
The review	5
Responses	5
The Government's policy in relation to night noise.....	5
Decisions Announced in the Stage 2 Consultation Paper.....	7
Decisions from the Stage 2 Consultation	7
The Legal Framework.....	9
Annex A: Statutory Instrument.....	11
Annex B: Revised guidance on dispensations.....	14
Annex C: Summary of Stage 2 responses and Government's response.....	18
Overview.....	18
Summary of responses to individual questions.....	19
Impact Assessment questions	31

Executive Summary

1. In line with the proposals in our consultation, we are confirming that we will make no significant changes to the regime before the Airports Commission publishes its final report in 2015. We are therefore announcing a three year regime to 2017 which will retain the main features of the current regime, in particular the numbers of movements permitted. This will help give certainty around the night noise environment for those living near the airports. Our aims include to maintain stability until decisions have been made about any new airport capacity and to ensure operational capacity at these airports is not affected pending such decisions. Three years is shorter than recent regimes but by this time the Government of the day should be in a position to have reviewed these night flying restrictions in the light of decisions made about any new airport capacity.
2. In addition we are announcing an extension to the ban on rare movements made by older noisier types of aircraft. This proposal met with near universal support in the consultation. We are also taking this opportunity to update guidelines which explain the circumstances in which airports or the Secretary of State might exempt movements from the restrictions.
3. New evidence obtained from the Stage 2 Consultation has suggested unforeseen increased demand for night flights in the summer at Gatwick and Stansted which, if it was to materialise and continue, would mean that the existing movement limits would impose additional costs to industry by 2017. This evidence, comprising projections based on requests for slots in summer 2014, has been considered. But it is presently uncertain whether or to what extent the projections are likely to prove correct. A consultation on the next regime, which would take account of any actual increase in demand and any corresponding impacts, is expected to begin in early 2016. The Government will monitor the regime from the outset, as it does for the current regime. This will provide further evidence of the robustness of the projections and whether operational capacity at these airports is being affected before 2017. This evidence will be taken into account in deciding on night time movement limits in future.

Introduction

4. In his Written Ministerial Statement of 15 July 2014 giving a progress update to the Airports Commission's Interim Report, the Secretary of State for Transport announced decisions on the night flying restrictions to apply at Heathrow, Gatwick and Stansted Airports. In his written statement he referred to this document. The written statement and this document, including the Regulatory Impact Assessment and Annex A Assessments to comply with European Directive 2002/30, together set out the decision.
5. There have been restrictions on night flights at Heathrow, Gatwick and Stansted for many years. The restrictions have been reviewed about every five or six years. The current restrictions came into force in October 2006 and were originally intended to apply until 28 October 2012. They have been extended once and now apply until 26 October 2014.
6. The night restrictions for Heathrow, Gatwick and Stansted are made under section 78 of the Civil Aviation Act 1982 and are published twice a year in a Notice as a supplement to the UK Aeronautical Information Publication.

The review

7. Consultation on the next night restrictions regime was carried out in two stages commencing in January 2013. The structure of the two stage consultation was explained in the Stage 1 Consultation paper.

Responses

8. Approximately 800 responses were received to the stage one consultation paper and approximately 1,100 responses to Stage 2.
9. After consideration of all the responses and information submitted in response to both stages of the consultation exercise the Government has announced the decisions from the Stage 2 Consultation and confirmed decisions taken after stage one. A summary of responses to the Stage 2 Consultation and the Government's response to these can be found in Annex C.

The Government's policy in relation to night noise

10. The Aviation Policy Framework (APF), published in March 2013, is a high-level strategy that sets out the Government's overall objectives for aviation and the policies we will use to achieve those objectives. It replaced the 2003 Air Transport White Paper and associated guidance.
11. Chapter 3 of the APF sets out the Government's policy on noise and other local environmental impacts. Our overall objective on aviation noise is to limit and, where possible, reduce the number of people in the UK significantly affected by aircraft noise. In adopting this policy we recognise the potential impacts that aviation noise can have on health,

amenity and quality of life. Specifically on night noise, the APF recognises the impact and costs on local communities are higher from aircraft noise at night.

12. However, in recognising these potential impacts, we also recognise the need to balance these with economic growth and connectivity. Aviation activity is a major contributor to the country's economic prosperity, and, with regard to night flights, we recognise the importance to the UK economy of certain types of flights, such as express freight services, which may only be viable if they operate at night. Paragraphs 3.34-3.35 of the APF set out further details.
13. In the second stage consultation, the Government has sought to explain in more specific terms how it will implement those new general policies by proposing environmental objectives for the airports under consideration. The setting of environmental objectives was required as a matter of law for the first time by Directive 2002/30/EC. The environmental objectives are set for the 3-year period of the current restrictions. The Government's decisions on the environmental objectives, taken after considering the consultation responses, are set out below.

Environmental Objective	Airport	How it will be measured
1. Limit and where possible reduce the number of people significantly affected by aircraft noise at night.	Heathrow Gatwick Stansted	Area and number of people within the 6.5 hour night quota period contours, and in particular the 55dB LAeq contour. Population changes due to new housing development will be taken into account in measuring changes in number of people.
2. Maintain a stable regulatory regime pending decisions on future airport capacity and, at Gatwick and Stansted in particular, to allow growth within existing night movement limits and noise quotas.	Heathrow Gatwick Stansted	Movements and noise quota used in night quota period.
3. Encourage the use of quieter aircraft during the night quota period so as to reduce the overall	Heathrow Gatwick Stansted	Average QC points per movement. Proportion of movements made by

<p>impact of aircraft noise and in particular the likelihood of sleep disturbance.</p>		<p>the noisier types of aircraft (QC/4 and QC/2) during the night quota period.</p>
--	--	---

Decisions Announced in the Stage 2 Consultation Paper

Structure of the Regime

14. Definition of night and night quota periods: We are not making any change to these definitions – the night period will remain the 8 hour period from 23.00 to 07.00 local time, and the night quota period is the 6.5 hour period from 23.30 to 06.00 local time.

The Quota Count system

15. As noted in paragraphs 4.12 and 4.13 of our Stage 1 Consultation, some aircraft types are noisier than their classification, and some quieter. The legal requirement is to base performance-based operating restrictions on the noise performance of the aircraft as determined by the ICAO certification procedure. Taking account of consultation responses, previous legal judgements and technical work into the QC system, we see no case for changing the current system. A summary of technical work carried out by the CAA (ERCD) in support of the QC system was found in annex D of Stage 2.

Decisions from the Stage 2 Consultation

16. A more detailed summary of responses to the consultation and the Government's response to these can be found in Annex C.

Movement and Noise Quota limits

17. The Government has decided that over the course of the next regime, the movement and noise quota limits shall remain unchanged from the previous regime and as set out in the Stage 2 Consultation. These are confirmed below. The Government is aware of new evidence of potential increased demand for night flights in the summer at Gatwick and Stansted which, if it was to materialise and continue, would mean that the existing movement limits would impose additional costs to industry by 2017. Our response to this is set out in Paragraph 3 of the Executive Summary and in Annex C.

Movement limits:

Heathrow

Winter 2014/15	Summer 2015	Winter 2015/16	Summer 2016	Winter 2016/17	Summer 2017
2,550	3,250	2,550	3,250	2,550	3,250

Gatwick

Winter 2014/15	Summer 2015	Winter 2015/16	Summer 2016	Winter 2016/17	Summer 2017
3,250	11,200	3,250	11,200	3,250	11,200

Stansted

Winter 2014/15	Summer 2015	Winter 2015/16	Summer 2016	Winter 2016/17	Summer 2017
5,000	7,000	5,000	7,000	5,000	7,000

Noise quota limits:

Heathrow

Winter 2014/15	Summer 2015	Winter 2015/16	Summer 2016	Winter 2016/17	Summer 2017
4,080	5,100	4,080	5,100	4,080	5,100

Gatwick

Winter 2014/15	Summer 2015	Winter 2015/16	Summer 2016	Winter 2016/17	Summer 2017
2,000	6,200	2,000	6,200	2,000	6,200

Stansted

Winter 2014/15	Summer 2015	Winter 2015/16	Summer 2016	Winter 2016/17	Summer 2017
3,310	4,650	3,310	4,650	3,310	4,650

Length of regime

- 18.** Our decision is based on meeting our environmental objectives and in particular the objective of maintaining a stable regulatory regime pending decisions on future airport capacity. This is why we have decided on no significant changes to the regime in this period. Three years is the minimum period necessary to be able to take account of the outcome of the Airports Commission process. We acknowledge that it may prove to

be challenging to do this and to put a new regime in place by 2017, but this is based on our current estimates of the process.

Ban on noisiest aircraft

19. Having considered the responses, we confirm that we will extend the operational ban of QC/8 and QC/16 aircraft to the entire night period (23.00 -07.00). While there are few movements by such aircraft this will give certainty that residents will not be woken by such movements in the future. We received no evidence that extending this ban would impose costs.

Dispensation guidelines

20. The Guidance has been amended to take account of disruption to air traffic and airport operations due to hijackings.
21. On additional security implications where there is any event that leads to immediate additional short term measures which could impact on movements, the Government would consider giving an exemption under such exceptional circumstances. Otherwise we consider the guidance is fit for purpose on this issue.
22. We have removed the proposed additional paragraph on exemption for trials. In order to get detailed evidence from trials it is expected that these would have to last for more than a short period. Following further legal advice, we consider that the power to issue dispensations is intended to be used only for specific occasions or short term events and therefore trials affecting movement limits over a longer period would require public consultation with the affected communities before their implementation.
23. The revised dispensation guidelines are included in Annex B.

The Legal Framework

24. The Secretary of State has taken these decisions pursuant to powers conferred on him under Section 78 of the Civil Aviation Act 1982, which enables him to prohibit aircraft of specified descriptions from using a specified airport, or to limit the number of occasions during certain periods when they may do so. In exercising these powers, the Secretary of State has also complied with the provisions of the Aerodromes (Noise Restrictions) (Rules and Procedures) Regulations 2003.
25. The decision balances the various factors set out in the 2003 Regulations and the factors to be considered under Article 8 of the European Convention on Human Rights (“the ECHR”). As set out in more detail in the Impact Assessment, the Secretary of State has carefully considered the interests of individuals affected by night noise and the wider community as a whole. He has considered, on the one hand, the economic interests of airlines, other enterprises and the country as a whole. On the other hand, he has considered the available evidence as to the impact of aircraft noise at night on the private life of individuals, such as sleep disturbance and sleep prevention, which

includes the impact on health, as well as any impact on their ability to enjoy the amenities of their homes.

26. The Secretary of State has considered these factors. He accepts that there are adverse effects on sleep and that there is increasing, though not conclusive, evidence of health effects from aircraft noise. But balancing these against the economic benefits of night flights he has concluded that it is appropriate to maintain the present restrictions for a further three years (subject to an extension of the current ban on noisiest aircraft). If fresh evidence emerges during the next three years to suggest any aspect of the regime should be revised then the Secretary of State will consider it and if appropriate consult with a view to making changes.
27. Accordingly, balancing the factors set out above and in the attached impact assessment, the Secretary of State is satisfied that the decision strikes a fair balance between the competing interests of the individuals affected by night noise from aircrafts and the wider community, and that it is appropriate to make the decisions set out above in order to limit or mitigate the effects of noise and vibration connected with the taking off or landing of aircraft at Heathrow, Gatwick and Stansted airports.
28. In making this decision, the Secretary of State has directed himself accordingly. However, he notes that a highly detailed cost/benefit analysis to address these issues cannot be carried out because it is difficult to monetise the costs and benefits on each side. Striking the correct balance depends on the relative weight given to each factor. In this context, the Secretary of State notes that case-law also establishes that he is entitled to rely on statistical data based on average perception of noise disturbance and to assume that night flights contribute at least to a certain extent to the economy.
29. As explained in our response to the first stage consultation, we expect to use the full range of information submitted in response to the first stage consultation more fully in assessing options for the following regime due to start in 2017. In the meantime there is work underway to review how to take account of health effects from aviation noise in transport appraisal guidance. We would expect this also to inform the next review.

Annex A: Statutory Instrument

- 1.1** SCHEDULE 2 Regulation 6 of STATUTORY INSTRUMENTS 2003 No. 1742; CIVIL AVIATION The Aerodromes (Noise Restrictions)(Rules and Procedures) Regulations 2003 which shows the matters to be taken into account when considering operating restrictions at a relevant airport.

Paragraph	Location in consultation
1.1. A description of the airport including information about its capacity, location, surroundings, air traffic volume and mix and runway mix.	See airport Noise Action Plans (NAPs) ¹ for general information and Chapter 3 of Stage 1 ² Consultation for information on night operations.
1.2. A description of the environmental objectives for the airport and the national context.	See Chapter 4 (Proposals for Next Regime) of Stage 2 ³ Consultation for proposed new objectives and Chapter 3 of Stage 1 consultation for current objectives.
1.3. Details of noise contours for the current and previous years—including an assessment of the number of people affected by aircraft noise. Description of the computational method used to develop the contours.	Annex B of Stage 1 Consultation (for current years) and NAPs for previous years

¹ <http://www.heathrowairport.com/noise/what-we-do-about-it/noise-action-plan>

http://www.gatwickairport.com/PublicationFiles/business_and_community/all_public_publications/aircraft_noise/GatwickAirportENDNoiseActionPlanJune2010.pdf

<http://www.stanstedairport.com/about-us/local-environmental-impacts/noise/future-plans>

² https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/66837/consultation-document.pdf

³ <https://www.gov.uk/government/consultations/night-flights>

<p>1.4.A description of measures to reduce aircraft noise already implemented: for example, information on land use planning and management; noise insulation programmes; operating procedures such as PANS-OPS; operation restrictions such as noise limits, night flying restrictions; noise charges; preferential runway use, noise preferred routes/track-keeping, and noise monitoring</p>	<p>See respective Noise Action Plans. For Heathrow Airport see pages 28-41, for Gatwick Airport see pages 37-45 and for Stansted Airport see pages 27-36⁴. See also Chapter 5 of Stage 2 Consultation for a description of recent developments.</p>
<p>2.1.Descriptions of airport developments (if any) already approved and in the programme, for example, increased capacity, runway and/or terminal expansion, and the projected future traffic mix and estimated growth.</p>	<p>Chapter 3 of Stage 1 Consultation. The Airports Commission is considering the need for future hub capacity in the UK and its recommendations may be relevant to any or all of the three noise designated airports.</p>
<p>2.2. In case of airport capacity extension, the benefits of making that additional capacity available.</p>	<p>Chapter 3 of Stage 1 Consultation where relevant.</p>
<p>2.3.A description of effect on noise climate without further measures</p>	<p>Chapter 5 and Annex B of Stage 1 Consultation.</p>
<p>2.4. Forecast noise contours—including an assessment of the number of people likely to be affected by aircraft noise—distinguish between established residential areas and newly constructed residential areas.</p>	<p>Annex B of Stage 1 Consultation and Annex B of Stage 2 Consultation. We do not have data on newly constructed residential areas.</p>
<p>2.5. Evaluation of the consequences and possible costs of not taking action to lessen the impact of increased noise—if it is expected to occur.</p>	<p>Section 4.1 of Impact Assessment Forecasts show that noise is not expected to increase if current restrictions are maintained (see Annex B of Stage 2)</p>
<p>3.1 Outline of additional measures available as part of the different options mentioned in regulation 5(1) and in particular an indication of the main reasons for their selection. Description of those measures chosen for further analysis and fuller information on the cost of introducing these measures; the number of people expected to benefit and timeframe; and a ranking of the overall effectiveness of particular measures.</p>	<p>Paras 4.15-20 of Stage 2 explain that only a limited number of policy options are being considered at this time and the reasons for this. Chapter 4 sets out these options.</p> <p>See section 4 of final Impact Assessment for costs and benefits of introducing the measures; see Annex B and para 4.47 of Stage 2 consultation document showing forecast number of people expected to be affected.</p> <p>The IA sets out the benefits. Given recent movements, policy option 2 is likely to have most benefits at Stansted, while policy option 1 would have most benefits at Heathrow as quota limits restrict activity there.</p>

⁴ Page references are to existing airport Noise Action Plans approved in 2010-11. New NAPs covering 2013-18 will be published shortly.

<p>3.2. Assessment of the cost/effectiveness or cost/benefit of the introduction of specific measures, taking account of the socio-economic effects of the measures on the users of the airport: operators (passenger and freight); travellers and local communities.</p>	<p>As above</p>
<p>3.3. An overview of the possible environmental and competitive effects of the proposed measures on other airports, operators and other interested parties.</p>	<p>See section 8.2-3 of the IA</p>
<p>3.4. Reasons for selection of the preferred option.</p>	<p>This is set out in section 2 (policy objectives) of the Impact Assessment. To repeat, this says that the objectives for the next regime will be:</p> <p>to limit and where possible reduce the number of people significantly affected by aircraft noise at night;</p> <p>to maintain a stable regulatory regime pending decisions on future airport capacity and, at Gatwick and Stansted in particular, to allow growth in movements within existing night movement limits and noise quotas;</p> <p>to encourage the use of quieter aircraft during the night quota period so as to reduce the overall impact of aircraft noise and in particular the likelihood of sleep disturbance.</p>
<p>3.5. A non-technical summary.</p>	<p>This is covered in section 4.2 of the Impact Assessment.</p>
<p>4.1. When and where noise maps or action plans have been prepared under the terms of the said Directive of 25th June 2002 these will be used for providing the information required in this Schedule.</p>	<p>See NAPS and Annex B of the Stage 2 Consultation.</p>
<p>4.2. The assessment of noise exposure (i.e. establishment of noise contours and number of people affected) shall be carried out using at least the common noise indicators Lden and Lnight, where available.</p>	<p>As above.</p>

Annex B: Revised guidance on dispensations

This guidance updates the guidance provided in 1999. The purpose is to provide greater clarity and reflect recent practice. Whilst the guidance is not intended to cover every conceivable situation which might arise, it does cover situations which have arisen over the past years.

Department for Transport Guidelines on Flights Which May Be Given Dispensation from the Night Restrictions

Under Section 78(5)(f) of the Civil Aviation Act 1982, the Secretary of State may by a notice given in the prescribed manner to the person managing an aerodrome determine that a particular occasion or series of occasions on which aircraft take off or land at the aerodrome shall be disregarded from the restrictions made under section 78(3). These may include night flight restrictions.

In addition, the Secretary of State has the power under Section 78 (4) of the Civil Aviation Act 1982 to specify in a notice circumstances in which movements may be disregarded by the airport managers or a person authorised by the airport manager from the restrictions made under Section 78(3). That person shall then determine whether a particular occasion or series of occasions on which aircraft take off or land at the aerodrome should be disregarded from the night restrictions due to these circumstances. It shall be the duty of the person managing the aerodrome or the person authorised by an airport manager to notify the Secretary of State in writing within one week of every such occasion occurring.

A: Section 78(5)(f) Dispensations under a notice given by the Secretary of State

As a general principle, dispensations issued under Section 78(5)(f) are used in relation to state matters, where dispensations are required as a result of a Government decision, or where the circumstances are so exceptional that the airport's operations become an issue of national interest (e.g. in the case of prolonged closure of the airport).

1 Flights involving VIPs

Flights would include:-

- Senior members of the Royal Family;
- UK Government ministers and Service Chiefs of Staff;
- Senior members of foreign Royal Families, Heads of State, and senior ministers or Service Chiefs of Staff on an official visit or

business where the person is being met by a Government representative; (status to be checked with the FCO or MoD when in doubt); but repositioning flights preceding or following the use of that aircraft for carriage of a VIP will not be disregarded and therefore not allowed if the aircraft is classified as QC/8, QC/16, consistent with the ban on these types of aircraft in the night period.

For the avoidance of doubt, VIPs for this purpose would not include businessmen on private jets, or 'celebrities' from the world of show business or sport.

2 Relief Flights

These would include flights carrying cargoes such as medical supplies required urgently for the relief of suffering during a period of emergency, as for example, during a refugee crisis or following an earthquake. They would exclude medical or other supplies intended for humanitarian purposes where there is no particular urgency. It would also not include the carriage of the media and their associated equipment to trouble spots.

3 Military Aircraft War/Hostilities

Movements by military aircraft should not take place at night in peacetime unless the aircraft has been classified for night operation or special approval has been given by the Department for Transport in exceptional circumstances such as security from escalated threats. Dispensations have been given in the past for troop movements through Heathrow where there has been an outbreak of war or similar hostilities and this requires contingency arrangements. Dispensations would not be appropriate once airlines have had time to assess the situation and make alternative arrangements.

4 Exceptional Circumstances

In the past the Secretary of State has provided dispensations in exceptional circumstances to enable flights during the night quota period and to allow aerodromes to recover from prolonged disruption. Examples include the periods following the Volcanic Ash Crisis in 2010 and following the severe prolonged winter weather in December 2010. Dispensations will be considered in similar exceptional circumstances

5 Changes to Airspace arrangements as a result of Government Decisions

Where there is a temporary change in airspace as a result of Government decisions with consequences for airline schedules, dispensations would be granted so as to protect airports/airlines from financial consequences of matters wholly beyond their control. Past examples have included a flypast for the Queen's Jubilee Celebrations and Olympic Celebrations where scheduled flights due to land or depart during the day were pushed into the night quota period.

B: Section 78 (4) –Dispensations under a notice granted by the Airport Manager or a person authorised by him:

As a general principle, dispensations issued under Section 78(4) should be used when they relate to operational matters affecting a small number of flights and the airport manager is better placed to take the decision.

1 Emergencies

Flights involving emergencies (other than those constituting “relief flights” as described in paragraph 2 of Section A above) where there is an immediate danger to life or health, whether human or animal.

2 Widespread and Prolonged Air Traffic Disruption

Disruption to air traffic is intended to cover disruption affecting air traffic flow such as strikes by Air Traffic Controllers or from political difficulties abroad or ATC computer problems. It would also cover disruptions to air traffic from strong winds, snow and ice and fog resulting in low visibility procedures. Unscheduled landings in the night period arising from diversions from other airports due to weather conditions provided an aircraft had taken off unaware that its intended destination was unavailable would also be covered. Problems arising from snow and ice should not in themselves constitute sufficient reason for dispensations, especially for departures, when the likelihood of adverse weather conditions should be taken into account in operations planning (but see Government exemption because of exceptionally severe weather above).

3 Delays as a Result of Disruption leading to Serious Hardship and Congestion at the Airfield or Terminal

Delays would cover disruption to air traffic as set out under (2) above. It would also cover emergencies such as the fire to an aircraft on the ground at Heathrow in July 2013, which led to severe terminal disruption or disruption caused by any hijacking activity. It would not cover strikes by baggage handlers which is within the control of the airport or normally delays arising from additional security checks which should be taken into account when planning operations. Disruptions are not abnormal and we believe that adequate provision should be made within the airport’s night restrictions and operational measures such as at Heathrow under Tactically Enhanced Arrivals Measures to help mitigate disruption and facilitate recovery and the need for dispensations. Operational difficulties cannot be predicted precisely but experience indicates they can be expected to occur.

Airport managers must use their own judgement as to what constitutes serious hardship or suffering for the purposes of the above. Serious hardship or suffering is intended to cover cases where passengers are subjected to long delays when the terminal buildings are overcrowded and their facilities strained and insufficient hotel accommodation is available. Only the minimum number of flights required to reduce overcrowding to a tolerable level should be disregarded. Mere inconvenience to passengers does not constitute hardship

for these purposes. The same considerations should apply if serious hardship at an originating airport is to be a reason for disregarding a landing.

Delayed cargo flights (other than those carrying animals and meeting one of the criteria above) and extra night shuttle flights to meet demand may not be disregarded for reasons of serious hardship and congestion and all such movements must count against the movements limit and the noise quota according to their QC classification.

Dispensations would not be appropriate when aircraft operators have reasonable time to rearrange their schedules and accordingly would fall outside the scope of these Section 78(4) dispensations. All dispensations in times of air traffic disruption (whether ATC, political crisis, weather related etc.) are NET; i.e. any movements scheduled for the night period but which do not occur (or occur in the daytime) because of that disruption, must be offset against this, with only the excess counting as dispensations from the movements limits and the noise quotas

To Note:

Monitoring

All dispensations granted by the airport will be subject to monitoring.

Testing and Calibration of Instrument Landing Systems

Airborne safety calibration checks of the Instrument Landing Systems (ILS) used by arriving aircraft at the three London airports are carried out on behalf of the Civil Aviation Authority usually twice a year and generally at night. Normally the aircraft used for this purpose are exempt from the night restrictions (i.e. they are classified QC/0). However, any landings and take offs for the purpose of testing the ILS or other navigation equipment, by aircraft classified QC/0.5 or above, are not given dispensations and would count against the movement limits and noise quotas. Such flights should fall outside the scope of this suggested dispensation.

Department for Transport

July 2014

Annex C: Summary of Stage 2 responses and Government's response

Overview

The Department published its Stage 2 Consultation on 11 November 2013 on proposals for a new night flights regime at Heathrow, Gatwick and Stansted.

An online form was set up for responses and a dedicated email address (night.noise@dft.gsi.gov.uk) was also used, to which interested parties were invited to submit their responses. The consultation document was made available online, with paper copies available on request and respondents were also able to make their submissions to the Department by post.

The consultation officially closed on 30 January 2014, although due to an issue with the online response form a few days before the closing date, responses were accepted until 3 February 2014. Responses were logged and read by the relevant policy team within the Department. In total 1,109 responses were received. Of these 89 were from organisations and the remainder from individual members of the public. A full breakdown by respondent type is shown below.

Aerospace	1
Airline Industry	13
Airport or Airport Association	4
Community or Environmental Group	17
Consultative Committee	2
Freight	5
Local Government	23
MP	3
Other Government	3
Other	18
Public	1,020

Grand Total ⁵	1,109
--------------------------	-------

Summary of responses to individual questions

Q1: Do you agree with our preliminary view as to the new studies on health effects?

Responses

Responses from industry to this question agreed that the research did not prove causality between exposure to night noise and health effects and noted consistency with World Health Organisation (WHO) findings. A number suggested that further research was needed and was something which potentially should be undertaken by a new independent body. In the meantime they agreed that there was not sufficient evidence to justify any change in policy. A further point made by one response was that no research had been done into beneficial health effects of aviation in terms of employment and leisure opportunities.

One response suggested that the Government should set out the degree of rigour required for evidence to change policy, e.g. whether a precautionary approach should be taken, or the balance of probabilities or a high degree of confidence in the studies required in order for policy to be reviewed.

Consultative Committees suggested that quality of life should also be considered in a review of appraisal guidance.

Community /environmental groups emphasised that the Government should apply the WHO's values as long-term targets and successive reviews of the night noise regime should seek to impose a level of stringency that results in a continuous reduction in the noise environment until these targets are attained.

A number of local authorities around Heathrow (Wandsworth, Richmond and Hillingdon) made the point that the Government should adopt a precautionary approach to the research and ban night flights on that basis. They also called for more research and made the same point about continuing to work to WHO guideline values. Of those members of the public who answered this question, a majority disagreed with our preliminary view and made similar points to the local authorities.

The Mayor of London referred to an assessment undertaken by TfL of the noise 'costs' of Heathrow, which had been submitted to the Airports Commission. This assessment attempted to monetise the impacts of aviation noise on annoyance, health and productivity and included use of the methodology developed by the CAA Environmental Research and Consultancy Department (ERCD) which assigns a value to sleep disturbance, as well as annoyance (as per WebTAG). This concluded the noise 'costs' of Heathrow to be approximately £6bn (over 20 years from 2030). However, it should be noted that this figure related to both day and night noise.

⁵ This number includes 285 people who entered their details onto the online response form but who did not answer any questions.

Government Response

To reflect the recent developments in the field of aviation noise and health research we have asked the CAA to update its previous review of research report (ERCD Report 1208). This new report, published in June 2014⁶, includes any further relevant research brought to our attention in responses to this consultation.

The Government does not consider that the evidence is sufficient to justify a change to the restrictions to 2017. Any changes to the regime after 2017 will be subject to full appraisal using the latest appraisal guidance as well evidence on effects. As stated in the consultation document, we are currently reviewing how to reflect health effects from aviation noise in this guidance.

For this next night noise regime we will use the 55dB(A) contour in particular to measure the objective to limit and where possible reduce the number of people significantly affected by aircraft noise at night. This is consistent with the WHO's statement, taken from its 2009 Night Noise Guidelines for Europe, that "above 55dB Lnight, the situation is considered increasingly dangerous for public health." This is also consistent with the overall national policy to avoid significant adverse impacts.

Q2: Do you have any further views on the costs and benefits, including health impacts, which we should take into account in our decision?

Responses

Industry respondents reiterated their views expressed in their Stage 1 Consultation responses of the importance of night flights and the benefits for connectivity and to the UK economy.

Non-industry respondents welcomed the recognition that there are health and quality of life impacts from aviation noise. However, several expressed concern that the impact assessment did not present evidence on health impacts of aviation noise, and drew attention to various research projects. These included research referenced in DfT's consultation paper and other studies. Some respondents were also sceptical of industry studies that placed a high value on night flights.

Government response

The Government recognises the importance of night flights and the benefits of connectivity to the UK economy. The Government also recognises that there are potential health and quality of life impacts from aviation noise, and is continuing to consider carefully the emerging evidence for these impacts in order to strike the appropriate balance. The Government considers that it has balanced both objectives in taking the current decision: see the updated Impact Assessment (IA) which is published alongside this decision document. The Secretary of State has carefully considered the IA in making his decision. See text at paragraphs 24-6 of this document on how we have balanced costs and benefits, even though these cannot be precisely quantified.

⁶ <http://www.caa.co.uk/cap1164>

Q3: Do you agree with the proposed environmental objectives?

Responses

There were mixed views ranging from broad support to complete disagreement. A number of responses made suggestions as to how the objectives could be improved. Of those members of the public who answered this question, many made the point that a ban on night flights was necessary and that the proposed objectives would make no difference.

A common theme from industry responses was that land-use planning ought to be factored into the objectives, or to be an objective in itself. This was because population encroachment risked undermining any objective based on numbers of people. They also pointed out that it was part of the ICAO balanced approach.

Industry generally supported proposed objective 3 (maintaining a stable regime) but noted that flexibility would be needed to allow trials. However, other respondents made the point that objective 3 was not strictly an environmental objective and should be deleted. Many disliked this objective on the grounds that allowing any growth in movements contradicted objectives 1 and 4.

A few airline responses questioned the value of proposed objective 2 (reduce sleep disturbance from use of the noisiest types of aircraft, measured by QC/4 and above aircraft) on the grounds that QC/4 aircraft were late-running 747s, that airlines were already incentivised to avoid late-running and therefore such events would be outside airlines' control. Some stakeholders affected by Gatwick and Stansted pointed out that QC/4 aircraft rarely operated there and the measure was therefore not relevant.

The Gatwick Airport Scheduling Committee made the point that objective 4 would be challenging at Gatwick where average QC per movement had stabilised and any change in types of operation could see larger aircraft used. Stansted Airport made a similar point, noting that any improvements in average QC could be offset by a few new QC/2 movements.

A number of responses commented on the proposed measures used. Several local authorities and community/environmental groups considered that the proposed measures were neither challenging nor 'SMART' (specific measurable achievable realistic time bound) and that specific targets were needed. A number advocated using the WHO values as targets. Many of these stakeholders also wanted to see different measures used in addition to average noise contours for objective 1. For example, the AEF suggested the use of LA Max, LA90 and NA63 as these would allow frequency, background noise and disturbance by individual movements to be taken into account. Some felt that focusing on the 55dB(A) contour was not sufficient and that particularly in rural areas, people were significantly affected beyond this. Several responses suggested that the objectives and measures should apply to the 8 hour night period.

Government Response

The Government has considered the responses and has made some amendments to the objectives as explained below. In particular we have reduced the number of objectives from four to three. The objectives will therefore be:

Environmental Objective	Airport	How it will be measured
1. Limit and where possible reduce the number of people significantly affected by aircraft noise at night.	Heathrow Gatwick Stansted	Area and number of people within the 6.5 hour night quota period contours, and in particular the 55dB LAeq contour. Population changes due to new housing development will be taken into account in measuring changes in number of people.
2. Maintain a stable regulatory regime pending decisions on future airport capacity and, at Gatwick and Stansted in particular, to allow growth within existing night movement limits and noise quotas.	Heathrow Gatwick Stansted	Movements and noise quota used in night quota period.
3. Encourage the use of quieter aircraft during the night quota period so as to reduce the overall impact of aircraft noise and in particular the likelihood of sleep disturbance.	Heathrow Gatwick Stansted	Average QC points per movement. Proportion of movements made by the noisier types of aircraft (QC/4 and QC/2) during the night quota period.

The objectives for the regime must relate to the restrictions in place. As there are no restrictions on movements or QC outside the 6.5 hour period, it would not be logical to extend the objectives to a longer 8 hour night period. However, as announced in the Aviation Policy Framework, 8 hour night contours will be produced annually in future for all three airports to supplement the 16 hour daytime contours.

Regarding the focus on the 55dB LAeq contour as a measure for objective 1, this has been chosen because it links to the WHO's statement, taken from its 2009 Night Noise Guidelines for Europe, that "above 55dB Lnight, the situation is considered increasingly dangerous for public health."

Focusing on this contour will not be to the detriment of areas outside this contour. This is because noise in the night quota period at all three airports, and particularly at Heathrow and Gatwick, is predominantly from arriving aircraft which follow a consistent flightpath on final approach. We would therefore expect any reductions in area and population within the 55dB contour also to be reflected in reductions in the outer noise contours, as has historically been the case.

The definition of environmental objective taken from the EU directive is:

“environmental objective”, in relation to an airport, means an objective set by a competent authority in support of one or more of the following objectives -

- *the promotion of the development of airport capacity in harmony with the environment,*
- *facilitating any specific noise abatement objectives at that airport,*
- *achieving maximum environment benefit in the most cost-effective manner,*
- *limiting or reducing the number of people significantly affected by aircraft noise.*

Therefore this allows objectives relating to sustainable development.

We acknowledge that the proposed measure for the proposed second objective is unlikely to be relevant to Gatwick and Stansted. We have therefore amended this objective and merged it with objective 4, including QC/2 aircraft in the list of measures to be monitored over the next regime.

We also acknowledge the comments about population changes which are outside the control of airports and have amended the measure for objective 1 accordingly. This is consistent with the wording in the Aviation Policy Framework in relation to the monitoring of our overall objective to limit and where possible reduce the number of people significantly affected by aircraft noise. The CAA will be monitoring population changes and publishing a report on these later this year.

Q4: Do you agree that the next regime should last until October 2017?

Responses

Responses from industry and local authorities were generally in favour of the regime lasting until October 2017, although some pointed out that the timescales needed to get a new regime in place after the Airports Commission report is challenging.

Most of the public responses as well as environmental and community groups did not agree with the Department's proposal to not make any major changes to the regime until after the Airports Commission work is complete.

Government response

Our proposals are based on the objective of maintaining a stable regulatory regime pending decisions on future airport capacity. This is one reason why we have proposed no significant changes to the regime in this period. Three years is the minimum period necessary to be able to take account of the outcome of the Airports Commission process. We acknowledge that it may prove to be challenging to do this and to put a new regime in place by 2017, but this is based on our current estimates of the process.

Q5: Do you have any views on the revised dispensations guidance?

Responses

Airports and airlines were generally supportive of the revised guidelines. They welcomed the inclusion of trials in the revised guidelines and the greater clarity provided in relation to Exceptional Circumstances and Widespread and Prolonged Air Traffic Disruption. It was suggested to include other issues such as dispensation for any additional security implications due to regulations, disruption to air traffic as a result of any hijackings and operational difficulties. The general point was made that dispensations must be allowed for disruptive events which allows the airlines and airports to return to planned operations.

The public and environmental groups were of the view that dispensations should only be given in exceptional circumstances such as emergencies. The AEF set out that dispensations were given at Heathrow as the airport has little resilience and dispensation should not be given for operational inconveniences as this has adverse environmental consequences.

The Association of International Courier and Express Services (AICES) asked for clarification on the issue that cargo flights should not be disregarded as a result of delays as a result of disruption leading to serious hardship and congestion at the airfield or terminal. It was claimed that such delays could have a major commercial impact on freight operations.

Heathrow Airport Consultative Committee (HACC) and the AEF made clear that any dispensations required to allow trials needed to be publicly consulted beforehand with the communities affected.

Government Response

The Guidance has been amended to take account of disruption to air traffic due to hijackings. On additional security implications where there is any event that leads to immediate additional short term measures which could impact on movements, the Government would consider giving an exemption under such exceptional circumstances. Otherwise we consider the guidance is fit for purpose on this issue.

We have removed the proposed additional paragraph relating to trials. In order to get detailed evidence from trials it is expected that these would have to last for more than a short period. Following further legal advice, we consider that the power to issue dispensations is intended to be used only for specific occasions or short term events and therefore proposals for trials affecting movement limits over a longer period would require public consultation before deciding whether to carry out a trial and if so what changes may be appropriate.

We have noted the views of freight operators on the reference to cargo flights. Gatwick has no dedicated cargo flights and Heathrow very few. In practice this will be most relevant to Stansted Airport which is the only one with significant numbers of dedicated cargo services. A dispensation would only be required where daytime flights were delayed into the night quota period as a result of disruption. As Stansted, unlike Heathrow, is not currently operating at full capacity throughout the day, we do not believe that such dispensations would be required in practice. The number of cargo flights at Heathrow is small and we have no evidence of actual costs associated with this. Cargo flights would still

be eligible for dispensations under the heading of widespread and prolonged air traffic disruption under section 78(4) and also for Government dispensations under section 78(5) where the criteria were met. For these reasons we have not amended the guidance.

Q6: Do you agree that we should maintain the existing movement and noise quota limits until October 2017? If not, please set out your preferred options and reasons – this could include the noise and economic impact of any alternatives.

Responses

While there was general agreement from industry about keeping noise quota limits the same, there were differences of opinion about movement limits.

Both British Airways and Heathrow Airport agreed with our proposals to maintain movements, while some prominent international industry organisations wished to see more flights at Heathrow citing greater links to emerging markets.

Non-industry respondents mainly repeated their messages from the first consultation for an outright ban on flights or a gradual move towards this. Many felt that there should, at the very least, be a reduction in noise quota. HACAN wished to see a ban but, in the event that this was not possible, agreed that the existing noise quota limits should be maintained until 2017 and that the movement limit should be no higher than the existing one.

Evidence was put forward by some industry respondents of unforeseen and greater summer demand at Gatwick and Stansted airport.

Drivers for this include the new commercial agreements made at the two airports. EasyJet has signed a new deal with Gatwick Airport, underpinning its plans to increase capacity by around 10 percent over the year to March 2015 compared to the previous year. From summer 2014, Ryanair has revealed plans to add 12 new destinations at Stansted. A further 17 destinations served by Ryanair will see an increase in frequency compared with last summer, totalling 140 new weekly departures from Stansted, an average of 20 per day.

Suggestions to deal with this increased demand included: an annual limit, which would amalgamate the current winter and summer seasons; an increase to the current 10% permitted carry-over of unused movements from the previous season; and a re-allocation of some winter movements to summer.

Government response

The Government has decided that over the course of the next regime, the movement and noise quota limits shall remain unchanged from the previous regime and which was set out in the Stage 2 Consultation. These are confirmed as below.

The Government accepts that if the summer demand at Gatwick and Stansted was to materialise and continue, it would mean that the existing movement limits would impose additional costs to industry by 2017. This evidence, comprising projections based on requests for slots, has been considered. But it is presently uncertain and unclear whether or to what extent the projections are likely to prove correct. A consultation on the next regime, which would take account of any actual increase in demand and any corresponding impacts, is

expected to begin in early 2016. The Government will monitor the regime from the outset, as it does for the current regime, and this will provide further evidence on the robustness of the projections and on whether operational capacity at these airports is being affected before 2017. This evidence will be taken into account in deciding on night time movement limits.

Movement limits:

Heathrow

Winter 2014/15	Summer 2015	Winter 2015/16	Summer 2016	Winter 2016/17	Summer 2017
2,550	3,250	2,550	3,250	2,550	3,250

Gatwick

Winter 2014/15	Summer 2015	Winter 2015/16	Summer 2016	Winter 2016/17	Summer 2017
3,250	11,200	3,250	11,200	3,250	11,200

Stansted

Winter 2014/15	Summer 2015	Winter 2015/16	Summer 2016	Winter 2016/17	Summer 2017
5,000	7,000	5,000	7,000	5,000	7,000

Noise quota limits:

Heathrow

Winter 2014/15	Summer 2015	Winter 2015/16	Summer 2016	Winter 2016/17	Summer 2017
4,080	5,100	4,080	5,100	4,080	5,100

Gatwick

Winter 2014/15	Summer 2015	Winter 2015/16	Summer 2016	Winter 2016/17	Summer 2017
2,000	6,200	2,000	6,200	2,000	6,200

Stansted

Winter 2014/15	Summer 2015	Winter 2015/16	Summer 2016	Winter 2016/17	Summer 2017
3,310	4,650	3,310	4,650	3,310	4,650

Q7: Do you have any comments on our forecasts to October 2017?

Responses

Some industry respondents expressed they were content with forecasts. However, several industry respondents disagreed with forecasts at Gatwick and Stansted claiming that forecasts presented in the IA are too low. Specifically respondents highlighted that expected demand for night movements for summer 2014 had already exceeded forecasts, and that keeping the movements limit at its current level would therefore constrain the number of night flights below the number that airlines would like to be able to operate from

Stansted and Gatwick in summer 2014 and in the subsequent years of the restrictions on night flights.

Government response

DfT recognises that several industry respondents provided evidence to indicate that growth in demand for night flights will be higher than the historic annual average, with potential impacts for the costs of restricting night flights. As consultation responses indicated there is significant uncertainty about how the number of night time flights at Gatwick and Stansted would change if night flight restrictions were removed, or if limits were increased, DfT has retained its forecasts in the impact assessments but has recognised that there is a range of possible forecasts, and has updated the impact assessment to reflect this.

Q8: Do you have any views on how the benefits of quieter aircraft can be shared in future between communities living close to the airport and the aviation industry?

Responses

Gatwick Area Conservation Campaign suggested that this should be done by reducing the night noise quota now and for it to continue to be reduced in the future.

The airports highlighted that along with quieter aircraft, P-RNAV trials along with other improvements in airspace offered by LAMP will offer benefits to the local communities. P-RNAV will allow for periods of respite and the operation of carefully carried out trials are required to help quantify the benefits. The airlines and their representative bodies also set out the importance of trials.

One or two of the community groups, whilst recognising that respite can be beneficial to some communities, were fundamentally against any measures that simply displaced the burden from one community to another.

A few of the industry bodies set out that their investment in quieter aircraft also required benefits to accrue for them by allowing for increased movements to make better use of existing capacity. HACC and other environmental groups were wary of this suggestion. Reference was made to WHO values with suggestions that extra movements should only be granted if the noise came within them.

Environmental and community groups also made the point under this question that the present LAeq 16hr metric to measure disturbance was not an effective indicator and a new measurement was required.

Industry highlighted the need for proper and effective land use planning to ensure the benefits of quieter aircraft can be shared.

Government Response

We note the responses made to this question. The Government continues to support the need for trials (see response to Q11). Our position on noise measurement is set out in the APF. On noise quotas see our response to Q6.

Q9(a): Do you agree with extending the operational ban of QC/8 and QC/16 aircraft to the entire night period (23:00 – 07:00)?

Responses

All the airports and the airlines supported this proposal and as expected there was support from community and environmental groups.

The International Air Transport Association (IATA) and the Heathrow Airline Community set out under this question their concern about the practice of resorting to operating restrictions on aircraft certified in accordance with all applicable international standards. They consider this does not accord with the ICAO balanced approach. These two bodies along with a few of the airlines also set out under this question their opposition to any operational ban on QC/4 aircraft. As set out in the 2nd stage consultation in our responses to the Stage 1 questions, views from the industry were that economic costs are likely to remain high in comparison to the benefits and would make the option of a QC 4 ban difficult.

Government Response

Having considered the responses, we confirm that we will extend the operational ban of QC/8 and QC/16 aircraft to the entire night period (23.00 - 07.00).

Q9(b): Do you agree with our assessment of the costs and benefits in the draft IA?

Responses

Some of the industry respondents recognised the approach used in IA for assessing costs and benefits as a useful initial step but said it needed to be complemented by a quantitative assessment focused on developing a framework for assessing the trade-offs of noise exposure of the local population with enhanced air connectivity for the UK economy. Other respondents reiterated their belief that the forecasts were below their expectations of demand for night flights in summer 2014 and the subsequent years, and that night flights restrictions would constrain the number of night flights.

Some respondents stated that they would like the government to carry out further work on assigning a specific financial value to aviation noise. Others felt that the assessment did not place sufficient emphasis on the cost to local areas and residents that are exposed to noise and disturbance impacts from night flights.

Government response

The Government will continue to monitor and review developments in evidence in considering how the framework for assessing the costs and benefits of night flight restrictions should be further developed to appropriately take account of new evidence. It will continue to ensure that appropriate use is made of the evidence available that takes account of these uncertainties. It will identify where further development of the evidence base is required and undertake further research and analysis where needed. The Government has balanced costs and benefits in reaching the decision on night flights restrictions - see paragraphs 24-26.

Q10: Are there any other changes to the regime which we should consider?

Responses

Almost all of the points made in response to this question repeated those made in the first consultation. While there were many common themes, the most common were:

- A desire by many non-industry responses for a move towards the adoption of WHO values.
- That the ANASE study (Attitudes to Noise from Aviation Sources in England) published in 2007 should be updated.
- That make better use should be made of differential landing fees for the noisiest aircraft.
- That an impact analysis of a total ban, as well as a ban on certain aircraft should be carried out.
- That there should be a reduction in the amount of carry over available.
- That a review of the departure noise limits should be carried out.

Some non-industry responses wish to see the feasibility of scheduling to land all 16 Heathrow arrivals between 0530 and 0600, thereby delaying noise exposure to the overflown population.

Government response

See our response to these questions in Annex G of the second stage consultation here

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/258486/night-flying-annexes.pdf

Q11: Do you have any further comments on the scope for trialling new operational procedures which have potential noise reduction benefits in the period up to 2017?

Responses

There was widespread support for trials in order to gain an understanding on its impact on operations and its environmental impact on the local communities. Suggestions included respite trials using Precision Area Navigation (P-RNAV) for departures and arrivals.

It was seen as important to carry on these trials to understand their effect and it was pointed out that there is a need to involve local communities in the drawing up of these trials. The AEF set out it is essential that there is greater communication and transparency with local communities about future potential trials.

Although not specifically set out under the heading Operational Procedures, airlines used this question to raise support of the proposals in the Airports Commission Interim Report to smooth early morning arrivals at Heathrow in order to make better use of the severely restricted capacity and reduce arrival delays and emissions. However most environmental and community groups were against trials that involve more arrivals before 06.00.

The London Area Management Programme (LAMP) and the Airports Commission's Interim Report will also have implications for further trials. Phase 1 of LAMP will mean that Gatwick will be in a position during 2015 to implement significant airspace change.

Government Response

The Government continues to support airports in the use of trials such as those using P-RNAV and arrivals respite trials in order to gain a full understanding of the environmental impacts. These trials should be developed in consultation with the local communities and the Government will keep abreast of developments via its Aircraft Noise Management Advisory Committee (ANMAC).

Q12: Are there any other matters you think this consultation should cover?

Responses

Many of the points raised to this question overlapped with those in Q10 above.

Q13(a): Do you agree with the locations of the proposed new noise monitors at Heathrow? If not, are there alternative locations you would favour and why?

Q13(b): Do you agree with the proposal to apply runway-specific limit adjustments for easterly departures at Heathrow? If not, please give reasons.

Responses

The Stage 2 Consultation document contained proposals to introduce three new noise monitors at Heathrow to monitor north-turning departures from runway 09L following the ending of the "Cranford Agreement" (the arrangement under which easterly departures from the northern runway are avoided as far as possible). Details of the positional adjustments that would apply at these new sites were provided along with proposals for additional, runway-specific, positional adjustments that would apply to the existing noise monitors to monitor south-turning 09L departures.

Consultees were generally content with the proposals and recognised the need for effective noise monitoring. No specific sites were suggested as alternatives to those that were proposed.

Government Response

We have therefore decided that the proposed sites (and their positional adjustments) are the best available and should be implemented accordingly at the approximate locations indicated in the Stage 2 Consultation document, although we accept that the precise location for any new monitor may be subject to final landowner agreement.

To operate the northern runway efficiently for easterly departures, and following any final planning approval, changes are first required to some of Heathrow's taxiways which we understand could take several months (or years). However, we see no reason for this to delay any new monitoring arrangements, as 09L departures are currently not prevented from taking place when operational conditions allow.

One consultee suggested that a review of the performance of any new monitors and their associated positional adjustments should take place after a defined period of operation and on regular basis thereafter. Since the positional adjustments have been calculated in accordance with the existing approved formula, there is no particular reason to believe the adjustments will be inappropriate. In addition, the number of noise infringements is currently monitored on a regular basis by the airport and results published on a quarterly and annual basis.

Impact Assessment questions

Question 1: Do you agree with our assessment of how movements and quota usage are likely to change over the period to the end of the summer season 2017 at Heathrow, Gatwick and Stansted?

Responses

As for other questions, in response to this question, several industry respondents stated that growth forecasts at Gatwick and Stansted, for demand for night flights, were too low and below what they expected demand to be in summer 2014 and subsequent years. Some respondents were also concerned that the demand for night flights would reach the movements limit earlier than indicated in the IA, and possibly by summer 2014, so that the movement limits would restrict growth in numbers of night flights below the numbers that airlines would like to provide.

Government response

See response to question 7 above.

Question 2: Do you agree with our assessment of the costs and benefits of option 1 at Heathrow, Gatwick and Stansted? Would you expect there to be any additional costs and benefits?

Question 3: Do you agree with our assessment of the costs and benefits of option 2 at Heathrow, Gatwick and Stansted? Would you expect there to be any additional costs and benefits?

Responses

Some industry respondents thought options one and two were fair assessments of the costs and benefits of option 2. However, there were responses that indicated the limits were likely to constrain demand by summer 2014 at Gatwick and Stansted, and therefore that the IA underestimated the costs of night flight restrictions.

Not many non-industry respondents answered the question. Those that did indicated they did not agree with the assessment or neither agreed nor disagreed.

Some non-industry respondents considered that considerably more emphasis should be put on the sleep disturbance impacts to local communities and residents that they considered were caused by night flights.

Government response

See response to questions 8 and 9 above.