



AEF response to DEFRA Consultation on the guidance for airport operators to produce action plans under the terms of the Environmental Noise Regulations 2006

The Aviation Environment Federation was established in 1975 to limit and reduce aviation's environmental effects. Its members comprise local amenity and environmental organisations around the UK's airfields and airports, local authorities and parish councils, and members of the public.

General Questions

1. Do you agree with the approach being adopted in this document ? Especially, bearing in mind the requirement of the END that we should address priorities based on the results of the noise mapping.

No, the approach has a major flaw. The Regulation requires the Secretary of State to publish guidance setting out limit values, or other criteria, to establish priorities for action. This has not been achieved. While the draft guidance refers to the 69 Leq contour threshold in the Air Transport White Paper (ATWP), it provides no limit values in LDEN, the metric used to produce the noise maps informing the action plans. Furthermore, the 69 Leq 16 hour reference has no applicability to noise at night when the appropriate measure is Leq 8 hour. These limit values need to be defined in the guidance, using the appropriate metrics, and not left open to interpretation by relevant airport operators. The latter situation would only be considered acceptable if the competent authority was an independent body, such as the Environment Agency.

Experience has shown the limited value of expecting airports to take the necessary steps to reduce noise where it affects competition. In relation to the recent review of the implementation of Directive 2002/30 (a framework for airport noise operating restrictions), we found that the Directive has had little or limited effectiveness to date. In fact, we argued that it may even have delayed or constrained action by some airports because it failed to set noise thresholds. Without thresholds, the Directive succeeded only in harmonising a process without requiring common and equivalent action for all airports. Since it came into force, the AEF has argued that few airports in competitive situations would, voluntarily, impose operating restrictions. The response by airports to the European Commission's survey on this topic provides evidence of this with both a low level of implementation and with some airports specifically citing competition as a reason for not proceeding.

We appreciate that "competent authority" has already been defined and is not part of this consultation, but we urge DEFRA to consider replacing airport operators with an independent body as soon as the opportunity exists. In the meantime, it is essential that the Secretary of State provides appropriate limit values in the guidance. We would argue that sufficient scientific evidence already exists, in the form of guidance from the World

Health Organisation (WHO) and more recent studies on night noise exposure by the European WHO, to determine these thresholds.

Specific Comments on sections 2, 3 and 4

Para 2.07 – we agree that protection should be given to tranquil areas, but this needs to consider both arriving and departing aircraft. While many airports have implemented continuous descent approach (CDA), there have been several trials with curved CDAs. This means it should not be taken as read that approach paths necessarily have to follow an extended runway centreline. Careful assessment needs to be made of whether alternative procedures could deliver environmental benefits on approach.

Para 2.15 box. – the guidance needs to be clear on the thresholds for determining impacts, especially sleep disturbance. Based on previous Government studies into night noise disturbance it was found that while not everyone is awoken by every noise event, different people may be affected by each event. Hence, it is important to consider the potential for sleep disturbance. Unless specific thresholds can be defined with reference to the work of the WHO, we would argue that, as a minimum, the potential extends to everyone within the 55 LDEN contour and the 50 Leq 8 hour night.

Para 2.19 – we would like to point out that Airport Master Plans have no legal status and are limited to setting out the future intentions of airport operators with respect to capacity needs. While these may provide helpful background they cannot assume that planning permission or other regulatory approvals will be forthcoming.

Para 2.23 – in addition to looking at current population and land use, the action plans should take reasonable steps to anticipate future changes in the next 5 years, for example, planned new residential developments or planned changes in existing land use. This would require early consultation with the relevant local authorities or regional planning bodies.

Section 3 – As stated in our opening remarks, this section has several weaknesses. The draft requires airport operators to define what is acceptable noise, clearly a serious conflict when operators are looking to cater for more air traffic. The intention of the Directive and the Regulation, in keeping with the Government's own noise objective, is to limit/prevent and reduce the number of people exposed, and not simply to minimise it as far as practical. Even allowing for the gradual introduction of quieter aircraft, noise exposure levels are forecast to increase at many airports in the UK, especially where additional capacity is provided. This is evidenced in the noise forecasts underpinning airport options in the ATWP as well as in research undertaken by the European Commission. The Commission's forecasts, undertaken to provide background information to the review of Directive 2002/30/EC, predict increases in the population exposed during both day and night periods in 2010 and 2015. Airport operators are unlikely to develop plans that are either too costly or inhibit their ability to grow in any way, however justifiable in terms of the impact on noise, unless they are directed to do so. Defining acceptability is a pre-requisite for this section: in addition to our reservations regarding references to a 69 Leq 16 hour threshold, we would stress that this section requires a definition of acceptability as well as what constitutes a priority high noise area.

Para 3.12 - this section needs to make an explicit requirement for competent authorities to work with air navigation service providers in maximising the benefits from airspace changes where appropriate.

Para 4.3 box 3 – when informing the public of decisions, it would aid transparency and understanding if the airport operator is required to provide a rationale for any options that were assessed but rejected.

Para 4.4 – consultative committees often seek to strike a balance between the different interests represented, and to limit their size to a manageable number. This sometimes excludes interested parties. We would recommend that even where there is a consultative committee, the airport should seek to involve a wider audience.

*AEF
Broken Wharf House
2 Broken Wharf
London EC4V 3DT*

November 2008