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To Whom It May Concern,

### **Consultation response on the Government's Night flights consultation**

We are writing to respond to the Government's Night flights consultation. While we welcome some of the elements considered in this first consultation, in particular on the health and annoyance impacts of night flights, overall we do not feel that it succeeds in setting out a comprehensive framework within which the next night flights regime should function.

We have particular concerns that the case for night flights does not stack up, either on economic or environmental grounds, and would emphasise that any increase in aviation is not consistent with our climate goals.

We are also concerned that not enough attention is paid to the need for community engagement in the consultation, and would urge the government to work with Local Authorities and NGOs to develop robust and inclusive forms of community participation.

We call for an end to night flights and a reduction in early morning flights. But until this is achieved, we wish to see a reduction in the numbers of such flights as well as a reduction in the noise at night.

### **Economic impacts of the night flights regime**

Assessing the economic impacts of night flights must take a broad approach. In particular it is essential to ensure that the negative impacts of night flights upon the economy and public finances are properly taken into account in any such assessments.

The inclusion in 6.3 of the impacts of night flights from noise, the health effects resulting from noise, air quality and climate change are to be welcomed.

However, these impacts need to include the public finance impacts (for example NHS costs) of the negative health impacts of noise and air pollution.

Any economic assessment of the benefits of aviation needs to start from the fact that air travel is heavily subsidised by the absence of fuel tax and VAT. Compared to car travel, these tax concessions amount to around £12 billion a year.

And the claimed economic benefits must be subject to rigorous scrutiny. Cost impacts also occur, and should be factored in, for climate change impacts. The *Stern Review on the Economics of Climate Change* and Nicholas Stern's subsequent recommendations propose that western countries needed to broadly allow 2% GDP to fund action to deal with climate change, and that failure to do so would incur much greater GDP costs in the future.

### **Costs impacts of noise derived from night flights**

CE Delft's report (*Ban on night flights at Heathrow Airport: a quick scan Social Cost Benefit Analysis*, 2011) detailing a cost-benefit analysis of night flights at Heathrow concluded that once the full impact of night flight noise from Heathrow was quantified, a night flight ban would result in a potential net economic benefit to the UK of £860 million.

This conclusion is an important one because it included a serious quantification of the negative health impacts of night flight noise upon local communities. Such impacts need to be quantified for all airports subject to the night flights regime and the quantified costs factored in when assessing the net economic effect of night flights.

### **Full economic impacts of air pollution needs quantifying**

We welcome the mention of air pollution in the consultation, yet the Government makes no mention of their commitment to meeting EU air pollution limits. Air pollution contributes to over 200,000 premature deaths in the UK every year and the UK is legally obliged to meet EU air pollution limits.

The Government's ongoing failure to meet EU air pollution legal limits brings with it the risk of the EU Commission taking infringement proceedings against the UK which could lead to a fine of £300 million per year for each pollutant. The UK Government has so far failed to produce a credible plan for meeting its legal obligations for EU air quality standards for NO<sub>2</sub> and PM<sub>10</sub>.

The emissions from night flights contribute to this air pollution. Indeed, as stated in 6.14, air pollution emissions from aircraft can have a greater impact on local air quality at night due to the atmosphere being more stable at night which means that pollutants are dispersed less easily. This needs to be reflected in their costs to the wider economy and the public finance costs of dealing with this problem or paying EU fines.

As well as these economic costs, there are also the associated health costs associated with the significant respiratory diseases and premature deaths caused by air pollution.

### **Additional impacts of night flights upon the economy**

Research has shown (Jarup, 2007, *Hypertension and Exposure to Noise Near Airports*) that night flights increase the incidence of hypertension in local populations.

Workplace productivity clearly suffers as a result of hypertension and sleeplessness. The Government needs to include an assessment of this negative impact. It should also assess the economic costs of increased workplace absenteeism, likely to result from the negative health impacts of local residents. Any assessment of economic impact and productivity must incorporate these negative factors.

If the above considerations are taken fully into account, we believe that the economic costs of night flight outweigh any benefits, and that **this should provide a basis for ending night flights and for reducing early morning flights.**

### Noise impacts of the night flights regime

We welcome the fact that the consultation is assessing health and annoyance impacts and that these will influence the Government's decision-making. Methodology used must be subject to independent peer review and the results made available to the public.

**We believe there should be a ban on night flights and a reduction in the number of early morning flights.** Night flights cause numerous inconveniences, most importantly disturbed sleep and sleep deprivation.

### Noise and sleep disturbance

Sleep is an essential part of healthy life and is recognised as a fundamental right under the European Convention on Human Rights (European Court of Human Rights, 2003).

According to the World Health Organisation:

- There is strong evidence that night noise causes increases in heart rate, arousal, changes in sleep stage, awakening and use of medicine.
- There is some evidence that night noise is related to hypertension, heart attacks, depression, changes in hormone levels, fatigue and accidents.  
(source, WHO press release <http://ec.europa.eu/environment/integration/research/newsalert/pdf/202na3.pdf>)
- There is also growing evidence of the serious impacts of night noise on physical and mental health and on children's learning.

As recognised in the consultation, noise from aircraft operations at night remains widely regarded as the least acceptable aspect of aviation noise. While we welcome the Government's assertion that the aviation industry must continue to tackle its noise impact, we do not believe that this is a sufficient prerequisite to allow for the expansion of airport capacity, as stated in 1.2. Quieter aircraft, planning and noise abatement operational procedures can only go so far to reduce the annoyance and health impacts from aircraft noise and we are not convinced that the Government can simultaneously increase night flights and decrease nuisance from noise pollution.

Similarly, while we welcome the restatement of the objective to limit and, where possible, reduce the number of people in the UK significantly affected by aircraft noise in 1.3, this appears incompatible with an increase in night flights. **If the Government is serious about this intention, the Policy Framework should state that no increase in night flights should be permitted that will result in an increase in noise.**

As well as the number of people affected, the Government needs to take into account the level of annoyance caused. Aircraft noise is more noticeable and more annoying in tranquil areas than urban ones and the Government should therefore commission research into the impact of ambient noise in order to be able to develop robust policy on this. This should include revisiting the 2007 'Attitudes to Noise from Aviation Sources' (ANASE) study by the Department for Transport. The long-term aim should be for no-one to live in areas exposed to dangerous noise over WHO limits.

## Secondary impacts

As well as the direct harm from noise pollution caused by aeroplanes flying overhead, there would be numerous knock-on effects from increasing the volume of passenger and freight traffic for night flights. For example the need for more vehicles to move staff, passengers and freight to and from the airport would have an adverse effect on local roads causing congestion as well as air pollution.

We believe that these wider implications on the local residents' quality of life, added to the disturbances from flights themselves would outweigh the claimed benefits to local communities.

## Climate change

Not only would night flights have a considerable impact on the local environment and quality of life, but any increase in aviation makes it less likely that the UK will meet its binding emission targets.

We welcome the recognition in paragraph 6.72 that any changes to the current night flights regime which would result in more flights would likely increase the overall impact on climate change. However, no mention is made in the report of the need to curb, and indeed reduce, overall aviation capacity in order for the Government to meet its international and EU carbon reduction, and legal obligations following the Climate Act.

We are also particularly concerned that the consultation seems to be informed by a 'predict and provide' policy, as outlined in paragraphs 5.4 – 5.6, in using projected passenger numbers, rather than environmental limits, to define the next night flights regime.

The Committee on Climate Change 2009 report on aviation indicated that even if we were to bring aviation's rising emissions back down to 2005 levels by 2050, then aviation would still make up 23% of the UK's total emissions budget. In addition to this the latest science suggests that if non-CO2 impacts of aviation such as Nitrogen Oxides and water vapour are taken into account this could double our estimate of aviation's climate damage. **It is therefore essential that the debate around night flights is framed within environmental limits.**

## Other airports

The consultation focuses on night flights at Heathrow, Stansted and Gatwick but people affected by all airports need adequate protection. Without appropriate regulations in place, protecting residents living around all the other UK airports continues to be the responsibility of the local authorities, whose ability to regulate effectively is very variable. To avoid a two-tier system emerging, the Government must give some direction to *all* airports, not just the designated airports, to ensure everyone is given the best protection from noise and other impacts of night flights.

## Community consultation

Lastly, we believe there must be a focus on the importance of local communities being involved in processes. We do not believe that Airport Consultative Committees, as currently constituted, can give local communities a fair hearing when faced with mass-financed airport

lobbies. We request that the Government works with Local Authorities and NGOs to develop robust and inclusive forms of community engagement on aviation issues, including issues related to night flights.

## Questions

### ***Q1: Are there any other matters that you think we should cover in the second stage consultation?***

There should be a clear question as to whether respondents are in favour of an end to night flights.

### ***Q4. Do you have any views on whether noise quotas and movement limits should apply only to the existing night quota period or to a different time period?***

Whilst we argue for an end to all night flights, if the night flight regime persists, we would recommend that the night quota period begins at least half an hour earlier, to start no later than 11pm.

The Government must also take into consideration WHO recommendations that the night quota period should be increased from 6.5 hours to at least 8. WHO states: "Around 50% of the population is protected with an interval of 8 hours and it would take a period of 10 hours to protect 80%" (*WHO Night Noise Guidelines for Europe, 2009, page 7*).

### ***Q17: Do you have any views on the costs and benefits of a night-time runway direction preference scheme at Gatwick or Stansted?***

No – a runway preference scheme would benefit one area at the expense of another. We only support options which reduce the impacts of night flights overall, rather than merely moving them.

### ***Q19: Please provide any information about airspace changes or other operational procedures which could mitigate the impact of night noise in the next regime period***

We recognise that the use of respite periods can have both advantages and disadvantages for local communities. There is no 'one size fits all' approach to the application of respite periods and therefore these must be designed in consultation with local communities and planned carefully, so as to ensure against the unintended consequence of changes in flight patterns impacting negatively on particular communities. Please also see Q.31 for our views on respite periods.

### ***Q.22 Do you have any comments to make on the figures relating to noise quota limits and usage?***

We note that all three airports, but particularly Gatwick and Stansted, use only a relatively low proportion of their noise quota. This means that the quota system is not working as it should to put pressure on airlines to use quieter aircraft. We therefore believe it is necessary to reduce the quotas to reflect current use. We note that the consultation on specific noise quota limits will come in stage 2 and will address this further then.

### ***Q23: Do you agree with our initial assessment of the scope for reducing the noise quota in the next regime without imposing additional costs?***

We note that the consultation on specific noise quota limits will take place in the stage 2 consultation. We note also that the WHO recommends a maximum night noise of 40 Decibels. The 2009 Night Noise Guidelines for Europe state: "For the primary prevention of subclinical adverse health effects related to night noise in the population, it is recommended that the population should not be exposed to night noise levels greater than 40 dB of Lnight, outside during the part of the night when most people are in bed."

***Q24: Do you have any views on the relative disturbance caused by the noise of an individual aircraft movement against the overall number of movements in the night quota period?***

If a night flight regime continues there needs to be a continued cap on the number of flights.

***Q27: What are your views on the feasibility of a QC/4 operational ban in the night quota period at any or all of the three airports? Please set out the likely implications of such a ban and the associated costs and benefits. And Q29: What are your views on the feasibility of an operational ban of QC/4 aircraft at any or all of the three airports during the shoulder periods? Please set out the likely implications of such a ban and the associated costs and benefits.***

We support a complete operational ban on QC/4 aircraft during the night quota period and shoulder periods.

***Q31: What is the scope for introducing a respite period at Gatwick or Stansted? Please set out the associated costs and benefits.***

We would support a respite period with no increase in the total number of night flights. However we do not support a respite period which results in more flights at the beginning and end of the night quota period. It is at the beginning of the period, when people are trying to go to sleep, and the end of the period, when they are trying to stay asleep, that noise disturbance is most damaging. Please also see Q.19 for our views on respite periods.

***Q37: Do you have any views on the extent to which landing fees can be used to incentivise the use of quieter aircraft during the night period?***

We understand from GACC that landing fees at Gatwick are very low or nil. If night landing fees are low or non-existent, there is no incentive for flying at daytime or for using quieter aircraft. Fees should be at least as high as during the day. The funds raised should be allocated to improving noise insulation schemes rather than increasing airports' profits.

***Q38: Please provide comments and evidence on the extent to which the noise insulation scheme criteria have been met. Where possible please include figures for numbers of properties insulated under the scheme and numbers which are still potentially eligible.***

Insulation schemes should be required to follow best European and international practice. We have heard reports of noise insulation in properties around Heathrow which have been ineffective at blocking noise from night flights. Installations should be objectively tested in situ to ensure highest standards.

***Q39. Do you have any suggestions for changes to current compensation schemes or for new compensation schemes that might be introduced to help offset the impact of night noise on those exposed to it? For new schemes, please explain the parameters that you would suggest for the scheme and the rationale for choosing those***

**parameters.**

Compensation schemes should be required to follow best European and international practice.

***Q40. Do you have any proposals for new or improved economic incentives that could be deployed to incentivise the use of quieter aircraft during the night period?***

Reducing the specific number of night flights should take priority over deploying quieter aircraft. We would like to see an end to night flights. However, if night flights continue, we believe that additional charges should be imposed.

***Q44: Do you think there is merit in applying the approach employed by CE Delft? If so, do you agree that it is reasonable to assume that business passengers and transfer passengers prefer to arrive on a night flight, if they would choose to do so if one were available? What are your views on what we should assume about terminating passengers' preferred arrival times and about passengers' preferred departure times?***

CE Delft's research is an important analysis. Additional research into the preferences of business and leisure passengers should be commissioned by the Government. It should include passengers using Gatwick and Stansted and separate the preferences for business and leisure passengers.

***Q45: Do you agree that the impacts on passengers who decide not to travel (or become able to travel) as a result of the change in night flights regime could be critical to the balance of costs and benefits?***

Estimating the number of passengers deciding not to travel as a result of the night flight regime change is a useful exercise. However, cost benefit analysis must take into account all the external costs of the night flights regime, many of which we highlighted earlier in our submission, such as climate change, air pollution, health impacts, negative impacts in the workplace. Taking these external costs fully into account will, we believe, show that night flights are not of net benefit.

***Q47: Do you think that the method used by Oxford Economics (2011) to assess the impacts on productivity of changes in business usage of aviation (the approach is described in paragraphs J22-23 of Annex J) would adequately take account of the impact on air freight service users of changes in the current night flights regime?***

The work of Oxford Economics in relation to the impacts on business usage of aviation is highly contested, and we would urge that a broader range of work be considered to inform policy. An indicator of business intentions has, for example, been highlighted in a WWF report (2011, *Moving on: why flying less means more for business*), where 92% of business respondents agreed that 'it is possible to fly less as an organisation and remain both profitable and competitive'. Policy should be developed to enable and assist business in meeting these aims and to further incentivise business in this direction.

***Q58: Do you agree with our proposed approach? Is there any evidence on non-CO2 climate change impacts we should consider?***

We are concerned that the consultation refers only to the inclusion of aviation in the EU emission trading system (EU ETS) as a means to count the CO2 emissions impact of aviation policy (6.72 – 6.77). We support aviation's inclusion in the EU ETS as a first step towards bringing aviation in line with climate goals. Nonetheless it seems unlikely that the EU ETS will lead to serious reductions in emissions from aviation in the immediate future. The

aviation industry will continue to be able to buy permits rather than having to reduce their emissions. It is also widely acknowledged that the EU ETS currently has far too many permits available for it to function effectively, so relying on it to bring about the emissions cuts needed is extremely short-sighted.

If the government is serious about developing a sustainable transport system and addressing dangerous climate change then aviation must play its part in the UK's emission reductions. It is therefore extremely disappointing that the framework does not include a commitment from the government to include aviation in the carbon budget – as recommended by the Committee on Climate Change.

The 2008 Climate Change Act commits the UK to 80% cut in greenhouse gas emissions by 2050. Yet so far aviation and shipping have been omitted from the carbon budgets. We are proud that the UK passed the world's first long-term legally binding framework to tackle the dangers of climate change, but the whole integrity of this act relies on aviation and shipping being included. We cannot claim to be taking effective action on climate change if we pick and choose which emissions we include in the targets.

Aviation is one of the fastest growing sources of carbon emissions in the UK, so it is absurd that it is exempt from contributing to the UK's emissions reductions in the same way that other industries do. Why should our energy or manufacturing industries have to play their part while aviation and shipping remain exempt? This is especially unfair given that aviation already receives significant tax breaks. The Government's official advisory body, the Committee on Climate Change, has recommended that aviation should be included in carbon budgets from 2013 and we urge the Government to commit to this.

***Q62: Do you agree that the impact of any change in the night flights regime is unlikely to have a significant impact on employment, and therefore any impact on employment taxes will be minimal?***

Yes.

***Q66: Do you agree with our proposal to assess the impact of a change in the night flights regime qualitatively? If not, why not, and what would you suggest as an alternative?***

See our comments at the start of our response on the broader economic and other impacts. It is crucial to factor in the widest range of social and environmental impacts and ensure that negative impacts are not externalised or ignored. A greater responsibility for meeting the costs of these externalities should, in our view, be met by the aviation industry through greater regulation and taxation.

## **Conclusion**

We welcome the consultation on night flights and particularly the detailed consideration of the health and annoyance impacts.

We are concerned however that the highly technical nature of the consultation is a barrier to community groups participating. We therefore request that the proposed methodology is subject to independent review and the results made public, and that the Government works with Local Authorities and NGOs to develop robust and inclusive forms of community participation.

Any economic assessment of the benefit must include full scrutiny of all costs of aviation – including costs related to noise, sleep deprivation and air pollution; climate change.

While our ultimate aim is for a complete end to night flights, until this is achieved we wish to see a reduction in the numbers of such flights as well as a reduction in the noise at night. The outcome of this consultation must be determined in terms of public health, as defined by the WHO in its Night Noise Recommendations 2009.

Yours sincerely,



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Jean Lambert, Green MEP for London

**References:**

WHO Night Noise Guidelines for Europe

[http://www.euro.who.int/\\_data/assets/pdf\\_file/0017/43316/E92845.pdf](http://www.euro.who.int/_data/assets/pdf_file/0017/43316/E92845.pdf)

WHO press release 1 July 2010 WHO recommends setting night noise limits at 40 decibels

<http://ec.europa.eu/environment/integration/research/newsalert/pdf/202na3.pdf>

Environmental Noise Directive (2002/49/EC)

<http://ec.europa.eu/environment/noise/directive.htm>

Committee on Climate Change 2009 report on aviation

<http://downloads.theccc.org.uk/Aviation%20Report%202009/21667B%20CCC%20Aviation%20AW%20COMP%20v8.pdf>

Stern, Review on the Economics of Climate Change (2006)

Jarup, Hypertension and Exposure to Noise Near Airports (2007)

'Attitudes to Noise from Aviation Sources' (ANASE) study

[http://webarchive.nationalarchives.gov.uk/\\*/http://www.dft.gov.uk/pgr/aviation/environmentalissues/Anase/finalreport.pdf](http://webarchive.nationalarchives.gov.uk/*/http://www.dft.gov.uk/pgr/aviation/environmentalissues/Anase/finalreport.pdf)

CE Delft, Ban on night flights at Heathrow Airport: a quick scan Social Cost Benefit Analysis (2011)

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