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Closed consultation

Night flight restrictions

Updated 2 February 2021

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About this consultation

Background

The government recognises that noise from aircraft taking-off and landing at night is often regarded by communities as the most disturbing form of airport operations. We also recognise that there is evidence, including in the World Health Organisation's (WHO) revised Environmental Noise Guidelines for the European Region (<https://www.euro.who.int/en/publications/abstracts/environmental-noise-guidelines-for-the-european-region-2018>), that sleep disturbance caused by aircraft night operations can have adverse health impacts on overflowed communities.

At the same time, the aviation sector has material value to the economy and night flights are an important contributor to this at many airports. The aviation industry plays a significant role in the UK economy and it connects people and UK businesses with the world. Prior to the COVID-19 pandemic, the UK's aviation network was the third largest in the world, after the USA and China^[footnote 1]. In 2019, UK airports served over 370 destinations in around 100 countries and handled over 297 million passengers^[footnote 2]. Aviation also facilitates global trade with £95 billion of goods exported by air extra-EU countries in 2018^[footnote 3]. The sector directly provided around 230,000 jobs with many more employed indirectly^[footnote 2] and the sector contributed at least £22 billion annually to UK GDP^[footnote 4].

The COVID-19 pandemic has had a profound impact on the aviation sector. The core focus in government at this time is combating coronavirus and working with the sector on restart and recovery. The report of the Global Travel Taskforce, published in November, is the next step towards recovery for the travel and tourism sectors. It is nevertheless important that we continue to work on longer-term priorities, including those relating to aviation noise and night flights. COVID-19 has meant that many people have had to profoundly change the way they live, work and travel. It is therefore sensible that the government explores how these changes in behaviours should influence future policy decisions. It is also important the government finds the right balance between limiting the adverse environmental impacts that night flights have on communities, whilst supporting the aviation sector (passenger, freight, general aviation), and the businesses that depend on the availability of night flights to deliver critical goods and services.

This consultation process

This is a two-stage consultation process which seeks views on the regime at the designated airports beyond 2022, and night flights in the national context.

Stage 1 of this consultation has 2 purposes. Firstly, we are formally consulting on our proposal to maintain the existing night flight restrictions for the designated airports (Heathrow, Gatwick and Stansted) from 2022 to 2024, and our proposal to ban QC4 rated aircraft movements during the night quota period (23:30 to 06:00). Responses to this section of the consultation will allow us to make a final policy decision on the regime for the designated airport beyond 2022 in summer 2021. This part of the consultation is for a period of 3 months, and will close at 23:59 on 3 March 2021.

Secondly, we are also seeking early views and evidence on policy options for the government's future night flight policy at the designated airports beyond 2024, and nationally. This includes whether we should amend our national noise policy to include specific policy for night noise, revising our night flight dispensation guidance, whether we should set criteria for airport designation, and what any future night flight regime at the designated airports should look like. This second section has been extended in a separate consultation, running from 4 March to 31 May 2021

(<https://www.gov.uk/government/consultations/night-flights-restrictions-at-heathrow-gatwick-and-stansted-airports-beyond-2024-plus-national-night-flight-policy>), all responses received will be treated equally to those of the new consultation.

We would aim to publish stage 2 of this consultation in 2022 which will set out firm proposals for the designated airports beyond 2024.

This process relates to the current designated airports in their current operational form and it does not consider any scenarios related to airport expansion proposals.

This consultation process will be of interest to communities that live near airports or underneath flightpaths, local authorities, airlines, airport operators, and businesses or consumers that depend on the aviation sector.

Structure of this consultation

Consultation on our proposal for the regime at designated airports from October 2022 to October 2024

We currently set night-time operating restrictions at Heathrow, Gatwick and Stansted as these airports are designated for the purposes of noise regulation under the Civil Aviation Act 1982. We last consulted on these controls in February 2017 (<https://www.gov.uk/government/consultations/night-flight-restrictions-at-gatwick-heathrow-and-stansted>). The decision, which was published in July 2017 (https://www.gov.uk/government/consultations/night-flight-restrictions-at-gatwick-heathrow-and-stansted#attachment_2183748), put in place the current regime covering the period from October 2017 to October 2022.

In this section we seek views on our proposal to maintain the existing regime at designated airports for 2 years, from October 2022 to October 2024, and placing an operational ban on QC4 rated aircraft movements. This would mean that the limits in place at Heathrow, Gatwick, and Stansted airports would remain unchanged between October 2022 and October 2024. Alongside this, we propose taking advantage of the withdrawal of QC4 rated aircraft (for example a Boeing 747-400 on departure) from most scheduled services due to COVID-19, by proposing to ban such aircraft movements between 23:30 and 06:00. We believe the impacts to the industry of this ban will be minimal, but it will have a benefit to communities that are overflowed by ensuring these noisiest aircraft movements are prevented from operating in the night quota period in future.

Maintaining the existing restrictions for an interim period will provide time for complete consideration of the longer-term options for managing aviation noise at night at the designated airports. It will also provide time for the impacts of the pandemic on the aviation industry to be better understood and for evidence to emerge that can support longer-term policy changes. Alongside this, it will ensure the government complies with legal consultation and notification requirements.

Revising our night flight dispensation guidance

We are seeking early views on the government's night flights dispensation policy, which allows airport operators and the Secretary of State for Transport ([SofS](#)) to disregard movements from the existing restrictions in certain circumstances.

We will use responses to revise the guidance for airport operators and publish before October 2022.

The structure of the night flight restrictions at the designated airports beyond 2024

We are seeking early views on the current situation at the designated airports and the potential options for a future regime in the longer-term. This includes but is not limited to the structure of the government's night noise quota count system, the length of the future regime, and future movement and noise quota allowances. Evidence received in response to this section will inform firm policy options in the second stage consultation in 2022.

Our national night flight policy

In this section we seek early views on the health impacts of aviation noise at night and the economic value of night flights, as well as on the advantages or disadvantages the emergence of new technology will have in the future in relation to night noise from aircraft. We also seek views on whether the government's aviation noise objective should include a night noise specific element.

We also seek views on whether the government should set criteria for airport designation. Airport designation allows for the ~~SofS~~ to publish notices for the purpose of limiting or of mitigating the effect of noise and vibration connected with the taking off or landing of aircraft at the aerodrome. This could, for example, allow the ~~SofS~~ to set operating restrictions at airports other than Heathrow, Gatwick, and Stansted. This could also allow for the ~~SofS~~ to de-designate airports that are currently designated, with decisions on noise controls instead being made locally.

How to respond

The consultation period will run between 2 December 2020 and 3 March 2021, although the second part, regarding future night flight policy beyond 2024 will now continue in a new consultation, running from 4 March to 31 May 2021, all responses received will be treated equally to those of the new consultation. You are invited to respond to the consultation via the online form (<https://www.smartsurvey.co.uk/s/6MJQIF/>). Alternatively, you may send your response by email to: night.flights@dft.gov.uk

Due to remote working for the foreseeable future and health and safety issues with handling physical mail, we strongly encourage responses by the online form or by email. If you are unable to respond by the online form or by email, we would invite you to please let us know by asking someone to email on your behalf. If none of the above is possible, then we invite you to provide responses to:

Night Flights Consultation
Great Minster House
33 Horseferry Road
London SW1P 4DR

Your response must reach us before the closing dates.

Consultation on our proposal to maintain the existing regime at designated airports for 2 years, from October 2022 to October 2024

Background

The COVID-19 pandemic has had an unprecedented impact on the aviation industry, the full effects of which may not be understood for some time. That is why we propose to maintain the existing restrictions already in place at the designated airports for 2 more years. This would mean that the limits in place at Heathrow, Gatwick, and Stansted airports would remain unchanged between October 2022 and October 2024.

Alongside this, we propose taking advantage of the withdrawal of QC4 rated aircraft (for example Boeing 747-400 on departure) from most scheduled services due to the pandemic, by proposing to place an operational ban on these aircraft movements between 23:30 and 06:00. We believe the impacts to the industry of this ban will be minimal, but it will have a benefit to communities that are overflowed by ensuring these noisier aircraft movements cannot take place in the night quota period in future.

We believe a two-year regime, rather than a shorter one-year regime, will allow time for the impacts of the pandemic on the aviation industry to be understood and for evidence to emerge that can support longer-term policy changes. We accept that if traffic volumes do not recover before October 2024, airports are unlikely to need to use the full current quotas, but we believe this is the fairest approach given the uncertainty. A two-year regime will also provide time for complete consideration of the longer-term options that are set out in the next section.

We are outlining this proposal now in order to comply with relevant legal requirements regarding notice and consultation. There is a legal requirement to give relevant interested parties 6 months' notice ending at least 2 months prior to the determination of the slot coordination parameters. In practical terms, this means that the government should give notice of the replacement regime before autumn 2021. Without defining new restrictions or extending the current regime, the default situation would be that the designated airports could legally operate without operating restrictions from October 2022 when the current regime expires.

As the pandemic delayed the original publication date of this consultation from early this year and hindered the industry's ability to engage with the consultation in a meaningful way, we believe more time is needed to fully consider alternative options that have undergone a full assessment of benefits and impacts. Therefore, maintaining the existing restrictions will ensure that night-time operating restrictions at the designated airports remain in place.

Background information on the history of night flights and technical information on our QC system can be found in annex B. Further information on the current situation at the designated airports, including statistical information and performance against our 2017 to 2022 objective, can be found in annex C and annex D. Noise contour maps are in annex G.

Noise abatement objective for the period October 2022 to October 2024

We recognise the International Civil Aviation Organisation (ICAO) Assembly's 'Balanced Approach' to aircraft noise management. The Balanced Approach consists of identifying noise problems that exist at an airport and then assessing the cost-effectiveness of the various measures available to reduce noise through the exploration of 4 principal elements, which are:

- reduction of noise at source (quieter aircraft)
- land-use planning and management
- noise abatement operational procedures (optimising how aircraft are flown and the routes they follow to limit the noise impacts)
- operating restrictions (including night flight restrictions brought about via this process)

The SofS is the competent authority to ensure the correct process is followed when operating restrictions are considered under this consultation process. Greater information on the 'Balanced Approach', including the legal framework for its implementation in UK law is available.

The Balanced Approach requires measures to address a noise problem at an airport to be no more restrictive than are needed to meet the noise objectives.

For the purpose of the October 2022 to October 2024 regime, we intend on maintaining the existing night noise objective. This objective would continue to apply to all 3 of the designated airports and would apply to the night period (23:00 to 07:00). This objective sits under our national noise objective.

‘Limit or reduce the number of people significantly affected by aircraft noise at night, including through encouraging the use of quieter aircraft, while maintaining the existing benefits of night flights’

We intend on continuing to measure our achievement against this objective by:

- the area of and number of people in the 48dB LAeq 6.5hr night contour
- sleep disturbance impacts associated with night flights, assessed using Transport Appraisal Guidance (TAG) methodologies
- the average noise of an aircraft (as measured by the average noise quota count per aircraft movement over the course of a season)

Questions

Do you agree with our October 2022 to 2024 night noise objective for the designated airports? Provide evidence to support your view.

Do you agree with how our October 2022 to 2024 draft noise objective for the designated airports will be measured? Provide evidence to support your view.

Specifics of the regime from October 2022 to October 2024

In order to achieve this objective, we propose to:

- set a two-year regime, from October 2022 to October 2024. During this period, we intend on keeping the existing movement and noise quota allowances that are in place at the designated airports. These are set out below:

Airport	Seasonal period	Movement limit	Noise quota limit
Heathrow	Winter	2,550	2,415
	Summer	3,250	2,735
Gatwick	Winter	3,250	1,785
	Summer	11,200	5,150
Stansted	Winter	5,600	3,310
	Summer	8,100	4,650

- continue to impose an operational ban on the loudest aircraft (QC8 and QC16 rated) during the “night period”, 23:00 to 07:00

- impose a new operational ban on QC4 rated aircraft movements (for example Boeing 747-400 on departure) during the “night quota period”, 23:30 to 06:00
- continue to encourage the use of quieter aircraft, through maintaining the QC0.125 category
- maintain transparency for communities by ensuring all aircraft movements are counted towards an airport’s limits, apart from movements that meet the government’s dispensation criterion, or Instrument Landing System (ILS) calibration flights

Question

Do you agree that we should maintain the existing restrictions for two years from October 2022 to October 2024? Provide evidence to support your view.

The impacts of maintaining the existing restriction from October 2022 to October 2024

We consider that maintaining the existing restrictions from October 2022 to October 2024 will mean minimal change for communities that are overflowed by aircraft. We believe that communities may benefit from the continued transition by aircraft operators to quieter aircraft and traffic being below pre-COVID-19 levels. Whilst there may not be demand for pre-COVID-19 numbers of night movements at the moment, we believe maintaining the existing limits is the fairest approach given the uncertainty around post-COVID-19 consumer behavioural changes and the recovery of the aviation sector. There is also a further argument for not changing limits now, in so far as we do not have sufficient evidence at this stage to support a substantial change in policy.

We also consider that the cost impacts to the industry to be minimal, and mainly associated with familiarisation costs.

Questions

What would be the impacts to you should the government maintain the existing restrictions for 2 years, from October 2022 to October 2024? Provide evidence to support your view.

What would be the impacts to you should the government allow the night flight restriction in place at the designated airports to lapse. Provide evidence to support your view.

Operational ban on QC4 aircraft movements during the night quota period (23:30 to 06:00)

Prior to the COVID-19 pandemic, QC4 rated (for example Boeing 747-400 on departure) aircraft were the noisiest aircraft in regular service at any of the designated airports. Although they could not be scheduled during the night quota period (between 23:30 and 06:00), they could operate if delayed. These aircraft have now been largely removed from scheduled services as a result of the pandemic.

To prevent these aircraft operating at night in future, we are proposing to ban the noisiest QC4 rated aircraft movements during the night quota period, from October 2022. We believe the impacts to the industry of this ban will be minimal, but it will have a benefit to communities that are overflowed by ensuring these noisiest movements cannot take place between 23:30 and 06:00.

We also believe that an operational ban on QC4 rated aircraft movements during the night quota period, could be a precursor to an operational ban on QC4 rated aircraft movements during the eight hour night period (23:00 to 07:00) in the longer-term (see section on the structure of the night flight restrictions at the designated airports beyond 2024). Statistics on flights during the Night Quota Period can be found in annex D.

Question

Do you agree we should ban QC4 rated aircraft movements from operating at the designated airports between 23:30 and 06:00 from October 2022? Provide evidence to support your view.

Revising our night flight dispensation guidance

Background

The legal framework through which the government sets night flight operating restrictions at the designated airports also allows airports operators, or the SofS, to disregard certain movements, providing they meet a specified criterion. Any movements that are granted a dispensation in this way, do not count towards an airport's movement or QC allowance.

The 3 types of circumstances which currently allow operators to grant dispensations are set out in guidance and are:

- emergencies
- widespread and prolonged air traffic disruption
- delays as a result of disruption leading to serious hardship and congestion at the airfield or terminal

The circumstances under which the SofS grants dispensations relate to matters of state, where dispensations are required as a result of a government decision, or where the circumstances are an issue of national interest.

We have recently undertaken a review on the night flight dispensation process and are minded to revise the dispensation guidance. Without predetermining what a future regime may include, through this section of the consultation, we are seeking views on areas where the guidance on night flight dispensations is not clear or where it can be improved.

We will use responses to revise the guidance for airport operators and publish before the winter 2022 to 2023 season.

Night flight dispensation review

In the government's 2017 night flight decision (https://www.gov.uk/government/consultations/night-flight-restrictions-at-gatwick-heathrow-and-stansted#attachment_2183748), it committed to carrying out further work to consider whether the current process for issuing dispensations is appropriate, including the guidance under which they are allowed. This commitment was given in response to concerns raised by community groups during the 2017 consultation about how airport operators apply dispensations.

We have now undertaken the review. The objective of the review was to analyse airport dispensation reports provided by the designated airports over a three-year period (October 2016 to October 2019) to ensure that dispensations are being applied correctly and consistently. A summary of the main findings and proposals of the review are set out.

Summary of findings

Adverse weather was the primary factor that resulted in unscheduled flights needing to operate in the night quota period. Air Traffic Control (ATC) strikes, IT problems or system improvements, and medical emergencies are the next leading causes, but dispensations were also applied for other

minor issues. Government dispensations were negligible, but used to help facilitate official visits of foreign dignitaries, and repatriation operations conducted following the failure of major airlines.

Dispensations were also applied as a result of disruptive passengers delaying flights, flights departing in the night quota period after a medical emergency had been resolved, or security incidents (for example the Gatwick drone incident). These are not specifically provided for in our guidance and Aeronautical Information Publications (AIP), but some could be seen to be sensible reasons that would warrant more explicit inclusion.

There was a trend observed at all 3 airports of dispensations being applied for airspace capacity related delays which did not have an underpinning causation that clearly met the government's dispensation criteria. The government wrote to each designated airport in 2018 to state that airspace capacity related delays, without an underlying cause that is exceptional and falls within a specified circumstance, are not dispensable. In response, airports and airlines have taken steps to reduce the risk of unscheduled capacity related night movements occurring, and therefore reversing this trend.

Dispensations were mostly applied for delayed arrivals between 23:30 and 00:30. However, some had been applied at Heathrow Airport as a pre-emptive measure for flights between 05:30 and 06:00 on poor weather days. Heathrow is the only airport to adopt this practice. Heathrow believe applying pre-emptive dispensations reduces the risk of delays during the airport's early morning busy hours, which could then have knock-on effects throughout the day, and possibly into the night period. The dispensation guidance does not explicitly permit or prohibit this, and there is not currently sufficient evidence to conclude whether the benefits of this approach outweigh its negative effects.

Each airport's most prominent airline (in terms of numbers of operations) received the most dispensations for each respective airport. The low-cost carrier airlines are more susceptible to knock-on delays causing the final flight of the day to land in the night quota period. This is possibly because they will be more likely to encounter delays going through busy ATC sectors multiple times a day, but also because the business models of these airlines have less resilience to recover from delays.

Across a four-year period between 2014 to 2018, there was a marked increase in dispensations noted as being applied at each airport, with the most notable increase being at Stansted Airport. However, there was a significant reduction in dispensations at all airports in 2019. The reduction was in part due to less weather disruption in summer 2019, but also due to the work the airports have undertaken to reduce capacity related delays. The general trend of increased night flight dispensations is likely to be because of airport growth and demand across both domestic and foreign ATC sectors, with less resilience in the system to absorb delays that do occur. In relation to Stansted, an element of this increase could be because historically, the airport did not always apply dispensations to eligible movements because it had sufficient capacity to absorb the flights within its quota allocation.

It was also found that the level of dispensation data easily accessible or publicly available on airports' websites was limited, although in some cases information was available at consultative committees, or sub-committees. Therefore, it was found improvements could be made to make the process more transparent.

Proposals

The government does not have significant concerns relating to how airports have used their powers to grant dispensations. However, it believes the interpretation of the guidance by some designated airports has meant that the granting of some movement dispensations may not strictly meet the criteria. As a result, it is proposed that the government refines the guidance, and future AIP, to provide better clarity.

It is also proposed that the guidance clarifies the process by which an airport's decision to grant a dispensation can be rejected by the ~~SoFS~~, in instances where the dispensation does not meet the criteria.

In relation to transparency, given airport noise and track keeping groups already consider airports' compliance with other noise controls, we propose to:

- make the dispensation process more transparent through greater scrutiny at each airport's noise and track keeping group
- provide guidance to airports on the information we expect them to share with the public, including a proposal that they publish this data on their website
- implement periodically reviews of night flight dispensations, to assess compliance as well as opportunities to further improve the process. This could be commissioned from the Independent Commission on Civil Aviation Noise (~~ICCAN~~) or the Civil Aviation Authority (~~CAA~~)

The full review can be found in annex E, and the government's current dispensation guidance can be found in annex F.

Question

What are your views on the:

- findings of the night flight dispensation review?
- proposals for the night flight dispensation review?

Revising our night flight dispensation guidance

The main areas identified during the review where we believe the guidance could be refined relate to the following:

Weather related delays

The guidance allows for dispensations for disruptions caused by strong winds, snow and ice, and fog resulting in low visibility procedures. The definition of "widespread and prolonged" is broad and it could benefit from greater clarity. In most instances, airport operators have applied dispensations for local adverse weather events, some of which can last for several hours or even days, and which clearly meet the criteria for dispensations. What is not specifically covered in the guidance is whether weather events abroad that have prolonged impact at a foreign airport, or en-route weather disruption, should qualify for dispensations.

Questions

Should disruption due to local weather qualify for dispensations? Provide evidence to support your view.

Should disruption due to en-route weather qualify for dispensations? Provide evidence to support your view.

Should disruption due to foreign airport weather qualify for dispensations? Provide evidence to support your view.

Delays caused by industrial action (referred to as strikes in dispensation guidance)

All the designated airports have applied dispensations for ATC industrial action abroad, which then affect their own operations. These do meet the current criteria for dispensation and the application of such is therefore not an issue of concern. The guidance is silent on delays caused by airport or airline staff industrial action, indicating they do not qualify for dispensations. Whilst we do not condone industrial action as it unfairly penalises consumers, there is evidence to suggest industrial action in the aviation industry can be expected to occur at least on an annual basis. Therefore, there is an argument that this should be taken into consideration by airport operators during operational planning. We therefore seek views and evidence on which forms of industrial action, if any, should qualify for dispensations.

Questions

Should disruption caused by ATC industrial action qualify for dispensations? Provide evidence to support your view.

Should disruption caused by industrial action by airport staff qualify for dispensations? Provide evidence to support your view.

Should disruption caused by industrial action by airline staff qualify for dispensations? Provide evidence to support your view.

Network capacity delays

Each of the designated airports have applied dispensations for capacity related delays that do not have a root causation as detailed in the current guidance document. These delays often resulted from restrictions, imposed by ATC, on particularly busy ATC sectors due to high volumes of traffic, and staffing levels to safely transit aircraft through the sector. We are currently of the view that delays resulting from network capacity issues do not qualify for dispensations.

Question

Should network capacity delays qualify for dispensations? Provide evidence to support your view.

Delays caused by serious criminal or terrorist activity affecting multiple flights

Criminal activity, such as the drone incident that occurred at Gatwick in December 2018, can cause widespread and prolonged disruption. During such incidents, the SofS has granted dispensations. The government is introducing tough rules and restrictions against the unauthorised use of drones and we do not expect drone incursions or other criminal or terrorist activity to become more frequent. However, such incidents may warrant more explicit inclusion. This would allow airport operators to make the decision without reference to central government.

Question

Should delays caused by serious criminal or terrorist activity that affect multiple flights qualify for dispensations? Provide evidence to support your view.

Cumulative delays

Delays caused during the first or subsequent flights of an aircraft during the day for reasons that would meet the dispensation criteria (for example fog), or for multiple delay reasons incurred throughout a day, can often cause knock-on effects that lead to the last flight rotation landing in the Night Quota Period (NQP). By this point, the circumstance that led to the delay may no longer be ongoing. However, airport operators have granted a dispensation for the last movement on the basis of the circumstances that led to the initial delay.

Question

Should cumulative delays qualify for dispensations? Provide evidence to support your view.

Emergencies

The emergencies criterion states “flights involving emergencies where there is an immediate danger to life or health, whether human or animal”.

Clearly, safety is always paramount. Any airborne aircraft that encounters an emergency situation, be it medical, aircraft related, or due to a disruptive passenger, should land as soon as safely possible. That movement should then rightly be granted a dispensation if it lands in the NQP.

However, there is evidence of both medical and disruptive passenger related emergencies on the ground delaying flights, leading them to eventually depart in the NQP after the emergency has passed.

Under the current guidance, medical transport (for example organ donation) repositioning flights are not strictly permitted. However, we are aware that this has caused issues in the past, with aircraft being out-of-position, potentially causing an in-direct risk to health. Given this is a matter of health, we have informed the designated airports that such movements can be dispensed. We believe that any revised guidance should clearly reflect this.

Questions

Should, in your opinion, dispensations be permitted for flights delayed to the NQP due to a medical emergency that has passed? Provide evidence to support your view.

Should, in your opinion, dispensations be permitted for flights delayed to the NQP due to a police emergency (for example a disruptive passenger) that has passed? Provide evidence to support your view.

Should, in your opinion, dispensations be permitted for the repositioning of emergency service (including medical transplant) aircraft? Provide evidence to support your view.

Reducing carbon emissions

Airport operators are not currently allowed to grant dispensations based on reducing fuel emissions. For example, if an aircraft that has a scheduled arrival time after 06:00 arrives in UK airspace earlier than expected, the aircraft is held in a stack until it can land after the NQP. This causes unnecessary fuel-burn and increased carbon emissions. However, allowing these aircraft to land early, would lead to noise for those living underneath the airport's final approach routes earlier than the aircraft's scheduled arrival time.

Question

Should dispensations on the basis of reducing carbon emission be permitted? Provide evidence to support your view.

Pre-emptive dispensations

Heathrow is the only designated airport that allows pre-emptive dispensations to land flights early on poor weather days. Heathrow adopts this practice to reduce the risk of delays during the airport's early morning busy hours, which could then have knock-on effects throughout the day, and possibly into the night period. The dispensation guidance does not explicitly permit this, and there is not currently sufficient evidence to conclude whether the benefits of this approach outweigh its negative effects.

Question

Should pre-emptive dispensations be permitted? Provide evidence to support your view.

Other airport operator granted dispensations

The guidance also provides airport operators with the discretion to apply dispensations for computer failures. Whilst it is not possible for guidance to cover every eventuality, we seek views and evidence on what other issues, if any, should be grounds for airport operators to grant dispensations.

Questions

Should dispensations be granted for information technology failures? Provide evidence to support your view.

If you have further views or evidence on the guidance allowing airport operators to grant dispensations, provide it here?

Government dispensations

The use of government dispensations is very infrequent compared to dispensations granted by airport operators. On the rare occasion the government does grant night flight dispensations, they are usually granted in advance for flights of V.I.P.s travelling on official government business (for example state visits by foreign Heads of State). Support flights, either carrying equipment or specialist personnel for the visits, are not specifically stated in the criteria, but they do play a vital role in facilitating state visits.

Separately, the government has agreed dispensations to ensure the safe departure of those attending major international events (for example major football tournaments), immediately after the event has concluded. The intent of these dispensations has been to reduce the risks associated with passenger congestion at airport terminals.

Question

What are your views on government dispensations overall? Provide evidence to support your view.

The structure of the night flight restrictions at the designated airports beyond 2024

Background

We seek your views and evidence on the potential options for a future regime in the longer-term. The proposals in this section will not be considered as part of the intended October 2022 to October 2024 regime, but will help to provide us with considerations for the night flight regime beyond October 2024.

Background information on the history of night flights and technical information on the government's **QC** system can be found in annex B. Further information on the current situation at the designated airports, including statistical information, can be found in annex C and annex D. Noise contour maps can be found in annex G.

Options for the regime beyond 2024

Length of the regime

Historically, night flight regimes have been for periods of 5 years or shorter. We are aware that some stakeholders have indicated that this does not allow for long-term planning. We therefore seek views and evidence on how long the night-flight regime beyond 2024 should be, including whether there would be benefits of a much longer regime (10+ years). We have not proposed a regime of less than 3 years as consultation and notification requirements would mean that we would need to consult on the subsequent regime soon after the new regime was coming into effect.

We are mindful of the potential interactions between the night flight regime set by government beyond 2024, and any future decisions brought about by relevant external planning processes. For example, any decisions taken during the process of a development application under the Planning Act 2008, or under the Town and Country Planning Act 1990. The impacts of this could be that the restrictions taken forward under the next night flight regime might be replaced by a bespoke regime brought in through the planning process, or that other separate restrictions could run alongside those introduced through this process.

Questions

What length should the night flight regime beyond 2024 be? Provide evidence to support your position.

How do you think the length of regime will affect you? Provide evidence to support your view.

The **QC** system

The **QC** system for the designated airports has been in place since 1993, and the principles of the system are used at other UK airports to restrict night noise. We are of the view that it continues to be the best system for limiting noise at the designated airports. However, we welcome views and evidence on how it works in practice. More information on how the **QC** system works and a **CAA** study on **QC** classifications, can be found in annex B.

Questions

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

What do you think are the:

- advantages of changing to a new system?
- disadvantages of changing to a new system?

Do you have evidence of other noise management regimes being used elsewhere and how they compare with the current system? Provide evidence to support your view.

A new **QC** category

Currently, the lowest **QC** categories are QC0.125 for aircraft with a noise classification of between 81 – 83.9 EPNdB, and QC0, for aircraft with a noise classification of below 80.9 EPNdB. If a new category was introduced for the quietest aircraft, this could mean introducing a QC0.0625 band for aircraft between 78 EPNdB and 80.9 EPNdB, with QC0 becoming aircraft 77.9 EPNdB and below. If this was taken forward, it may interact with the option below on the reintroduction of an exempt category, if also taken forward. Annex H contains a list of aircraft expected to be covered under this new category.

Question

Should we introduce an additional **QC** category for quieter aircraft in the longer-term. Provide evidence to support your view.

Reintroduce an exempt category

As part of the government's 2017 night flights decision, the government removed an exempt category for the quietest aircraft, to provide more transparency, meaning that all aircraft movements were included in an airport's movement limit. However, we are aware that due to their business model, the business general aviation sector has stated that there have been times when they could not obtain, on short notice, sufficient night slots to deliver services which were previously able to operate at night as exempt flights.

An exempt category could be based on a **QC** category for example **QC** 0 (aircraft with a noise certification value of less than 80.9), the size and weight of an aircraft, passenger loading, or variations of these options, or other criterion. Since 2018, when this **QC** 0 band was adjusted for less noisy aircraft, there have been relatively few **QC** 0 movements at Heathrow and Gatwick (0 and 18 respectively) but significantly more at Stansted (306). More information on night flight movements at each airport can be found at annex C. Examples of the noisier **QC** 0 aircraft and the impact of their operations can be found at annex H.

We therefore seek views and evidence on whether the economic benefit of these movements outweigh the adverse health impacts, and whether an exempt category should be reintroduced for the quietest aircraft. See the section on ring-fencing which addresses this issue.

Question

Should the government reintroduce an exempt category? Provide evidence to support your position.

Re-baseline the noise quota system

In recent years, there have been progressive introductions of new **QC** categories to account for new quieter aircraft that were not in operation when the system was introduced in 1993. This has resulted in the system whereby **QC** values have needed to be decimalised (for example needing to use QC0.125 due to new aircraft being brought into service that are quieter than those aircraft that were classified at QC1), this has made the system appear more complicated. Further, the higher **QC** categories of QC8 and QC16 only apply to aircraft that are no longer in regular service.

Whilst we believe the methodology behind the **QC** system is sound, we are open to re-baselining the noise quota system, with the aim of increasing the system's accessibility. This could involve ensuring that we do not have a classification less than 1 in the new system. For example, we move the current noisiest aircraft into the categories (QC8 and QC16) as aircraft currently in these bands are categories, whilst current QC0.125, QC0.25, QC0.5, would then be moved to QC1 to QC4. We could also future proof the system by creating **QC** categories for aircraft that do not yet exist.

Questions

Do you think we should re-baseline the night quota system in the longer-term? Provide evidence to support your view.

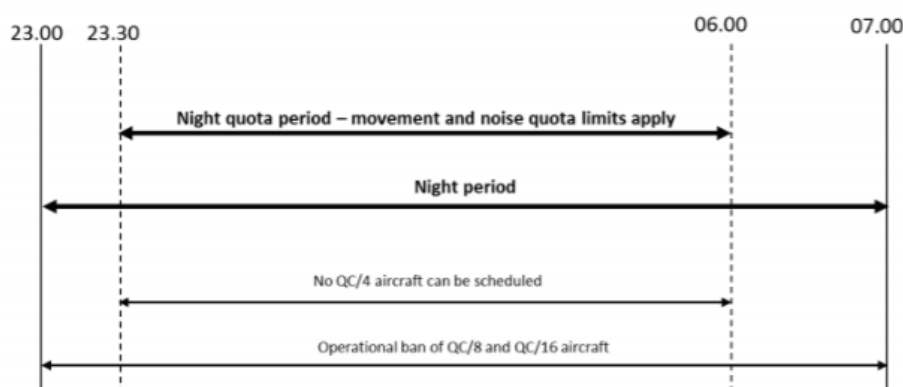
What factors should we consider when anticipating how to best future proof a re-baselined **QC** system?

What costs, if any, would you anticipate in re-baselining the **QC** system?

Night Quota Period

Currently, the government's movement and **QC** limits cover the period 23:30 to 06:00, with this being referred to as the Night Quota Period (**NQP**). However, as the night period is 23:00 to 07:00, we are open to broadening **NQP** to cover this period. Movement and **QC** type limits would need to reflect movements that already exist in the shoulder periods (23:00 to 23:30, 06:00 to 07:00). A mechanism may also need to be developed if evidence shows certain periods of the night are more sensitive for communities than others.

Diagram illustrating the night period and the Night Quota Period and restrictions that apply during each period



Questions

Would you be impacted if the **NQP** was extended to 23:00 to 07:00? Provide evidence to support your position.

Do you think night flights in certain hours of the **NQP** have a greater impact on local communities than other times of the **NQP**? Provide evidence to support your view.

Would a mechanism that disincentivises aircraft movements in periods of the night that are more sensitive for communities impact you? Provide evidence to support your view.

Banning the noisiest aircraft

Currently, the government imposes a strict operational ban on the loudest aircraft movements (QC8 and QC16 rated) between 23:00 and 07:00, although these aircraft are no longer in regular service.

As part of our proposals for 2022 to 2024, we are proposing to place an operational ban on QC4 rated aircraft movements between 23:30 and 06:00 (see above section). We are open to extending this proposed operational ban, if taken forward, to 23:00 and 07:00 beyond 2024. An operational ban means these aircraft movements would not be able to land or take off from a designated airport, even if delayed (unless dispensation criteria were met).

There are relatively few QC2 rated aircraft currently operating at night at the designated airports. We are therefore also interested in exploring whether there is potential to introduce a scheduling ban on QC2 rated aircraft movements between 23:30 and 06:00 and eventually 23:00 to 07:00 during the period covered by the regime after 2024. A scheduling ban would still allow these aircraft to take off or land from a designated airport if delayed. Statistics on flights during the **NQP** can be found in annex D. We would be interested to understand the impact of the COVID-19 pandemic on airlines' fleet replacement plans beyond 2024 and the future role of QC2 rated aircraft in airlines' operations.

Questions

What would be the impact on you if QC4 rated aircraft movements were banned between 23:00 and 07:00 after October 2024?

What would be the impact on you if a scheduling ban was placed on QC2 rated aircraft movements between 23:30 and 06:00 after October 2024?

What would be the impact on you if a scheduling ban was placed on QC2 rated aircraft movements between 23:00 and 07:00 after October 2024?

If bans are introduced, in your opinion, should the implementation be staged? Provide evidence to support your position.

Future movement and noise quotas

In previous changes to the night flights regime, the government has aimed to maintain movement allowances but reduce the **QC** limit. This has ensured that the designated airports have been able to maintain the economic benefits whilst reducing noise impacts for communities.

Future regimes could include an increase or decrease in an airport's movement limit and **QC** limit or alternatively maintain the existing limits.

Questions

In a future regime how should we manage the number of aircraft movements (detailing the airport or airports relevant to your view)?

In a future regime, how should we manage an airports' noise allowances (detailing the airport or airports relevant to your view)?

Managing night noise through **QC** limits only

Subject to changing relevant primary legislation, it would be possible in future to have a regime based on **QC** limits only, without any movement limits. This could be used to incentivise the use of quieter aircraft. We are seeking views on this approach.

Questions

Should we remove the movement limit and manage night flights through a **QC** limit only? Provide evidence to support your view.

Ring-fencing

Currently, each designated airport's movement and **QC** limits are split by each airport's scheduling committee into separate pools (scheduled services, ad-hoc movements, and contingency). These pools are weighted towards scheduled services and this may not provide sufficient night slot availability for ad-hoc services, or for the purposes of airport resilience.

We are aware that the way decisions have been implemented have caused concerns for some airport users. For example, business general aviation and freight operators have found that there are limited or no night slots available to deliver their ad-hoc flight requirements, especially when the requirement is at short-notice.

We do not yet have sufficient evidence of the extent of this problem, or whether a more formalised ring-fencing mechanism that ensured each sector is provided with a fair share of slots is a proportionate response. Ring-fencing, if introduced, could include guidance to airports and/or the scheduling committees, or a legal mechanism that is supported by the government's night flight regime. Ring-fencing an allocation for quietest aircraft (QC0) could be an alternative to reintroducing an exempt category.

Questions

Should we introduce a ring-fencing mechanism to ensure night slots are available for:

- commercial passengers
- dedicated freight
- business general aviation

Provide evidence to support your view.

Unused allocation during seasons

Each designated airport's movement and **QC** limits are split into separate quota pools by the respective airports' scheduling committees. Within the scheduled service pool, each airline that has a service during the **NQP** is allocated a proportion of the pool, and they report to the airport when they use any allocated movements and **QC**. This means that if an airline has a service that was scheduled to depart in the **NQP** but departs in the day, it can "bank" the movement and **QC** for use later in the season.

Questions

Should an airline be able to use unused allowances later in the season? If the government decided that unused allowances should be returned to the airport's pool, what would be the impacts on:

- communities
- airports
- airport users
- airlines
- business in and around airports

Carry-over of limits between seasons

The night flight regime allows airport operators to carry over limits between seasons and borrow from future seasons. An important aspect of this is to allow airport operators to manage their movements during the peak Easter period, which can fall in either season. Often, this results in airports using the process to effectively increase either their summer or winter limit on a regular basis, and this therefore calls into question whether the current process remains appropriate and proportional.

A different approach could involve decreasing the carry-over limit or introducing an annual allowance, or removing the carry-over process.

Questions

Do you agree or disagree that the current carry-over process benefits you? Provide evidence to support your view.

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

Our national night flight policy

Background

Our approach to managing aircraft noise is based on the principles of International Civil Aviation Organisation's (ICAO) Balanced Approach to aircraft noise management (<https://www.icao.int/environmental-protection/Pages/noise.aspx>). The Balanced Approach ensures that decisions in relation to an airport's operations take into account both health and economic factors. It also means that where there is a noise problem at an airport, it should be addressed in accordance with the Balanced Approach and be managed in a cost-efficient manner. Operating restrictions should only be introduced at airports if there are no other ways of achieving the desired benefits. The Balanced Approach and its principles are enshrined in UK law. Further background can be found in annex A.

The government's 'Aviation policy framework' (<https://www.gov.uk/government/publications/aviation-policy-framework>) recognises that the costs on local communities are higher from aircraft noise during the night, particularly the health costs associated with sleep disturbance. However, we also 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.

In recognising these higher costs upon local communities, we expect the aviation industry to make extra efforts to reduce and mitigate noise from night flights. For example, we encourage the use of best-in-class aircraft and best practice operating procedures. We also expect the industry to seek

ways to provide respite wherever possible and to minimise the demand for night flights where alternatives are available. We also commend voluntary approaches, such as at Heathrow, which ensures that early morning arrivals do not land before 4:30am.

Health impacts and economic value of night flights

The government recognises that noise from aircraft at night is often regarded by communities as the most disturbing form of airport operations and that there is evidence of adverse health impacts from these operations. Therefore, governments have historically sought to balance these adverse health implications against the economic benefit such flights bring to the UK economy. There is more information on the government's approach to night flights in annex A.

Questions

How fair a balance between health and economic objectives do you think our current night flight approach is? Provide evidence to support your view.

What are your views on the health impacts of aviation noise at night (including potential impacts on different groups in society)? Provide evidence to support your view.

What are your views on the economic value of night flights (including the potential value on different businesses and aviation sectors)? Provide evidence to support your view

What are your views on changes to aircraft noise at night as result of the COVID-19 pandemic? Provide evidence to support your view

Future technology

We are keen to explore how future technology will benefit communities, consumers and the industry. In recent decades, there have been significant advances in airframe and engine technology that have helped reduce noise at source. Studies have shown that new generation aircraft such as the Airbus A350 and Boeing 787 are significantly quieter than the aircraft they are replacing^[footnote 5]. Historically, these advances in technology have benefited both noise and carbon reduction aims. However, it is unclear what the future technological advances will be, and whether there will continue to be reductions in both forms of environmental emission.

Question

In your opinion, what are the advantages or disadvantages that the emergence of new technology will have in relation to night noise from aircraft within the next 10 years? Provide evidence to support your view.

Proposal to include a night noise reference in our noise objective

The government's current policy statement, as set out in the 'Aviation policy framework (<https://www.gov.uk/government/publications/aviation-policy-framework>)', is:

The Government's overall policy on aviation noise is to limit and, where possible, reduce the number of people in the UK significantly affected by aircraft noise, as part of a policy of sharing benefits of noise reduction with industry.

In 2018, the government consulted on revising its aviation noise objective, but we have yet to publish a revised objective.

Night noise is a significant element of aviation noise and we welcome views and evidence on whether there should be specific reference to the balance between the impacts of night noise and the economic benefits of both passenger and freight operations. It would be published when we publish our revised noise objective and it would apply across all four nations of the United Kingdom.

Subject to views and evidence in response to this section, the following additional statement could be included in our noise objective:

There should be a balance between the local and national economic and consumer benefits of night flights, both in terms of passenger and freight operations, against their social and health implications, in line with ICAO's Balanced Approach.

The intent of including a night noise reference to the government's objective would be to provide a framework that could be applied alongside the Balanced Approach, when competent authorities set individual noise abatement objectives at airports. The aim of this statement would be to ensure that both local and national factors are considered when a noise abatement objective is set at an airport. For example, we would expect a local planning authority, when setting a noise abatement objective whilst assessing a Town and Country Planning Act 1990

(<https://www.legislation.gov.uk/ukpga/1990/8/contents>) application or equivalent in Scotland

(<https://www.legislation.gov.uk/ukpga/1997/8/contents>) or Northern Ireland

(<https://www.legislation.gov.uk/nia/2011/25/contents>), to consider this objective and ensure that both national and local factors are considered when making its decision. More information on the Balanced Approach, including the legal framework for its implementation in UK law, can be found in annex A.

Questions

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

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

Airport designation

Heathrow, Gatwick, and Stansted airports have been designated for the purpose of avoiding, limiting or mitigating the effect of noise from aircraft since 1971^[footnote 6]. The ~~SofS~~ powers to designate airports in England and Wales and to set noise controls, which include the current night flight restrictions, are contained within the Civil Aviation Act 1982. These powers are devolved in Scotland and Northern Ireland.

We recognise that currently there are no criteria for deciding whether an airport should be designated in England and Wales. There could be a number of factors that could be used when assessing the need for government involvement by way of designation. These could include population affected, number of night flights, or the strategic importance of any airports.

We are not proposing to designate or de-designate any airports as part of this two-stage consultation process. However, it is open to considering criteria for designation, that could in future be used as the framework for the designation of an airport in England and Wales. If criteria are developed, we would assess airports that are currently designated against those criteria. If an airport that is currently designated does not meet the criteria, this could result in their eventual de-designation.

Questions

Should the government set criteria for airport designation?

What do you think are the:

- advantages to the government setting criteria for airport designation?
- disadvantages to the government setting criteria for airport designation?

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

How should any criteria for designation be agreed?

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

- communities
- airports
- airport users
- airlines
- business in and around airports

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

- communities
- airports
- airport users
- airlines
- business in and around airports

Full list of questions

Questions 1 to 5 ask for personal details, organisation details, region of the UK and local airport.

6/ Do you agree with our October 2022 to 2024 night noise objective for the designated airports?

7/ Do you agree with how our October 2022 to 2024 draft noise objective for the designated airports will be measured?

8/ Do you agree that we should maintain the existing restrictions for two years from October 2022 to October 2024?

9/ What would be the impacts to you should the government maintain the existing restrictions for two years, from October 2022 to October 2024 (provide evidence to support your view)?

10/ What would be the impacts to you should the government allow the night flight restriction in place at the designated airports to lapse (provide evidence to support your view)?

11/ Do you agree we should ban QC4 rated aircraft movements from operating at the designated airports between 23:30 and 06:00 from October 2022?

12/. Provide evidence to support your view.

13/ What are your views on the:

- findings of the night flight dispensation review?
- proposals for the night flight dispensation review?

- 14/ Should disruption due to local weather qualify for dispensations?
- 15/ Should disruption due to en-route weather qualify for dispensations?
- 16/ Should disruption due to foreign airport weather qualify for dispensations?
- 17/ Should disruption caused by ~~ATC~~ industrial action qualify for dispensations?
- 18/ Should disruption caused by industrial action by airport staff qualify for dispensations?
- 19/ Should disruption caused by industrial action by airline staff qualify for dispensations?
- 20/ Should network capacity delays qualify for dispensations?
- 21/ Should delays caused by serious criminal or terrorist activity that affect multiple flights qualify for dispensations?
- 22/ Should cumulative delays qualify for dispensations?
- 23/ Should dispensations be permitted for flights delayed to the ~~NQP~~ due to a medical emergency that has passed?
- 24/ Should dispensations be permitted for flights delayed to the ~~NQP~~ due to a police emergency (for example a disruptive passenger) that has passed?
- 25/ Should dispensations be permitted for the repositioning of emergency service (including medical transplant) aircraft?
- 26/ Should dispensations on the basis of reducing carbon emissions be permitted?
- 27/ Should pre-emptive dispensations be permitted?
- 28/ Should dispensations be granted for information technology failures?
- 29/ Supply any further views or evidence on the guidance allowing airport operators to grant dispensations you may have?
- 30/ What are your views on government dispensations overall (provide evidence to support your view)?
- 31/ What length should the night flight regime beyond 2024 be?
- 32/ How do you think the length of regime will affect you (provide evidence to support your view)?
- 33/ Do you think that ~~QCC~~ is the best system for limiting noise at the designated airports?
- 34/ What do you think are the:
- advantages of changing to a new system?
 - disadvantages of changing to a new system?
- 35/ Do you have evidence of other noise management regimes being used elsewhere and how they compare with the current system?
- 36/ Should we introduce an additional ~~QCC~~ category for quieter aircraft in the longer-term?
- 37/ Should the government reintroduce an exempt category?

38/ Please provide evidence to support your position.

39/ Do you think we should re-baseline the night quota system in the longer-term?

40/ What factors should we consider when anticipating how to best future proof a re-baselined QC system?

41/ What costs, if any, would you anticipate in re-baselining the QC system?

42/ Would you be impacted if the NQP was extended to 23:00 to 07:00?

43/ Provide evidence to support your view.

44/ Do you think night flights in certain hours of the NQP have a greater impact on local communities than other times of the NQP?

45/ Provide evidence to support your view.

46/ Would a mechanism that disincentivises aircraft movements in periods of the night that are more sensitive for communities impact you (provide evidence to support your view)?

47/ Provide evidence to support your position

48/ What would be the impact on you if QC4 rated aircraft movements were banned between 23:00 and 07:00 after October 2024?

49/ What would be the impact on you if a scheduling ban was placed on QC2 rated aircraft movements between 23:30 and 06:00 after October 2024?

50/ What would be the impact on you or your business if a scheduling ban was placed on QC2 rated aircraft movements between 23:00 and 07:00 after October 2024

51/ If bans are introduced should the implementation be staged?

52/ Please provide evidence to support your position.

53/ In a future regime how should we manage the number of aircraft movements (detailing the airport or airports relevant to your view)?

54/ In a future regime how should we manage an airports' noise allowances (detailing the airport or airports relevant to your view)?

55/ Should we remove the movement limit and manage night flights through a QC limit only?

56/ Provide evidence to support your view.

57/ Should we introduce a ring-fencing mechanism to ensure night slots are available for:

58/ Provide evidence to support your view.

59/ Should an airline be able to use unused allowances later in the season?

60/ If the government decided that unused allowances should be returned to the airport's pool, what would be the impacts on:

- communities?
- airports?

- airport users?
- airlines?
- business in and around airports?

61/ Do you agree or disagree that the current carry-over process benefits you?

62/ Provide evidence to support your view.

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

64/ How fair a balance between health and economic objectives do you think our current night flight approach is?

65/ What are your views on the health impacts of aviation noise at night, including potential impacts on different groups in society (provide evidence to support your view)?

66/ What are your views on the economic value of night flights, including the potential value on different businesses and aviation sectors (provide evidence to support your view)?

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

68/ In your opinion what are the advantages or disadvantages that the emergence of new technology will have in relation to night noise from aircraft within the next 10 years (provide evidence to support your view)?

69/ Should we include a reference to night noise when we publish a revised aviation noise objective?

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

71/ Should the government set criteria for airport designation?

72/ What do you think are the:

- advantages to the government setting criteria for airport designation?
- disadvantages to the government setting criteria for airport designation?

73/ What factors, if any, do you think we should consider when setting criteria for designation?

74/ How should any criteria for designation be agreed?

75/ What impact, if any, do you think the designation of an airport have on:

- communities?
- airports?
- airport users?
- airlines?
- business in and around airports?

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

- communities?

- airports?
- airport users?
- airlines?
- business in and around airports?

77/ Any other comments?

Annex A: the Balanced Approach

We recognise the International Civil Aviation Organisation (ICAO) Assembly's "Balanced Approach" to aircraft noise management (<https://www.icao.int/environmental-protection/Pages/noise.aspx>). The Balanced Approach consists of identifying noise problems that exist at an airport and then assessing the cost-effectiveness of the various measures available to reduce noise through the exploration of four principal elements, which are:

- reduction of noise at source (quieter aircraft)
- land-use planning and management
- noise abatement operational procedures (optimising how aircraft are flown and the routes they follow to limit the noise impacts)
- operating restrictions (including night flight restrictions brought about via this process)

The Balanced Approach was initially adopted in UK law through the Aerodromes (Noise Restrictions) (Rules and Procedures) Regulations 2003 (the 2003 Regulations) (<http://www.legislation.gov.uk/ukxi/2003/1742/made>), which implemented EU Directive 2002/30/EC (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32002L0030>). On 13 June 2016, Directive 2002/30/EC was replaced by Regulation (EU) No 598/2014 (the EU Regulation) (<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014R0598>).

The UK fully supports the Balanced Approach and the underlying principles of the EU Regulation and it is to be part of retained EU law, with modifications as made by the Aviation Noise (Amendment) (EU Exit) Regulations 2019 (<http://www.legislation.gov.uk/ukxi/2019/643/contents/made>).

The UK government has appointed "competent authorities" for England and Wales through the Airports (Noise-related Operating Restrictions) (England and Wales) Regulations 2018 (the England and Wales Regulations) (<http://www.legislation.gov.uk/ukxi/2018/785/made?view=plain>)^[footnote 7]. The role of a competent authority is to ensure the correct process is followed when operating restrictions are considered or introduced at a major airport. On the England and Wales Regulations coming into force, the 2003 regulations were revoked for England and Wales.

In England and Wales, there are 2 separate and alternative legal frameworks that govern planning, namely the Town and Country Planning Act 1990 (<http://www.legislation.gov.uk/ukpga/1990/8/contents>) (TCPA), and the Planning Act 2008 (<http://www.legislation.gov.uk/ukpga/2008/29/contents>) (PA). The PA is the framework for Nationally Significant Infrastructure Projects, applicable to schemes above a certain threshold.

Whilst local planning authorities in Wales would need to consider any national noise objective, they must also operate within the framework of Planning Policy Wales and the Well-being of Future Generations (Wales) Act. The government recognises that there may need to be a balance between reserved controls on airport operations and devolved decision-making on land use in the surrounding area.

The government has published 'Planning for the future' (<https://www.gov.uk/government/consultations/planning-for-the-future>), a package of significant changes to both the focus and processes of planning. The proposals look to secure better outcomes in terms of land for homes, beauty and environmental quality, as well as processes which give greater certainty and speed for communities, councils and developers. It is important that we analyse and scrutinise the consultation feedback thoroughly. We will then respond formally once this has been undertaken, outlining the findings of the consultation and setting out next steps for the future of the planning system in England.

The England and Wales regulations provides for the SofS to be the competent authority on a primary basis. However, there are exceptions that provide for the local planning authority to be the competent authority. These are for:

- any operating restrictions proposed to be imposed, or that are imposed by the local planning authority, under the TCPA
- the monitoring of any operating restrictions imposed by the SofS when making a determination under the PA, unless the SofS issues a notice providing that the SofS will be the competent authority

Whilst no Welsh airports currently meet the criteria, should they do so in the future, it would be Welsh ministers who would be the competent authority in relation to planning applications called in by them, or when determining appeals made to them under the TCPA.

The SofS would be the competent authority for operating restrictions considered in the context of nationally significant infrastructure projects, as well as in the context of any planning applications under the TCPA that are "called-in" for decision by the SofS, and planning appeals under the TCPA. The Secretary of State for Housing, Communities, and local government would be responsible for the broader aspects of the call-in considerations.

The SofS would also be the competent authority for any restrictions brought outside the planning process, for instance, those proposed voluntarily by an airport as part of their noise action plan, or those brought about under section 78 of the Civil Aviation Act 1982. The SofS would, therefore, be the competent authority for any restrictions brought about through this consultation process.

The SofS would also be the competent authority for operating restrictions considered or introduced during the course of an application to grant a development consent order under the Planning Act 2008.

The UK's current application of the Balanced Approach

Our approach to managing aircraft noise is based on the principles of ICAO's Balanced Approach. Where there is a noise problem at an airport, UK law requires it to be addressed in accordance with the Balanced Approach and to be managed in a cost-efficient manner. The measures identified under the Balanced Approach for addressing noise are set out below, together with some of the measures the government has undertaken, or is currently undertaking, to support the Balanced Approach. Under the Balanced Approach operating restrictions should only be introduced at airports if there are no other ways of achieving the desired benefits.

Reduction of noise at source

Reduction of noise at source is the first pillar of the Balanced Approach and this is usually achieved through advances in aircraft engine and airframe technology. Advances in aircraft technology have already allowed for great improvements in the environmental performance of aircraft and this has had

a substantial effect on the noise experienced on the ground. Studies have shown that new generation aircraft such as the Airbus A350 and Boeing 787 are significantly quieter than the aircraft they are replacing^[footnote 8].

The UK was instrumental in securing an agreement on a tougher international noise standard in the ICAO Committee on Aviation Environmental Protection (CAEP). This standard required new types of large civil aircraft, from 2017 onwards, to be at least 7 decibels quieter than the previous standard. Standards for smaller aircraft will be similarly reduced in 2020 and the UK continues to work with international partners to further drive improvements in aircraft noise performance.

We know that at an airport level, measures can be taken to further incentivise the use of these quieter aircraft. For example, the government knows that some airports have differential charges during the night period based on an aircraft noise performance. In some instances, these charges are levied on just arriving aircraft, but at other airports, these differential charges have been split with separate operating charges for landings and departures. Whilst it is unlikely that landing charges for the night based on an aircraft's noise performance will act as the decisive factor upon which airlines base their fleet replacement decisions, they might encourage airlines to shift towards a quieter fleet, or to disincentivise the use of the noisiest aircraft during the night period.

Land-use planning and management

Land-use planning is an important mechanism in influencing the populations affected by aircraft noise and in the assessment (and appropriate mitigation) of environmental impacts resulting from aviation activity.

Planning decisions for development in noise sensitive areas near to airports are the responsibility of the local planning authority. Planning decisions should be made in accordance with the development plan, unless material considerations indicate otherwise.

The National Planning Policy Framework (<https://www.gov.uk/government/publications/national-planning-policy-framework--2>) ('the framework') must be taken into account in preparing the development plan and is a material consideration in planning decisions. 'The framework' states that planning policies and decisions should ensure that any new development is appropriate for its location. The "agent of change principle" codifies the principle that where a new land use has the potential to interfere with the operation of an existing use, the applicant proposing new development (the agent of change) is responsible for mitigating any potential impact.

Planning practice guidance (<https://www.gov.uk/guidance/noise--2>) provides further guidance on the application of the agent of change principle. The guidance confirms that the principle may apply to new developments located near existing airports, or in areas where aviation activity could subject residents or occupiers to significant noise impacts^[footnote 9].

Currently approved document E (<https://www.gov.uk/government/publications/resistance-to-sound-approved-document-e>), the building regulation in England for the resistance to the passage of sound and sound insulation, details no specific guidance relating to the construction of buildings in noise sensitive locations. However, the main elements to effective noise control in these locations are:

1. appraisal of noise affecting the site.
2. planning to control external noise.
3. planning to control internal noise.
4. selection of appropriate forms of construction to control external and internal noise.
5. detailing for noise control.

The Local Planning Authority (LPA) should be satisfied (by the building control body) that any proposal for new housing has followed a good acoustic design process. The LPA should also require applicants to demonstrate in an acoustic design statement how the acoustic design process was conducted and how the proposed design evolved. Where a number of different designs were considered, applicants would be expected to set out the reasons why the favoured design has been selected. For example, where the scheme relies on windows being closed to achieve good internal noise conditions, the acoustic design statement should include or refer to an explanatory statement detailing why this approach has arisen. It should also include information on how the use of layout, orientation, spatial design and non-building envelope mitigation has been used to minimise the need for reliance upon closed windows.

Alongside this, the aviation strategy green paper (https://www.gov.uk/government/consultations/aviation-2050-the-future-of-uk-aviation#attachment_3751982) published in 2018 proposed new measures for people moving near airports. This includes developing tailored guidance for housebuilding in noise sensitive areas near airports and improving flight path information for prospective home buyers so that they can make better informed decisions. Final decisions will be taken on these proposals in due course.

Another important element of land-use and planning is noise mitigation schemes offered by airports. Heathrow, Gatwick and Stansted airports all offer noise insulation schemes for households that live in the immediate vicinity of the airport, and these schemes help reduce the noise impact of aircraft for those inside a noise insulated property. The government is supportive of such schemes and the aviation strategy green paper proposed to extend the noise insulation policy threshold beyond the current 63dB LAeq 16 contour to 60dB LAeq 16hr, ensuring more communities benefit from such schemes. The Independent Commission on Civil Aviation Noise (ICCAN) will also produce best practice on noise insulation schemes.

Noise abatement procedures

Noise abatement procedures (NAPs) enable the reduction of noise during aircraft operations to be achieved at comparatively low cost. There are several methods, including preferential runways and routes, as well as noise abatement procedures for take-off, approach and landing. The appropriateness of any of these measures depends on the physical lay-out of the airport and its surroundings, but in all cases the procedures must give priority to safety considerations.

The government only sets NAPs at the designated airports, in order to reduce the noise impacts on those overflow communities. These comprise of noise preferential routes for departures and arrival joining procedures which provide a minimum height and distance at which aircraft should join the respective airports' instrument landing systems.

In the response to the consultation "UK airspace policy: a framework for balanced decisions on the design and use of airspace" (https://www.gov.uk/government/publications/uk-airspace-policy-a-framework-for-the-design-and-use-of-airspace#attachment_4545886), the government decided that whilst we would retain ownership of these controls, we would allow airport operators to sponsor changes to these procedures, providing they have the support of local communities. As such, these procedures are not being reviewed as part of this consultation.

Beyond the designated airports, NAPs, that are not limited to the aforementioned procedural types, are used by airports voluntarily, or set as planning conditions during town and country planning act applications.

Operating restrictions

Under the Balanced Approach, operating restrictions should only be introduced at airports if there are no other ways of achieving the desired benefits. An operating restriction is defined by ICAO as “any noise-related action that limits or reduces an aircraft’s access to an airport.” Examples of operating restrictions include restrictions on the number of flights allowed during certain periods, such as during the night-time, passenger or air traffic movement caps, or restrictions that are placed on noisier types of aircraft.

Various types of operating restrictions are in place at many of the UK’s major airports. In some instances, they are agreed between the airport operators and their local communities, but more often, they are agreed between airports and their local planning authorities during a planning application, or by the [SofS](#) for the designated airports.

Annex B: history of night flight operating restrictions at the designated airports and the [QCs](#) system

History of night flight restrictions

The [SofS](#) has powers, under section 78 and 80 of the Civil Aviation Act 1982, to designate airports and set restrictions for the purpose of avoiding, limiting or mitigating the effect of noise from aircraft. Heathrow, Gatwick, and Stansted airports have been designated for this purpose since 1971^[footnote 10]. Section 80 and section 78 powers are devolved to the Scottish Government in relation to aerodromes in Scotland and “aerodromes” are a devolved matter in relation to Northern Ireland^[footnote 11].

Night flight restrictions have existed at Heathrow since 1962, Gatwick since 1971, and Stansted since 1978. The current system, often referred to as the Quota Count ([QCs](#)) system, was established in 1993. The system places limits on both movements, and the amount of noise energy that can be emitted at each airport. Further restrictions have been placed on the operation of the noisiest aircraft. This system has been renewed and updated on a number of occasions since 1993, and most recently in 2017.

Structure of the government’s night flight regime

The structure of the current night flight regime at the designated airports includes an operational ban on the noisiest aircraft between 23:00 and 07:00, which is known as the night period. There are also restrictions on movements and noise energy at each airport between 23:30 and 06:00, which is known as the night quota period.

Movement and noise quota limits

The movement limit refers to the maximum number of aircraft that can take off or land during the night quota period. The [QCs](#) limit relates to the maximum amount of noise energy that can be produced. If an airport uses all its quota count, then even if it has additional movements available, no further movements can take place, and vice versa.

The movement and night quota limits are seasonal and aligned with the International Air Transport Association ([IATA](#)) summer and winter scheduling seasons. These in turn are based upon the use of UK daylight savings time. The summer season begins on the last Sunday in March and ends on the last Sunday in October.

Airports operators are given flexibility to manage their allowance. This means they can carry-over unused movements or quota from one season to another, or can over-run in one season which leads to a deduction in the following season. The rules for carrying-over or over-running are:

- if required, a shortfall in use of the movements limits and/or noise quota in one season of up to 10% may be carried over to the next season
- conversely, up to 10% of an overrun in movements and/or noise quota usage in one season (not being covered by carry-over from the previous season) will be deducted from the corresponding allocation in the following season
- an overrun of more than 10% will result in a deduction of 10% plus twice the amount of the excess over 10% from the corresponding allocation in the following season
- the absolute maximum overrun is 20% of the original limit in each case

Airports operators are also allowed dispensations for certain flights in the night quota period for specific reasons. There are two types of dispensations. First are those granted by the government for various reasons, such as VIP or humanitarian flights. The second type of dispensation refers to those that may be granted by airport operators in the event of emergencies, widespread and prolonged air traffic disruption, and delays as a result of disruption leading to serious hardship and congestion at an airfield or terminal.

The quota count system and restrictions on the noisiest aircraft

While the movement limits for each airport limit the total number of aircraft that can take off or land during the night, the **Q** limit incentivises the use of quieter aircraft to maximise the number of movements that can take place. The **Q** system, therefore, gives a choice to airport operators and their scheduling committees between more quieter movements, or fewer noisier movements.

Aircraft are classified separately according to the **Q** classification system which was specially designed for the night restrictions at Heathrow, Gatwick and Stansted and introduced in 1993.

The **Q** classification system is based on official noise certification data derived from measurements made on actual aircraft and conducted in accordance with the conditions and standards of the ICAO certification process, with adjustments to take account of differences in noise measurement points. Using the agreed ICAO standards and conditions for measuring aircraft noise is a requirement under Article 7(1) of the EU Regulation, which states that 'Decisions on noise-related operating restrictions shall be based on the noise performance of the aircraft as determined by the certification procedure conducted in accordance with Volume I of Annex 16 to the Chicago Convention, sixth edition (March 2011).

Aircraft are classified on the basis of their noise data (adjusted as appropriate) into nine **Q** categories. The categories are as follows:

Noise Classification (EPNdB12)	Quota count
More than 101.9	16
99 to 101.9	8
96 to 98.9	4
93 to 95.9	2
90 to 92.9	1
87 to 89.9	0.5

Noise Classification (EPNdB12)	Quota count
84 to 86.9	0.25
81 to 83.9	0.125
Less than 80.9	0

Under the **QC** system, each aircraft type, including different versions of the same model, is assigned a **QC** according to its noise performance, separately for arrival and departure. For example, a business jet, such as a Cessna Citation II, is QC0 on arrival. A modern commercial passenger jet, such as an Airbus A320neo, is QC0.125 on arrival, and an older larger passenger jet, such as a Boeing 747-400, is QC2 on arrival. In all instances, these aircraft would have different **QC** values on departure when an aircraft's noise emission is ordinarily greater. The individual classification of each type of aircraft is set out in part 2 of the schedule to the notice which is published each season in a supplement to the UK Aeronautical Information Publication (AIP), that gives effect to the night restrictions.

The **QC** system allows each night flight to be individually counted against an overall noise quota for an airport according to the **QC** rating (for example the noisiness) of the aircraft used. The noisier the aircraft used, the higher its **QC** rating and the fewer movements that can be operated within any given quota, thereby providing an incentive for airlines to use less noisy aircraft. Airlines can decide which aircraft to use according to their operational needs. However, airports can incentivise airlines to use quieter aircraft by varying airport charges. By airlines using quieter aircraft, the airport is able to accommodate more movements.

The **CAA** has undertaken a study (CAP1896 (<https://publicapps.caa.co.uk/modalapplication.aspx?appid=11&mode=detail&id=9382>)) to validate the **QC** classifications for a wide range of aircraft types that are derived from the ICAO noise certification process, against noise measurements obtained at Heathrow Airport. The study found that whilst some aircraft were louder than their certified levels, others were quieter. The government believes that whilst there is some inconsistency between ICAO noise certification levels and the **CAA**'s findings, the **QC** classification system remains the best model to restrict aircraft movements at night.

The current regime at the designated airports

The current night noise regime at the designated airports was announced in July 2017. The regime covers the period from October 2017 to October 2022. The aim of the regime was to maintain the status quo and ensure that communities do not experience any overall increase in the noise created by night flights.

When introducing the current regime, the government maintained the movement limits for both Heathrow and Gatwick, but increased the movement limit at Stansted. The rationale for this was that under the new regime, all aircraft movements counted towards an airport's movement limit (previously, aircraft quieter than 84 EPNdB were exempt), and Stansted had the largest proportion of movements that were historically exempt from the regime.

This change has provided increased transparency around the number of flights operating during the night period.

From October 2018, there was a reduction in each airport's **QC** limit, with the aim of incentivising airlines to purchase quieter aircraft to ensure that they can make use of the permitted number of movements. A new **QC** (QC0.125) category was also created for aircraft that operated between 81

EPNdB and 83.9 EPNdB (for example Airbus A320neos), ensuring all aircraft count towards an airport's quota and providing further transparency to communities.

Current noise objectives for the designated airports

The government's current noise objective applies to all three designated airports and it was set in our 2017 night flight decision document (https://www.gov.uk/government/consultations/night-flight-restrictions-at-gatwick-heathrow-and-stansted#attachment_2183748). In setting the objective, the government recognised that night flight activity offers significant benefits to the UK. These include the benefits to consumers and the economy through both increased competition and choice for customers - business and leisure. This helps preserve the UK's connectivity to a wide range of locations and its status as a great place to do business. It recognised that there are also the wider economic benefits that flow from night flights, for instance those brought about by the freight sector and next day delivery services.

The importance of night flights to the business models of Gatwick and Stansted airports was recognised, as were the capacity constraints within the south east. It was noted that placing additional constraints on night flights would reduce the ability of low-cost carriers to operate the minimum number of rotations per day to make their services viable. This could then have an impact upon competition and consumer choice.

It was considered that there are no realistic alternatives to night flights that would allow the UK to continue to reap the existing benefits it derives from having a world-leading aviation sector. We therefore considered that the focus should be on limiting and, where possible, reducing the harmful impacts of night noise rather than solely encouraging the use of quieter aircraft.

The objective decided upon was to "Limit or reduce the number of people significantly affected by aircraft noise at night, including through encouraging the use of quieter aircraft, while maintaining the existing benefits of night flights".

We stated we would measure our progress against this objective by:

- the area of and number of people in the 48dB LAeq 6.5hr night contour
- sleep disturbance impacts associated with night flights, assessed using TAG methodologies
- the average noise of an aircraft (as measured by the average noise Quota Count per aircraft movement over the course of a season)

Further information on how we performed against this objective to date can be found in annex C.

Annex C: the current situation at the designated airports

Information about the the current situation at the designated airports is attached separately (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/940002/annex-c-the-current-situation-at-the-designated-airports.pdf).

Annex D: designated airport night flight statistics

Information about designated airport night flight statistics is attached separately (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/940003/annex-d-designated-airport-night-flight-statistics.pdf).

Annex E: night flight dispensations review

Information about the night flight dispensations review is attached separately

(https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/940004/annex-e-night-flight-dispensations-review.pdf).

Annex F: guidelines on dispensations

Information about the guidelines on dispensations is attached separately

(https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/940009/annex-f-guidelines-on-dispensations.pdf).

Annex G: noise contours for Heathrow, Gatwick and Stansted airports

Information about noise contours for Heathrow, Gatwick and Stansted airports is attached separately

(https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/940006/annex-g-noise-contours-for-heathrow-gatwick-and-stansted-airports.pdf).

Annex H: impact of proposed Q₁ 0.0625 operations

Information about the impact of proposed Q₁ 0.0625 operations is attached separately

(https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/940007/annex-h-impact-of-proposed-qc-00625-operations.pdf).

Annex I: glossary

AIP: UK Integrated Aeronautical Information Publication. A manual containing thorough details of regulations, procedures and other information pertinent to flying aircraft in the UK.

Balanced Approach: Guidance developed by ICAO to address aircraft noise problems at individual airports in an environmentally responsive and economically responsible way

Carry-over (and overrun): Carry-over and overrun arrangements give the airport flexibility to defer or bring forward movements and quota allowance from one season to the next.

Certification Procedure: The ICAO aircraft noise certification procedure for subsonic jet aeroplanes and propeller-driven aeroplanes over 8,618 kg aircraft over 5,700kg requires three separate noise measurements to be made at approach, lateral and flyover locations. The three certificated noise levels (measured in EPNdB) are determined within tight tolerances and normalised to standard atmospheric conditions.

dB: Unit of relative sound level or changes in sound level.

dBA: Unit of sound pressure level measured on the A weighted scale, i.e. as measured on an instrument that applies a weighting to the electrical signal as a way of simulating the way a typical human ear responds to a range of acoustic frequencies.

Dispensation (or disregarded movement): At the designated airports, airport operators, or the Secretary of State, are allowed to disregard certain movements, providing they meet a specified criterion. An example would be in the case of emergencies, or during periods of widespread and prolonged air traffic disruption.

Environmental Noise Directive (END): The Environmental noise directive (END) 2002/49/EC is a directive from the European Union to give information to the public about the noise levels in their living environment, and to assess and manage environmental noise.

Environmental Objective: An objective for an airport within the definition at Regulation 2 of The Aerodromes (Noise Restrictions) (Rules and Procedures) Regulations 2003 (SI 2003/1742).

EPNdB: Effective Perceived Noise Decibels. A specialised noise unit used for aircraft noise certification tests.

ERCD: Environmental Research and Consultancy Department of the Civil Aviation Authority.

Exempt Aircraft: Under the current restrictions, exempt aircraft are light propeller-driven aircraft with a maximum certificated take-off weight not exceeding 8,618 kg, and which are being utilised to undertake essential airport safety checks.

ILS: Instrument Landing System. A precision runway approach aid based on two radio beams which together provide pilots with both vertical and horizontal guidance during an approach to land.

Leq: A measure of long term average noise exposure. For aircraft it is the level of a steady sound which, if heard continuously over the same period of time, would contain the same total sound energy as all the aircraft noise events. Leq is most commonly used with the A-weighted scale (as measured on an instrument that applies a weighting to the electrical signal as a way of simulating the way a typical human ear responds to a range of acoustic frequencies), expressed as LAeq. LAeq 6.5hr night is used in this consultation to refer to the noise levels in the period of the night, 23:30-06:00, that movement and noise quota limits apply to.

Lmax: The maximum A-weighted sound level (in dBA) measured during an aircraft flyby.

Lnight: Usually, the eight hour Leq average noise level from a specified source or sources as defined in Directive 2002/49/EC, in the UK defined to cover 23:00-07:00 local time; sometimes defined over other periods at night.

Movement Limit: The number of movements allowed during a season between 23:30 and 06:00 (the Night Quota Period).

Noise Contour: Aircraft noise maps which show lines joining points of equal noise to illustrate the impact of aircraft noise around airports.

Night Period: Defined as 23:00 to 07:00 local time.

Night Quota Period: Defined as 23:30 to 06:00 local time unless the context indicates otherwise.

Noise Quota: An aggregation of quota count for individual aircraft, used to define a seasonal limit or usage by comparison with the applicable limit.

Operating Restriction: Noise related action that limits or reduces access of civil subsonic jet aeroplanes to an airport. It includes operating restrictions aimed at the withdrawal from operations of marginally compliant aircraft at specific airports as well as operating restrictions of a partial nature, affecting the operation of civil subsonic aeroplanes according to time period

Quota Count (or QC): The weighting attributed to the arrival or departure of a specified aircraft type by reference to its certificated noise performance, divided into 3EPNdB bands.

Quota Pool: An airport's movement and quota count can be broken down into different segments for use by, for example, airlines with an allocation, and airlines without an allocation.

Scheduling committee: Responsible for formulating scheduling policies specific to a particular airport.

Footnotes

1. ~~JATA~~ Analysis, based on passenger numbers to, from and within each country.
2. DfT Analysis of ~~CAA~~ Airports Data (2019).
3. DfT Analysis of HMRC Overseas Trade Data (2018), based on good cleared for customs purposes at airports.
4. Employment: DfT Analysis of ONS Annual Business Survey, GDP: DfT Analysis of GDP low level aggregates. Based on SIC codes covering various parts of air transport and aerospace.
5. (<https://www.caa.co.uk/cap1191> (<https://www.caa.co.uk/cap1191>) and <https://www.caa.co.uk/cap1733> (<https://www.caa.co.uk/cap1733>))
6. Prior to the enactment of the Civil Aviation Act 1982, similar powers were available under Section 29 of the Civil Aviation Act 1971. Heathrow, Gatwick and Stanstead were designated for the purposes of Section 29 by the Civil Aviation (Designation of Aerodromes) Order 1981.
7. Whilst not relevant to this consultation, a competent authority was appointed in Scotland through the Airport (Noise-Related Operating Restrictions) (Scotland) Regulations 2019 (<http://www.legislation.gov.uk/ukSI/2019/409/made>). There are no airports in Northern Ireland that currently fall within the scope of the Regulation, nor are any of the airports expected to fall within scope for the foreseeable future. The matter is devolved in Northern Ireland and the Northern Ireland Assembly will keep the matter under close review and will appoint competent authorities should the need arise.
8. (<https://www.caa.co.uk/cap1191> (<https://www.caa.co.uk/cap1191>) and <https://www.caa.co.uk/cap1733> (<https://www.caa.co.uk/cap1733>))
9. See paragraphs 012 Reference ID: 30-012-20190722, available at <https://www.gov.uk/guidance/noise--2> (<https://www.gov.uk/guidance/noise--2>)
10. Prior to the enactment of the Civil Aviation Act 1982, similar powers were available under Section 29 of the Civil Aviation Act 1971. Heathrow, Gatwick and Stanstead were designated for the purposes of Section 29 by the Civil Aviation (Designation of Aerodromes) Order 1981.
11. They are devolved to the Scottish Government via the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 1999 (SI 1999/1750); and to the Northern Ireland Assembly via the Northern Ireland Act 1998.
12. Effective Perceived Noise Decibels. A specialised noise unit used for aircraft noise certification tests.

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