

# **EU NIGHT FLIGHTS BAN – YOUR QUESTIONS ANSWERED**

**A number of questions were raised concerning the call in Written Declaration to ban night flights at European airports. These are dealt with in this briefing sheet.**

## **“The EU doesn’t have authority to ban night flights”**

**It most certainly does.** The Treaty establishing the European Community (consolidated text OJ C 325 of 24.12.2002) Transport is covered by Articles 70 - 80.

**Article 71 states that the Council, acting by qualified majority, may lay down:**

- (a) common rules applicable to international transport to or from the territory of a Member State or passing across the territory of one or more Member States;
- (b) the conditions under which non-resident carriers may operate transport services within a Member State;
- (c) measures to improve transport safety;
- (d) any other appropriate provisions.

**For more detail on this , see overleaf**

## **“It will merely move the problem to other counties, not possible to depart and arrive during day because of time zones”**

**Time zones are unlikely to present insuperable problems.** It is on long-haul flights to the UK where it is alleged there could be problems. We consider the key destinations:

**From the East Coast USA** - flight time 7 hours, time difference 5 hours - so a departure after 7pm but before 10pm would arrive in the UK between 7am and 10am. Allowing a four hour turnaround, a plane leaving the UK at 2pm would arrive on the east coast at 4pm - no problems with this example.

**From the West Coast USA**, its 9/10 hours flight time and eight hours difference making a total time of 18 hours. So a US west coast departure at 6pm would arrive at 12 noon UK time. If it then took off from the UK at 2pm, it would arrive back on the US west coast at 4pm - so again, no night flights at either end, and no scheduling problems.

**From Africa**, there is only a marginal time difference of +/- 2 hours. So taking Jo'berg as an example, leaving London at 7pm would arrive Jo'berg at 8am - return at 10am, would arrive at 11pm London (although we note in the BA timetable that the return is not based on a quick turnaround - they have a Jo'berg departure at 10pm that arrives London at 7.20am - this is more marginal, but certainly possible and avoids key night period).

**From the Far East**, a 9pm flight to Singapore would arrive at 6pm - you could not do a 24 hour return trip so they would need two aircraft. In which case a Singapore departure at 8am would arrive London at 2pm.

You may not be able to get the businessman to a 9am meeting every time but it certainly looks possible to rota most flights outside the night period in both directions - looks more like the issue for airlines is threat of competition (who gets in earliest) and cost (maybe some flights you can only make two rotations a day instead of three, forcing the cost up).

## **“The capacity isn’t available during the day”**

**Generally not true.** Most airports in the UK have excess daytime capacity even it is not peak-time capacity. Some, such as East Midlands has substantial daytime capacity. Where airports are full, the city is often served by other airports eg. Heathrow is regarded as near capacity, but London has several other airports with available daytime capacity.

## **“Night Flights are commercially necessary”**

**Necessary for whom?** Operators? Charter and low cost often utilise night periods so they can achieve three or four rotations a day. With less utilisation avoiding night flights, say 2/3 turnarounds a day, capital costs of aircraft purchase/hire would need to be recouped over fewer operations, increasing operating costs. Capital repayments are currently less than 10% of total costs, so this would mean an increase in fares of no more than 5%. No firm evidence has been produced to show that night flights are essential to the health of the national economy.

## **“Next day delivery is fundamental to modern business life”**

**The answer to this is earlier collection times – e.g. 1pm deadline instead of 5pm, or later arrival times – guaranteed for 12 noon delivery instead of 9am**

***more overleaf.....***

# "What authority does the EU have?"

## **Article 75 states:**

In the case of transport within the Community, discrimination which takes the form of carriers charging different rates and imposing different conditions for the carriage of the same goods over the same transport links on grounds of the country of origin or of destination of the goods in question shall be abolished.

Transport is an EU issue, the Single Market is an EU issue, and competition policy is an EU issue. It is simply not possible to do this on a national level for obvious reasons.

## **We are calling for action on the basis of noise. Noise is an EU issue.**

Further to its 1996 [Green Paper \(COM\(96\)540\)](#), the European Commission developed a new framework for noise policy, based on shared responsibility between the EU, national and local level, and including measures to improve the accuracy and standardisation of data to help improve the coherency of different actions. This document led to a comprehensive set of measures, including:

The creation of a [Noise Expert Network](#), whose mission is to assist the Commission in the development of its noise policy.

A new [Directive on Environmental Noise](#) aimed at requiring competent authorities in Member States to produce strategic noise maps on the basis of harmonised indicators, to inform the public about noise exposure and its effects, and to draw up action plans to address noise issues.

The [Directive on Equipment Used Outdoors](#) that simplifies the legislation about many noisy equipment.

The follow-up and development of existing [EU legislation relating to sources of noise](#), such as motor vehicles, aircraft, railway rolling stock and the provision of financial support to different [noise related studies and research projects](#).

## **The Directive on Environmental Noise**

### **Its four main objectives...**

Further to the Commission proposal for a Directive relating to the assessment and management of Environmental noise (COM(2000)468), the European Parliament and Council have adopted [Directive 2002/49/EC](#) of 25 June 2002 whose main aim is to provide a common basis for tackling the noise problem across the EU. The underlying principles of this text, are similar to those for other overarching environment policy directives:

- **Monitoring the environmental problem**; by requiring competent authorities in Member States to draw up "strategic noise maps" for major roads, railways, airports and agglomerations, using harmonised noise indicators  $L_{den}$  (day-evening-night equivalent level) and  $L_{night}$  (night equivalent level). These maps will be used to assess the number of people annoyed and sleep-disturbed respectively throughout Europe
- **Informing and consulting the public** about noise exposure, its effects, and the measures considered to address noise, in line with the principles of the Aarhus Convention
- **Addressing local noise issues** by requiring competent authorities to draw up action plans to reduce noise where necessary and maintain environmental noise quality where it is good. The directive does not set any limit value, nor does it prescribe the measures to be used in the action plans, which remain at the discretion of the competent authorities.
- **Developing a long-term EU strategy**, which includes objectives to reduce the number of people affected by noise in the longer term, and provides a framework for developing existing Community policy on noise reduction from source. With this respect, the Commission has made [a declaration](#) concerning the provisions laid down in article 1.2 with regard to the preparation of legislation relating to sources of noise.

## **Existing directives relating to noise sources**

### **Aircraft noise (follow-up by EC Directorate General Energy & Transport)**

- Subsonic Aircraft - [80/51/EEC](#)
- Subsonic Jet Aeroplanes - [89/629/EEC](#)
- Limitation of the Operations of Aeroplanes - [92/14/EEC](#)
- Operating restrictions at Community airports - [2002/30/EC](#)
- Noise classification of civil subsonic aircraft (negotiations on Commission proposal COM(2001)74 in progress)

## **Ongoing activities linked to the Environmental Noise Directive**

**NB:** the following list limits itself to a set of projects funded by the European Commission and "directly" linked to the Environmental Noise Directive. More information on ongoing noise-related research and studies is available on the [CORDIS](#) website

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