



Night Flights

An EU Responsibility?

There has been a lot of discussion about whether the European Union has the powers to tackle night flights under transport and noise legislation. But the evidence is clear. The EU has these powers.

The treaty establishing the European Community gives the EU the relevant transport powers. And the EU already has intervened in noise matters through its Fifth Environmental Action Programme in 1993 and the Noise Directive of 2002.

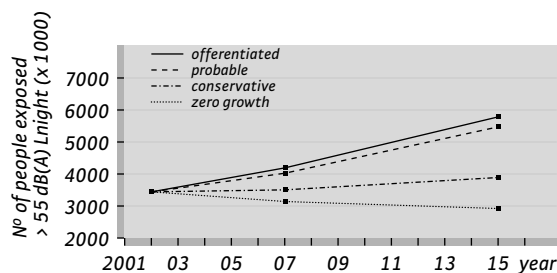
The Original European Community Treaty

In 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.

People exposed to aircraft noise at night



People exposed to aircraft noise at night (baseline trend - Lnight>55 dB(A)) in the EU-15 EC, 2003

EU Fifth Environmental Action Programme

As far back as 1993 the European Union drew up targets to cut noise. Its Fifth Environmental Action Programme included the objective that no person should be exposed to levels of environmental noise which endanger health and quality of life (day or night). The Programme also established the following targets for night noise to be achieved by the year 2000:

- The exposure of the people to noise levels averaging out at 65 decibels, known as 65dB Laeq, should be phased out, with no exposure to single noise events that exceed 85 decibels.
- The proportion of the population exposed to noise levels of between 55-65 dB Laeq in 1993 should not suffer any increase.
- The proportion of the population exposed to noise levels of less than 55 dB Laeq in 1993 should not suffer any increase above 55 dB Laeq.

The Fifth Action Programme targets are less strict than the noise levels recommended by the World Health Organisation but it appears that some Member States did not achieve the targets by the year 2000 or even subsequently.

The EU Noise Directive

The European Parliament and Council adopted Directive 2002/49/EC on 25 June 2002. Its main aim is to provide a common basis for tackling the noise problem across the EU.

The EU Noise Directive requires:

- Member States to draw up "strategic noise maps" for major roads, railways, airports and agglomerations, using common noise measurements, by 2007. These maps will be used to assess the number of people suffering noise problems throughout Europe.
- Member States to draw up action plans by 2008 to reduce noise in the worst affected areas and maintain the peacefulness of quiet areas. The directive does not set or recommend any noise levels.
- The public to be informed about noise exposure, its effects, and the measures being considered to address noise, in line with the principles of the Aarhus Convention.
- The EU to develop a long-term strategy, which should aim to reduce the number of people affected by noise and provide a framework for developing existing community policy on noise reduction.

The European Commission Study (EC, 2003) concludes that in general an increase in the number of people in the EU exposed to aircraft noise is found for all scenarios. As the graph shows, this increase is clearly more pronounced after the year 2007. Notice that this is only about existing airports in the EU-15!

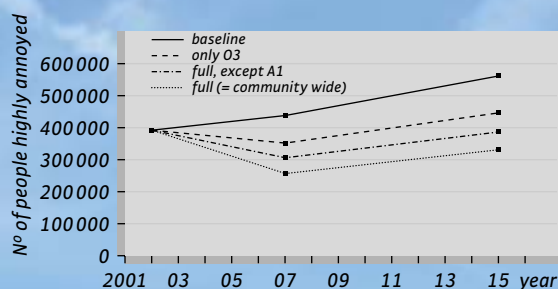
But what about the developing world?

Europe's residents have been accused by the aviation industry of being selfish. Of not caring what time planes leave other, often poorer, countries as long as they get a good night's sleep. But the Commission's report suggests that restrictions or a ban in Europe need not mean that planes would be required to leave their countries of origin at unsociable hours... if the industry had the will to adapt their schedules.

Conclusion

The EU has the powers to tackle night flights. And it is feasible to do so. The European Commission's report could not be more clear: "If the same restrictions apply to all the competing airlines flying the European long-haul routes, they do seem to be able to adapt their schedules and get over the problems of slot availability, congestion, and connections, and fly by day (EC 2005)."

Further action: ban on night flights HA



The limitation or ban of night flights shows a high degree of effectiveness in limiting or reducing the population affected, EC, 2003

More information

Other briefing sheets on night flights produced by GreenSkies and UECNA:

- Night Flights – a major problem across Europe
- Night Flights – the Economic Effect of Restrictions and Bans

The briefing sheets form a Night Flights Pack. If you would like the Pack or any of the briefing sheets, please contact GreenSkies or UECNA.

References

1. EC, 2005, Assessing the Economic Costs of Night Flight Restrictions,
2. EC, 2003, Study on Current and Future Aircraft Noise Exposure at and around Community Airports

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