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EU Guidelines for City Airports

Introduction

Most new aviation legislation now originates at the European Union (EU) level; and in the air traffic management field, through EUROCONTROL, the European Organisation for the Safety of Air Navigation. On wider European issues, member states co-operate closely with the other 40 countries in the European Civil Aviation Conference (ECAC). Globally, they co-operate with the 188 signatories to the Chicago Convention, working through the International Civil Aviation Organisation (ICAO).[1]

At the NI level, Westminster has the control over issuing policy directions and formulating strategy. However when asked during question time whether the responsibility regarding airport development would be better as a devolved matter, the Minister for Regional Development expressed his interest in exploring the possibility. [2]

This paper will consider existing EU legislation for the operation of City Airports in relation to noise and the selling of seats. EU Directive 2002/30/EC potentially allows the imposition of more stringent noise-related operating restrictions to designated 'city airports,' than any other airports in the EU. The selling of seats appears to be more of a localised issue which is addressed by individual airport master plans, the development of which comes under a UK wide aviation strategy. The City Airports that

[1] DfT (2010) "An introduction to air" [online] accessed: 14/07/2010 available from: http://www.dft.gov.uk/pgr/aviation/introtoair
[2] AQ 1458/10 (Supplementary) June 22nd 2010

are considered in this paper are George Best Belfast City Airport (BCA) and London City Airport (LCA), which are classified under the EU Directive 2002/30/EC as two of four city airports in Europe.

EU Directive 2002/30/EC and Noise

This Directive is geared towards addressing the issues surrounding air transport, with a view to reducing noise pollution from aircraft at airports. The Directive lays down common rules for prohibiting the noisiest aircraft from European airports and repeals the Hushkits Regulation, which was intended to prohibit the registration in Europe of aircraft fitted with noise-reducing devices (hushkits)[3].

In response to the Hushkits Regulation, the new Directive allows airports with a noise problem to introduce a series of operating restrictions, including the gradual withdrawal of the noisiest aircraft. Competent authorities of the Member States may prohibit or restrict the use of aircraft whose compliance with the ICAO (International Civil Aviation Organisation) noise standards is only 'marginal', i.e. aircraft which meet the standards in force by a margin of no more than 5 decibels.

The airport authorities must establish the existence of a noise nuisance by carrying out an impact assessment and prove that all other available measures to reduce noise at the airport concerned have been taken.

Objectives and Content

The Hushkits Regulation, Regulation (EC) No 925/1999[4], was a response to the inability to reach an agreement within ICAO on measures to control aircraft noise. 'Hushkits' are devices fitted to the engines of older designs of aircraft in order to reduce their noise levels.

In the new Directive, noise management is structured around a balanced approach. It is an approach that involves solving noise problems on an 'airport-by-airport' basis and requires careful assessment of four key elements:

- reduction of aeroplane noise at source;
- land-use planning and management measures;
- noise abatement operational procedures;
- local operating restrictions relating to noise problems[5].

The objectives of the Directive are to:

[3] UK Parliament, 'Airport Noise' [online] http://www.publications.parliament.uk/pa/cm200102/cmselect/cmeuleg/152-xx/15205.htm (accessed 15/07/10)
[4] http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:1999:115:0001:0004:EN:PDF
[5] UK Parliament, 'Airport Noise' [online] http://www.publications.parliament.uk/pa/cm200102/cmselect/cmeuleg/152-xx/15205.htm (accessed 15/07/10)

- lay down rules for the Community to facilitate the introduction of operating restrictions in a consistent manner at airport level so as to limit or reduce the number of people significantly affected by the harmful effects of noise;
- provide a framework which safeguards internal market requirements;
- promote development of airport capacity in harmony with the environment;
- facilitate the achievement of specific noise abatement objectives at individual airport level;
- achieve maximum environmental benefit in the most cost-effective manner.

The Directive allows for more stringent noise standards. However, unlike the Hushkits Regulation, it allows such restrictions to be imposed only at the most noise-sensitive airports (those with more than 50 000 movements per year and city airports).

Four city airports 2 of which are UK based, (Berlin-Tempelhof, Stockholm Bromma, London City and Belfast City) are able to apply more stringent rules. Aircraft registered in developing countries and already in use before December 2001 at the European airports concerned may be exempted for a period of ten years.

As the Directive lays down identical rules for all airports, it also ensures compliance with the rules of the internal market by preventing unfair competition between airports[6].

City Airports' Master Plans and the Selling of Seats

The most up to date UK aviation strategy is the Government's White Paper "The Future of Air Transport[7]", published in December 2003 (the White Paper). It is aimed to provide a clear policy framework for the development of airports in the United Kingdom over a 30 year period, with the key message that development must be sustainable, i.e. it must seek to balance the positive economic and social benefits against the negative environmental impacts such as climate change, local air quality and noise disturbance around airports.

Although the ATWP provides the policy for aviation and air transport for all UK regions, it must be applied locally within each region. In order to do this the ATWP recommended that airport operators should maintain a master plan document[8] to detail their development proposals; taking account of "conclusions on future development set out in the White Paper"[9].

> *"This White Paper sets out a strategic framework for the development of airport capacity in the United Kingdom over the next 30 years, against the background of wider developments in air transport. It does not itself authorise or preclude any particular development, but sets out a policy*

[6] ibid
[7] (DfT) Department for Transport, (2003) White Paper: *The Future of Air Transport* http://webarchive.nationalarchives.gov.uk/+/http://www.dft.gov.uk/about/strategy/whitepapers/air/executivesummary (accessed 15/07/10)
[8] ibid (paragraphs 12.7)
[9] ibid (paragraph 12.8)

> *framework against which the relevant public bodies, airport operators and airlines can plan ahead, and which will guide decisions on future planning applications."*[10]

The ATWP stresses the master plans do not have development plan status[11] but rather, they should provide a clear statement of intent on the part of an airport operator that will enable future development of the airport to be given due consideration in local and regional planning processes.[12]

According to research, carried out by Ipsos MORI[13] on behalf of the Department for Transport (DFT), master plans were, despite not being statutory, considered a vital output of the ATWP; providing stakeholders with transparency around the proposed future of regional airports.[14]

The DfT 'envisaged' master plans would address the following 'core' areas:

- Forecasts;
- infrastructure proposals;
- safeguarding and land/property take;
- surface access initiative's
- impact on people and the natural environment; and
- proposals to minimise and mitigate impacts.[15]

George Best Belfast City Airport

The White paper recognised that Belfast City Airport was well suited to business travel given its proximity to the city centre and forecasted the potential for growth if some of the restrictions under which it operated were reduced or removed. BCA had operated under a Planning Agreement between itself and the Department of the Environment since January 1997. The Agreement sets out a series of obligations and restrictions on the operation of BCA which are summarised here:

- The length of the runway;
- Planning controls;
- Early evening and night scheduling curfew;
- **Restriction on aircraft seat numbers**;

[10] ibid (Page 9)
[11] ibid (paragraph 12.7)
[12] DfT (2004) "Guidance on the Preparation of Airport Master Plans" [online] accessed: 07/06/2010 available from: http://www.dft.gov.uk/about/strategy/whitepapers/air/pwpa/guidanceonthepreparationofai5682
[13] Ipsos MORI, part of the Ipsos Group, is a UK research company which specialises in social and political research, visit http://www.ipsos-mori.com for more information.
[14] Ibid (Page 40)
[15] DfT (2004) "Guidance on the Preparation of Airport Master Plans" [online] accessed: 17/06/2010 available from: http://webarchive.nationalarchives.gov.uk/+/http://www.dft.gov.uk/about/strategy/whitepapers/air/pwpa/guidanceonthepreparationofai5682

In its Master Plan document BCA provided a statement of intent, in which it suggested that while it continues to focus on domestic flights it would actively seek out new markets in Europe and more long haul destinations.[16] In terms of predicted growth (Forecasts) the master plan expected a 2-3% annual growth which would see passengers per annum reach just over 3.1 million by 2030 (see table 1); this of course would be subject to the removal or reduction of current restrictions.

Table 1: Forecasted Passenger Numbers 2005 - 2030

Passengers - 2005	= 2,217,000
Passengers - 2015	= 2,900,000
Passengers - 2030	= 3,173,000[17]

A modified Planning Agreement between the Department of the Environment and BCA was announced in October 2008. Under the terms of the modified agreement:

- Total Air Traffic Movements were capped at 48,000 per year.
- The 'Seats for Sale' cap was increased from 1.5 million to 2 million with provisions for monitoring noise included.[18]

The Environment Minister, Edwin Poots, has announced that he is considering lifting the seats for sale restriction at BCA, subject to consultation.[19]

London City Airport

The London City Airport (LCA) Master Plan[20] was produced in 2006 in response to the Government's White Paper 'The Future of Air Transport'. It explains how LCA can expand to meet the growing demand for air travel over the next 25 years (the Government's White paper predicts that demand for air travel could increase two to three times what it currently is by 2030). The LCA Master Plan recognises that future growth of the Airport will impact on local communities and considers the nature and scale of the environmental, economic and traffic impacts.

[16] (BCA) Belfast City Airport (2006) "Belfast City Airport Master Plan to 2030" [online] accessed 18/06/2010 available from: http://www.belfastcityairport.com/getdoc/b4ab44b4-927a-4427-baf3-a39e55119356/BCA-Master-Plan-2005.aspx
[17] Ibid (paragraph 7.3 page 16)
[18] NI Executive (2008) "Modified planning agreement reached for George Best Belfast City Airport" [online] accessed 22/06/2010 available from: http://www.northernireland.gov.uk/news/news-doe/news-doe-october-2008/news-doe-17102008-modified-planning-agreement.htm
[19] NI Executive (2010) "Poots to consider lifting seats for sale restriction at George Best Belfast City Airport" [online] accessed 21/06/2010 available from: http://www.northernireland.gov.uk/news/news-doe/news-doe-040610-poots-to-consider.htm
[20] LCA Master Plan 2006 http://www.londoncityairport.com/Downloads/MasterPlan.pdf

Should passenger numbers of LCA follow the trends stated in the White Paper forecast, LCA will need to be able to facilitate around 5 million passengers per year in 2030.[21]

During consultation of the LCA Master Plan, concerns were expressed as to whether the Airport would have to introduce night flights or remain open all weekend long, in order to deal with the demands associated with an increase in passenger numbers. According to the master plan, this will not be the case due to the Airport's ability to transport more passengers, resulting from an expected rise in the average passenger seating capacity of aircrafts operating at LCA, (from around 60 seats in 2005 to around 82 seats by 2030). The Master Plan states that this will be achieved:

- by a general phasing out of smaller aircraft types in favour of more movements of regional jet aircraft.
- as forecasts also predict that a higher proportion of the seats on each flight will be occupied (known as the load factor) e.g. from 54% in 2005 to around 68% by 2030.

[21] LCA forecasts that passenger numbers will grow from over 2 mppa today to 3.5 mppa in 2015 and to 8 mppa by 2030. With London 2010 Olympics, it is expected that passenger numbers at LCA will be particularly high in the early stages of the plan.