



Gatwick Airport Northern Runway Project

Environmental Statement

Appendix 14.9.8: The Noise Envelope Group Output Report

Book 5

VERSION: 1.0

DATE: JULY 2023

Application Document Ref: 5.3

PINS Reference Number: TR020005

1 Introduction

1.1. General

1.1.1 This document forms Appendix 14.9.8 of the Environmental Statement (ES) prepared on behalf of Gatwick Airport Limited (GAL) for the proposal to make best use of Gatwick Airport's existing runways and infrastructure (referred to within this report as 'the Project').

1.1.2 This document provides the Noise Envelope Group Output Report for the ES for the Project.

Noise Envelope Group Output Report

11 November 2022



What Is This Report?

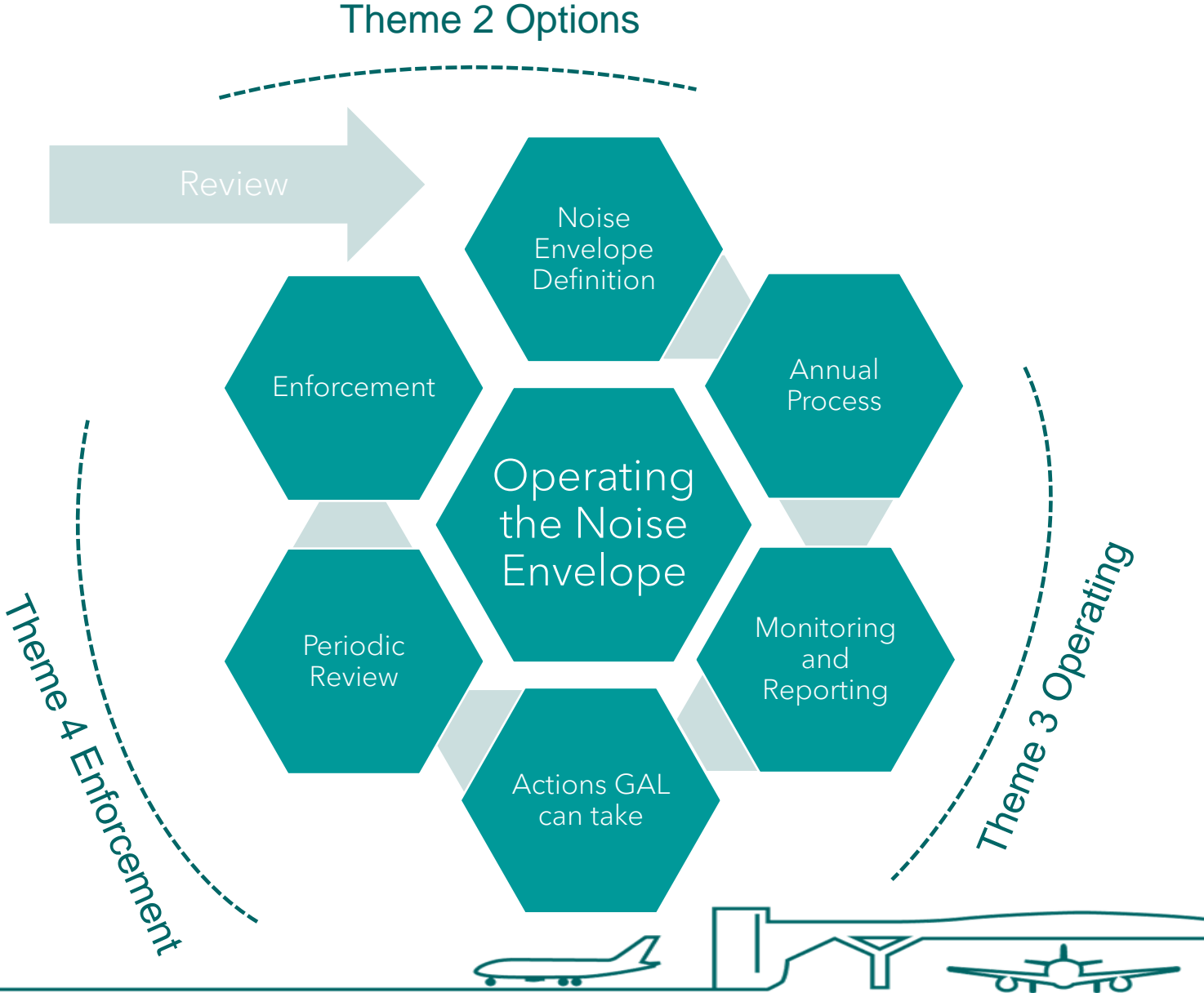
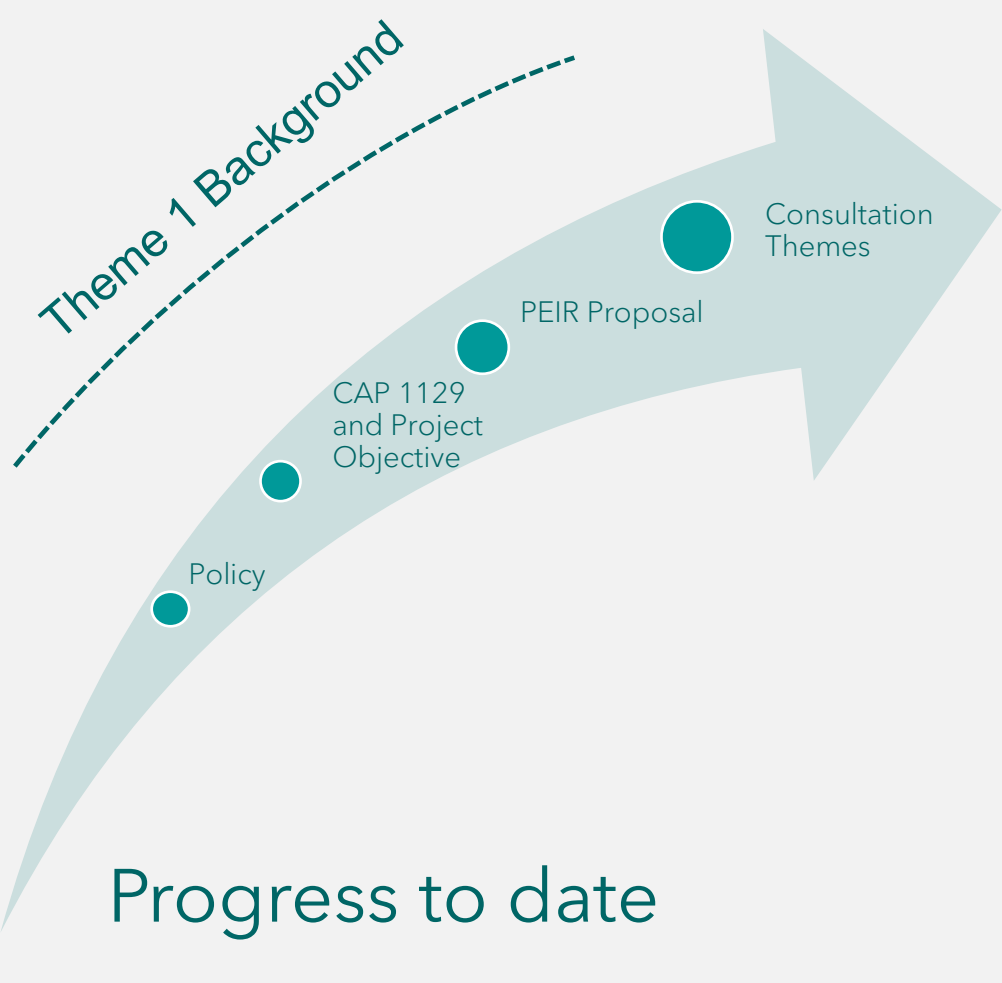
This report summarises the outputs of the Noise Envelope Group engagement that ran from May to September 2022. It sets out alternative approaches to, and additional detail for, the outline Noise Envelope proposal that was included in the Northern Runway Project Preliminary Environmental Information Report (PEIR) published with Gatwick Airport Ltd (GAL)'s Northern Runway DCO consultation, which was conducted from September to December 2021. Details of the follow-on engagement process through which the information for this report was gathered will be set out separately in a Report on Engagement on the Noise Envelope to be submitted with the Development Consent Order application. The Report on Engagement will include the notes of the 13 meetings held, copies of the slides presented by GAL, and copies of the various written papers provided by Stakeholders and GAL. The extensive volume of material and discussions that have taken place necessitate that this report be a summary only.

This report is structured to reflect the overarching themes identified in the DCO consultation feedback, depicted in the following slide, and used to format the meetings. A subsequent break down of each theme throughout this report reflects the feedback received through both the main consultation and this dedicated engagement process. Numerous topics were discussed with the aim of reaching agreement, and where the views of stakeholders differ or agree, these are noted.

The content of this report, and the detail of the feedback received through Gatwick's Noise Envelope Group will be used to support the creation of a feasible, clearly defined, measurable and enforceable Noise Envelope proposal to be submitted as part of the DCO application.



Developing The Noise Envelope



Developing The Noise Envelope

Method

Due to the existing relevant stakeholder groups established through its Noise Management Board (NMB), GAL chose to use the membership of the NMB Community Forum (NCF) and NMB Delivery Group (NDG) - supplemented as necessary to ensure appropriate stakeholder representation - to form the basis of the Local and Aviation Sub-Groups for this process.

A Noise Envelope Group (NEG) was established comprising representatives from each sub-group, including 5 NCF representatives, airline professionals, subject matter experts and chaired by Gatwick's noise specialist, who is also secretariat to the NMB.

The inaugural meeting to introduce the process and the planned structure of topics, was combined to include members of the NEG and both sub-groups. Following this inaugural meeting, each cycle of sub-group and NEG meetings was focused on a theme identified through the DCO consultation feedback.

Local Sub-Group meetings were held every 4 weeks, with the Aviation Sub-Group a few days after each of these and with the NEG meetings following 3 weeks later. This was to ensure sufficient time was provided for stakeholders to discuss the relevant presentation and feed back for discussion at the NEG.

All GAL produced presentation and related material was disseminated 5 days prior to each sub-group meeting, allowing time for participants to review the material and raise questions where needed.

Although not part of the published ToR, at the request of community members it was agreed that all feedback material submitted to GAL by NEG members could also be circulated ahead of each meeting. Except for the final meeting where feedback had been sought on the text of the draft output document this was done so, along with GAL produced material. Where feedback material was submitted later than the 5-day deadline for circulation, it was circulated when possible. The agreement by GAL to circulate all feedback material was for the purpose of transparency only, and not for the critique of the group; it was intended and requested that focus remained solely on the GAL produced NE material.



Developing The Noise Envelope

Community Views on the Approach Taken by GAL

Various community noise action group representatives stated on numerous occasions that they were unhappy with how the process has been conducted, particularly in terms of the time allowed for consultation, and viewed the process as flawed for a range of reasons, including stakeholder engagement and GAL's interpretation of the CAP 1129 Study.

GAL's view was that consultation had started in September 2021. There had been a briefing during this consultation, feedback was taken into account. The NEG process has provided for 23.5 hours of direct discussion with stakeholders, over 13 meetings. This included the extension of 2 further meetings on the basis of feedback from community noise action group representatives.

Contrary to the views expressed by community noise action group representatives, GAL believes it went beyond the engagement envisaged in CAP 1129 for instance by including community noise action groups directly in the engagement process alongside the suggested local authorities and other stakeholders.

Some community noise action groups were clear that they did not support noise objective set out. GAL considers that it has complied fully with the provisions of the Airports National Policy Statement and Planning Inspectorate Scoping Opinion.

For full views of community members, see appendices.



Contents

Policy

Key Documents | Communities' Views
Sharing the Benefits | Investment and Improvement
Noise Envelope Requirements | Regulation 598

Noise Envelope Options

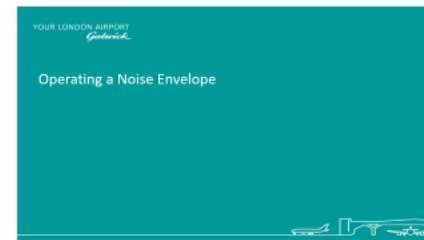
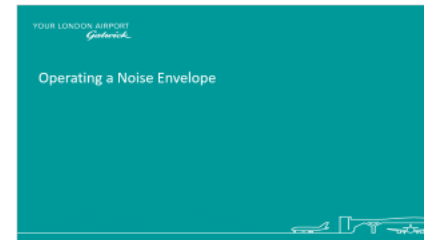
PEIR Proposals
Metrics, Limits
Forecasts

Operating a Noise Envelope

Regulation Framework | Slot Allocations | Airport Charges
Review Body | Stakeholder Views

Enforcement

Managing Operations
Envelope Breach
Stakeholder Feedback



YOUR LONDON AIRPORT
Gatwick

Policy



Identifying Key Documents

The six key documents, which frame UK Government aviation noise policy are:

- 2013 Aviation Policy Framework
- 2017 Survey of Noise Attitudes Study
- 2017 Airspace Policy Consultation and the Government's Response to this consultation
- 2018 Airport National Policy Statement
- Aviation 2050 The future of UK aviation

GAL presented a detailed review to the Noise Envelope Group (NEG) of UK Government aviation noise policy since 2013, using the key aviation policy sources. These policies sit within a wider framework of policies governing sustainable development.

The 2013 Aviation Policy Framework (APF) remains the key source policy document. Recent planning approvals given to airport developments at Bristol, Stansted and London City Airports, all of which were forecast to result in increased noise, have all referenced the aviation noise policies within the APF. The APF establishes the overall policy on aviation noise, refers to sharing of benefits, and to using a noise envelope as a means of trying to strike an appropriate balance between noise and growth. APF para 3.3 states:

We want to strike a fair balance between the negative impacts of noise (on health, amenity (quality of life) and productivity) and the positive economic impacts of flights. As a general principle, the Government therefore expects that future growth in aviation should ensure that benefits are shared between the aviation industry and local communities. This means that the industry must continue to reduce and mitigate noise as airport capacity grows. As noise levels fall with technology improvements the aviation industry should be expected to share the benefits from these improvements.



Identifying Key Documents

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 support of sustainable development (2017 Airspace Policy Consultation Response §2.69).

GAL explained the differences between its Central Case and Slower Fleet Transition fleet forecasts. In both cases these forecasts show that there would be an increase in noise when the runway opened, but in the longer-term noise, as measured by the L_{eq} metric, would reduce to levels below those in 2019.

The communities required that the draft envelope should be amended, to ensure that this was the case.



Communities' Views on Policy

Some key views expressed by various community members within the NEG meetings and in written submissions:

- Government Policy is that the noise and noise impacts should reduce continually as airport capacity grows – for instance, the opening of the Northern Runway should not be accompanied by any increase in contour area
- Planning Inspectors had incorrectly interpreted Government Policy in approving airport developments at London City, Stansted and Bristol, which increased noise
- GAL's proposals make no reference to reducing the number of people significantly affected by aircraft noise or the total adverse effects of noise
- The industry was not reducing or mitigating noise as airport capacity grows, as noise was projected to increase with the airport's capacity growth, rather than to reduce as the Communities considered policy required.

One community noise action group member's opinion stated that within GAL's proposal, the day period 51dB noise contour would be permitted to increase from 136km² in 2019 (and forecast 120km² in 2029) to 146.7km², and that noise could potentially increase indefinitely if the ATM threshold of 382,000 was not reached.

The stakeholders pointed out that if the airport never reaches 382,000 ATMs, then noise would not be required to reduce to the lower envelope limit levels (see slide 15). While GAL indicated that this was an extremely unlikely scenario, it acknowledged the point and agreed to examine the envelope in this respect.



Policy – Continual Investment and Long-Term Improvement; sharing of benefits

Government's policy aim is to strike a fair balance between the negative impacts of noise (on health, amenity (quality of life) and productivity) and the positive economic impacts of flights.

In GAL's view, Government aviation noise policy is for the aviation industry as a whole and policy success needs to be judged over the longer term. The Aviation Industry has a track record in improving noise over the longer term as evidenced in aircraft development and airline fleet transition since 2013, and this is expected to continue. The Industry is valuable to the UK and invests substantial amounts of money in research and development targeted at reducing noise and emissions, and Government wants to encourage this investment to continue. Industry does not derive commercial benefit from reduction in noise per-se and may incur operational costs. Industry can share the benefit from the investment it makes in noise reduction by being allowed access to growth.

Communities have expressed the view that GAL's proposal does not ensure that benefits are shared between the aviation industry and local communities. It is communities' view that industry would realise very substantial benefits, but the community would realise disbenefits or only very modest benefits. The industry was not reducing or mitigating noise as airport capacity grows, as noise was projected to increase as the airport's capacity grew.



Long-Term Industry Investment in Aircraft Technology

Since the publication of the APF both the A350 and B787 aircraft have been launched, and developments of existing designs like the A320 NEO and B737 Max. The new generation of Airbus – NEOs, the New Engine Option – may be up to 5dB quieter on departure and 3dB quieter on approach than the older types they typically replace. This results in a noticeably smaller noise footprint on the ground.

It takes around 10 years to bring a wholly new type of aircraft to market. The A350 was announced as a development programme in September 2004, and Qatar Airlines made their first scheduled flight in January 2015. The development cost was about \$15bn. In the same period since the publication of the APF, older jets have started being phased out from airline fleets, including BAE 146s, B737-400s, B747s, B757s and B767s. They have been replaced with quieter and more fuel-efficient types. This repeats patterns where older jets are replaced, for example in the late 1990s and early 2000s BAC One-Elevens, B737-200s, B727s, DC-8s, and early 747 variants were retired from service. The slower transition fleet allows for a delay of around 5 years in the expected fleet transition to newer types, which is expected to largely have completed by the end of this decade.

GAL informed the NEG that airports do not control when either a wholly new type of aircraft emerges, or technological updates are taken up by airlines. Fleet transition takes time to occur and can be affected by economic circumstances, amongst other factors; recent examples include COVID-19 and issues with the introduction of the B737 Max.

It was stated by one community noise action group that both Airbus and Boeing have expressed having no current or imminent plans for the development of new aircraft types, which would be quieter. As such, the community noise action group believes that only the noise performance of existing types of aircraft should be considered. The community noise action group member later clarified that they had not approached Boeing or Airbus formally and had reported views from undisclosed sources.



Consultation Under UK Regulation 598

GAL explained that its Northern Runway autumn 2021 consultation had included a consultation under UK Regulation 598.

This regulation requires that 'noise related operating restrictions' are only imposed when other measures within the ICAO Balanced Approach guidance have first been considered, and where those other measures are not in themselves sufficient to attain the specific noise abatement objectives for the airport. It is assumed that the proposed noise envelope would be a noise related operating restriction under the Regulation.

In the context of Regulation 598, GAL proposed the following noise objective for the Project within the PEIR:

The Project will:

- *Avoid significant adverse impacts on health and quality of life from noise;*
 - *Mitigate and minimise adverse impacts on health and quality of life from noise;*
 - *Where possible, contribute to improvements to health and quality of life;*
- and*
- *Provide certainty to the communities around Gatwick that noise will not exceed contour limits and will reduce over time, consistent with the ICAO Balanced Approach.*

The Regulation requires consultation with Local residents, Airlines, Air Traffic Control, the Slot Coordinator, Local Authorities and other airport operators. The NEG process represents ongoing consultation in accordance with Regulation 598.



Noise Envelope Options



Noise Envelope – PEIR Proposals

GAL explained that the noise envelope within the PEIR was an outline proposal and was subject to review in connection with the undertaking of environmental assessment and further stakeholder consultation. It illustrates the principles for GAL's proposed noise envelope in connection with future airport growth and the processes to manage and monitor compliance and for reviews to be undertaken.

The PEIR Noise Envelope provides as follows:

By the end of the first year after opening of the reconfigured northern runway pursuant to the Project, and thereafter, the area enclosed by the 92-day summer season average mode noise contours produced by the CAA shall not exceed the following:

- (A) L_{eq} 16-hour day 51dB: 146.7 km²; and*
- (B) L_{eq} 8-hour night 45dB: 157.4 km²*

By the end of the first year in which annual commercial ATMs exceed 382,000, and thereafter, the area enclosed by the 92-day summer season average mode noise contours produced by the CAA shall not exceed the following:

- (A) L_{eq} 16-hour day 51dB: 125.7 km²; and*
- (B) L_{eq} 8-hour night 45dB: 136.1 km²*



Noise Envelope – PEIR Proposals

The area of the L_{eq} day and night contours would not exceed the limits above, and the noise envelope would provide certainty to the community that noise levels would be limited and would reduce in the future as the airport grows so as to share the benefits of that growth and new technologies with the community.

GAL will report on performance within the noise envelope annually and set in place internal management processes to forecast performance in the years ahead so as to pre-empt potential non-compliance and put in place operating practices and measures to reduce noise before an exceedance arises. Such measures would be subject to consultation with industry and community stakeholders if they trigger the requirements of Regulation (EU) 598/2014.

GAL seeks views from stakeholders on the proposed noise envelope for consideration as part of this consultation.



Noise Envelope Options – Metrics

Overall, there were 5,941 comments on the PEIR submitted under the consultation report heading 13b Managing and mitigating effects: Noise Envelope. Of these, 9% supported the Noise Envelope proposal, 4% opposed the principle of the proposed Noise Envelope and 87% made suggestions to improve the Noise Envelope.

Within the presentation, GAL noted that the PEIR consultation had included 587 comments on noise metrics. It reminded stakeholders that a discussion on the pros and cons of the various noise metrics was included in the PIER Appendix 14.3.2, including all those referred to in CAP1129. The initial 46-slide presentation summarised this and showed how N60 and N65 was calculated and that they can fluctuate with fleet mix. Plots were included showing how N60 correlates with L_{eq8hr} , how N65 correlates with L_{eq16hr} , how annual L_{den} correlated with summer L_{eq16hr} , and how for a given metric the areas of contours at different levels, e.g., L_{eq16hr} 51, 54, 57, 60, 63 dB, follow very similar trends across time.

A community noise action group paper noted ‘a noise envelope should comprise, or be derived from, multiple metrics and limits rather than a single metric. Metrics and limits must include the area within average noise (L_{eq}) contours down to at least the 45dB level, the area within contours that take full account of the frequency of aircraft noise events above agreed dB levels, all times of day and all periods of the year, and the impacts of all overflying aircraft including those not arriving or departing from LGW.’ GAL explained that the CAA noise model is not valid at levels as low as L_{eq16hr} 45dB.



Noise Envelope Options – Metrics

Stakeholders reiterated that people do not perceive noise in the way that the L_{eq} metric measures it and they want a suite of metrics, as they believed was suggested by CAP1129. There was a particular call for the Noise Envelope limits to include a metric that captured frequency of overflight.

It was also stated that stakeholders want noise further from the airport to be limited i.e., at levels below $L_{eq}16hr$ 51dB, although GAL advised that limiting noise around $L_{eq}51dB$ would also imply a reduction in noise beyond this area.

It was suggested by another community noise action group that charges should be increased for noisier aircraft. GAL acknowledged that the Departure Noise Limits fining regime is another example of a noise management process that could contribute to help ensure compliance with a future Noise Envelope. The Departure Noise Limits Review will progress following the delay caused by the NEG consultation.



Noise Envelope Options – Metrics

It was asked by stakeholders, why metrics, in terms of populations affected, were not proposed. GAL explained how populations change over time, and as such, that would lead to confusion.

Local Authorities noted that limiting noise at the LOAEL would not directly limit noise from those most severely affected, for example, around SOAEL. GAL suggested it is unlikely that noise controlled at the LOAEL contour could coincide with noise increases around the SOAEL, but it is a possible unexpected consequence that should be addressed, perhaps by the addition of noise limits for SOAEL contours. GAL also noted that impacts within SOAEL would be mitigated by the Noise Insulation Scheme Inner Zone, creating an incentive to avoid this.

Stakeholders, including local authorities, expressed a request for limits on noise throughout the year. Whilst the PEIR has provided annual L_{den} and L_{night} contours, annual L_{eq16hr} and L_{eq8hr} are preferred. GAL indicated that an annual ATM cap would likely provide an annual limit, but GAL will consider annual L_{eq16hr} and L_{eq8hr} as supplementary noise metrics in the Noise Envelope.

Stakeholders wanted what GAL have termed ‘supplementary metrics’ to be used as limits for the noise envelope.

GAL agrees that supplementary metrics will be helpful to report on the character of effects but does not agree that these should be limits.



Noise Envelope Options – Metrics

One community member submitted a paper, which recommended that an additional noise metric should be introduced. It was argued that, since change in the fleet mix was the significant driver of noise reduction, there needed to be a simple and understandable metric that reported year-by-year reductions in the ‘average noise per aircraft’. This would help to disaggregate the opposing impacts of quieter aircraft on the one hand, and the impact of more flights on the other.

It was suggested that L_{eq} is a metric which aggregates these two factors and fails to recognise that there would inevitably be many more disturbances, although of a lower intensity. The use of certified noise levels measured by ENPdB, or alternatively the Quota Count methodology was proposed, which is already being used for the monitoring and enforcement of night flight restrictions at both Heathrow and Gatwick.

While it was recognised that the published official certified noise of aircraft is not always accurate, it could easily be monitored and verified or updated.

GAL agreed that there was value in what was proposed, and GAL’s noise expert carried out independent assessment to identify the value in considering the metric as one of the supplementary metrics to be included in Gatwick’s noise envelope.



Noise Envelope Options – Forecasts

The GAL presentation described the Central Case and Slower Transition Case as modelled and assessed in the PEIR.

The Slower Transition Fleet Case represents an approximate delay of around 5 years of airline fleet transition to quieter types to allow for uncertainties in airlines' fleet procurement and scheduling.

Some community noise action groups argued that the noise envelope should be based on a best case, strongly incentivised, fleet transition scenario designed to incentivise airlines to introduce the quietest suitable aircraft as quickly as is reasonably practicable. GAL explained its own views as to why it considered the envelope would provide an incentive.

The York Aviation review of the PEIR noted '*We consider that the fleet mix assumed in the Central Case for assessment is somewhat optimistic, particularly in the early years given the deferral of aircraft orders that has occurred during the pandemic, but that the Slower Transition Case represents a robust worst case*'.

Stakeholders felt that noise envelope limits must reflect a best case, strongly incentivised, fleet transition scenario. There was also a suggestion that there must be overall, binding limits on both passenger numbers and total traffic movements at Gatwick.

Stakeholders felt that performance reviews and forecasting should cover all periods of the year and all agreed metrics.



Noise Envelope Options – Limits

Key Presentation Points and Opinions made by Various Community Members:

- The noise envelope must ensure noise and noise impacts reduce continually as airport capacity grows. This was taken to be year on year. GAL pointed to previous upward and downward movements in noise contour areas and suggested this was not always realistic e.g., following the recent Pandemic, following a financial crisis or recession, or for the first year after opening the Northern Runway
- Noise envelope limits must take account of all relevant new technologies and potential operational improvements, not just fleet changes. GAL noted that not all noise management initiatives could be readily quantified and forecast
- There should be no commercial flights for a full 8-hour night period at all times of year
- Hourly aircraft movements should be limited at all times of day to levels that achieve a progressive reduction of aircraft noise in all locations to less than the limits recommended by the WHO. GAL challenged if this was reasonable, as to reduce noise levels to the WHO guidelines at properties very close to the airport would require no flights
- There must be overall, binding, limits on both passenger numbers and total traffic movements. This was discussed and GAL explained it is considering an ATM cap
- One community group proposed that within the first year of the Northern Runway, Gatwick should be restricted to 321,000 ATMs, shared equally between two runways on all departures. If the noise contours decrease by 3dB overall, Gatwick should be allowed to increase ATMs the next year by 2%. This can then consecutively increase until reaching 382,000 as the final total cap.



Noise Envelope Options – Limits

Key Presentation Points and Opinions made by Local Authorities:

- Populations in contours, using a: a fixed base year and b: and actual year.

GAL discussed the shortcomings of this as population grows, but as a secondary metric (with no limit) it is useful

- A cap on total ATMs not just commercial ATMs.

GAL noted that the ‘all ATM’ classification includes those that could be relief or rescue flights, and that these flights are not scheduled, and their numbers are not managed by GAL. These flights would be included within the ERCD annual contour modelling so their noise contribution, albeit small, would be counted towards the total areas that are limited by the noise envelope.

- The second period contours area limits should relate to a year OR 382,000 ATMs, whichever comes first.

GAL acknowledges that there is a technical outlying possibility and acknowledges that the envelope will be reviewed on this point.

GAL noted that it has been previously discussed that it does not control population within noise contours. However, as a secondary metric population within the noise envelope limit contour, could be a useful secondary metric.



Noise Envelope Options – Limits, Sharing Benefits

The NEG considered three separate methodologies for calculating benefits sharing. Two methodologies related to the extent of benefits being shared in terms of changes in forecast contour areas, and the third option referenced the noise performance of aircraft as measured during certification. GAL's noise consultant provided expert feedback to the communities on their proposals, including identifying issues with some of the methodologies proposed.

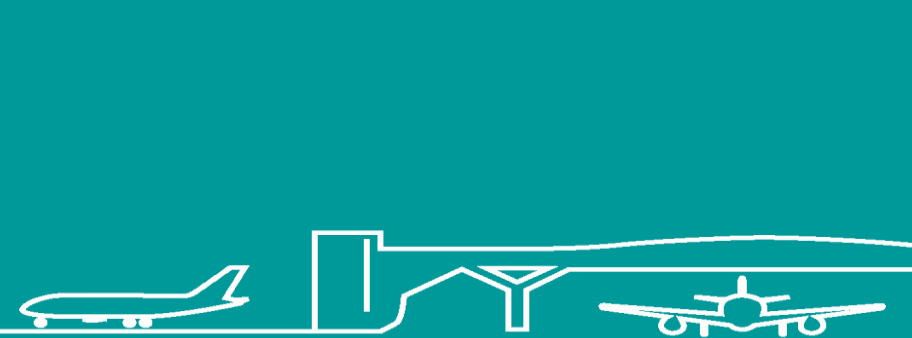
Using the North Somerset Council methodology reported by the Planning Inspectorate (PINS) in their report approving the Bristol Airport Planning Appeal in February 2022, GAL calculated that benefits sharing in the communities' favour was around 50% by day and 66% by night in 2038 (slower transition fleet). The community methods showed lower proportions with, for example, one community proposal showing 30% sharing of benefit for the daytime contour in 2038.

Some stakeholders felt that 50% of the benefits should be shared; others equated commercial benefit with contour area. GAL noted there was no policy guidance on how to calculate benefit sharing. In the Planning Appeal considered by PINS at Bristol, the NSC calculation resulted in 23% sharing of benefits to the community.

One community group proposed that to allow Gatwick to grow, each house within the 51dB and 45dB should be paid £5,000 a year until they are out of the noise contour band to enable 'community buy-in', and that this payment should be index linked annually.



Operating a Noise Envelope



Existing Regulatory Framework

GAL have explained that it expects the Noise Envelope will be operated within the existing legal and regulatory frameworks for the Airport. These cover, amongst other things, rules governing the administration of runway slots, and the charges the airport makes to airlines using it.

The Airports Slot Allocation Regulations

The Airport declares the capacity it has available subject to constraints and gives over the responsibility for issuing slots within the available capacity to an independent coordinator (ACL).

The Gatwick Airport Coordination Committee is composed of the airport and airlines, ATC and ACL. It votes on Local Rules for the administration of capacity at Gatwick, which form the basis of how ACL administers slots. Airlines have 80% of the voting rights on the committee.

Discussions on capacity for the following Summer season, start in the August of the year before, with a final declaration on capacity being given in January. Once an airline has been issued a slot it can gain historic rights and, provided it continues to use it within the agreed rules, the slot rights may not be withdrawn from the airline.

ACL monitors airlines' use of slots and in the event of mis-use can levy penalties or, in extremis, remove the slot. Other factors can influence the type of aircraft operating at Gatwick, but would not remove the slot from the airline. Post Northern Runway, airlines could be required to vote on a Local Rule to control the issue of new slots, (this being part of a suite of measures to prevent breach of the noise envelope).

One community group's view was that achievement of noise envelope limits must be enforceable, not subject to variation through the planning system, and take precedence over other contractual rights, including to slots.



Airport Charges

GAL explained that the CAA has powers under the Civil Aviation Act 2012 for the economic regulation of airport operators that pass the market power test in the Act. Under the Airport Charges Regulations 2011, GAL is required to consult annually on the structure and level of its airport charges. GAL retains discretion over the structure of its airport charges, but must consult on any proposed changes. Structural changes are revenue neutral to GAL, but may impact the level of charges paid by individual airlines. Airlines have a right of appeal to the CAA.

Charges are subject to GAL's published price commitment, which caps the revenue per passenger, and which GAL is permitted to recover through its airport charges each year.

GAL set out that its charging structure seeks to incentivise the use of quieter, cleaner and greener aircraft. Aircraft which have lower Noise, NO_x Charges and CO₂ emissions are charged less. The proportion of an airline's cost base accounted for by airport charges, varies by airline business model and service type; airport charges typically account for a higher proportion of the cost base for low cost carriers operating short haul services. There is the potential to strengthen price signals by increasing the proportion of revenue collected through environmental charges, increasing the relativity of charges between noise charge categories and further disaggregating Chapter 14 aircraft. GAL may also seek to strengthen pricing signals via bilateral agreements; subject to commercial agreement with individual airlines.



Operation and Review of the Noise Envelope

Following consideration of discussions within the NEG, GAL proposed that the outline noise envelope should be varied, so that the noise envelope parameters would be set for 5 years following consultation with stakeholders.

Forecasting of noise performance for the 5 years ahead would be undertaken annually, taking into account the scheduled number of flights and best knowledge of the noise performance of the aircraft utilising the capacity of the airport. The annual forecasting exercise would allow Gatwick to implement actions to prevent a breach of the agreed noise envelope.

GAL maintained that based on the information reviewed in the NEG process, its view remained that the primary metric for assessing effects should be the areas of the day and night L_{Aeq} noise contours. Again, following consideration of stakeholder views, GAL agreed that additional secondary metrics, including N65 day and N60 night should also be reported by the noise envelope process. GAL does not agree that these metrics should form noise envelope limits.

GAL set out that it sees the key fundamental purpose of undertaking a review as ensuring that the noise envelope secured by the DCO, remains relevant over time and that it continued to strike a fair balance by taking account of actual growth and the introduction of new aircraft technology.

Reviews could be undertaken:

- Prior to the end of the first year after opening;
- Every 5 years thereafter to align with the Noise Action Plan;
- Prior to the end of the first year in which annual commercial ATMs exceed 382,000; and
- Extraordinary review – for example, force majeure, significant policy changes or major airspace change.



Requirement for a Review Body to Oversee the Noise Envelope Process

GAL proposed that the noise envelope be periodically reviewed by stakeholders and for decisions to be taken by an appropriate multi-party review body. It was suggested that the review body could be formed as a sub-committee of GATCOM.

The membership of the review body could include representatives from the Airport, Airport Scheduling Committee; the Local Planning Authorities, Airport Coordination Limited, Airlines, GATCOM members who represent community interests, and a technical advisor.

GAL proposed that function and Terms of Reference, including the process for how the Review Body makes decisions, would be submitted and approved as part of the DCO.

A decision-making framework would need to be produced to detail the matters to be taken into account and the timescales for review and comment by members of the approving body, and for the issuing of outcomes. This process will be similar to the approval processes commonly provided for in the DCOs, save that the decision-making body would be the Review Body.

Broadly, the decision-making process will include for decisions on submitted reports/plans for approval within set timeframes, subject to an ability for further information to be requested by the Review Body. Standard timescales are likely to be 28 days, subject to extension where further information is requested from the point of the provision of further information. GAL would retain a right of appeal to the Secretary of State.

There was a consensus in the feedback from all who offered a view – including a GATCOM member – that GATCOM should not be an oversight body to the Review Body.



Feedback on Operating and Enforcement Arrangements

1. Principles: the initial noise envelope and successive reviews must ensure that:
 - (a) total aircraft noise and noise impacts (including from aircraft using other airports) reduce continually as airport capacity grows, using a combination of metrics that is meaningful to communities; and
 - (b) a fair sharing of the total benefits of growth between the aviation industry (capacity) and local communities (noise reduction), not merely a sharing of any benefits from technological improvements
2. Performance reviews and forecasting should cover all periods of the year and all agreed metrics
3. Limits, reporting and forecasting should commence immediately after the DCO process, whether or not it is granted
4. Extraordinary reviews should be triggered by significant airspace changes, policy changes and research findings. Reviews should be able to reduce limits but not increase them
5. Achievement of noise envelope limits must be enforceable, not subject to variation through the planning system, and take precedence over other contractual rights including to slots



Feedback on Operating and Enforcement Arrangements

4. Breach of the noise envelope should result in both financial penalties (for the benefit of communities) and compensatory reductions in future limits, as proposed by the CAA
5. The noise envelope review body should be independent, expert and have legally-binding enforcement powers. A sub-committee of GATCOM does not meet these tests and would not be acceptable

GAL discussed all of these points throughout the course of the meetings, and provided feedback on their feasibility or otherwise, on the basis of existing legislation, regulatory requirements, and contractual relationships.

Local Authority Views

Local Authorities provided some useful input to the discussions that took place through the NEG, however, the bulk of feedback summarised in this Output Report is derived from community member input. A written response summarising Local Authority views in relation to the work of the Noise Envelope Group was submitted to GAL shortly before publication of this report but is not directly reflected here.

A complementary series of Noise Topic Working Groups has, and will continue, to focus on Local Authorities' engagement. The Local Authorities response to the Noise Envelope Group Output Report will be discussed through this complementary series of discussions and reflected in the report of the work of the Noise Topic Working Groups.



Airline Views

Airlines stated that they strongly support the use of quieter and more fuel-efficient aircraft and working collaboratively with stakeholders to reduce noise. They noted, however, that fleet procurement could be impacted by things beyond the airline's control, e.g., COVID, war, technical and regulatory issues with new aircraft types.

The airlines noted that they do not want an envelope to be set such that they will be penalised for matters outside of the control of the flight crew. The envelope should have significant forecast buffers to allow for real world weather impacts, operational and maintenance delays, go arounds, ATC required maneuvering, etc. Adequate spare capacity should be provided to ensure the recovery of operations following the types of disruption that can reasonably be expected in the normal course of events, and which in turn impact the night flying quotas.

It was further detailed that the envelope should allow for routine, day to day operations, and that crews should be able to deviate outside an envelope in the interest of safety whenever required without bringing the airline out of compliance. Procedures should not require any abnormal maneuvering/procedures, e.g., steep descents.

Consideration of emissions was also raised as an important topic for the airlines, and a suggestion that requirements of a noise envelope should not increase track mileage and therefore impact carbon emissions. In the context of noise emissions, airspace modernisation would allow modern aircraft to operate quieter landing and take-off procedures, thus reducing noise for local communities.

Airlines made clear their belief that proposals for the noise envelope would need to comply with both the UK and EU slot regulations.



YOUR LONDON AIRPORT
Gatwick

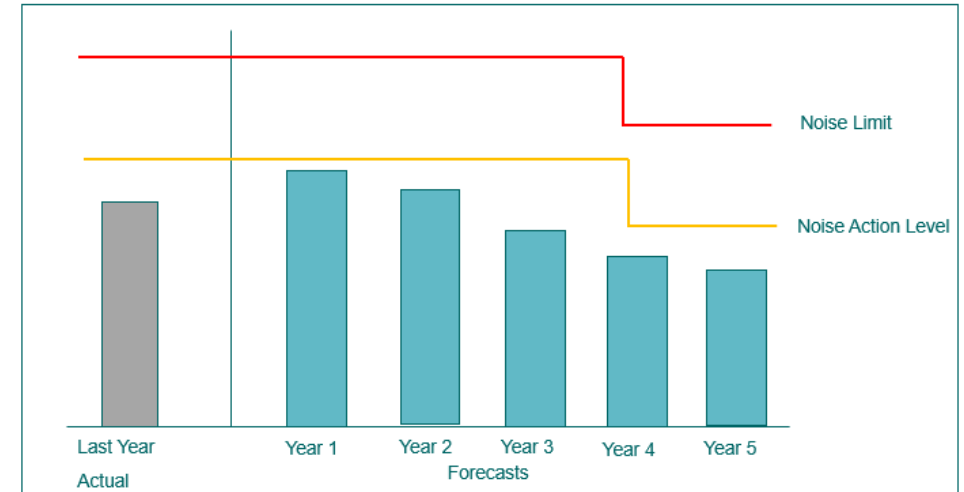
Enforcement



Managing Operations to Stay Within the Envelope, and Actions to be Taken in the Event of an Envelope Breach

GAL proposed that five-year forecasts should be prepared annually to show that the airport expects to operate within the limits and within Noise Action Levels set a margin below, to provide additional certainty in future compliance.

GAL proposed that where forecasting identifies that it may breach the currently applicable noise envelope milestone or noise action level, it should be required to identify the measures within its control that could be expected to address any predicted breach.



GAL proposed that in the event that actual performance modelling identifies an exceedance of the noise envelope contour for the preceding summer season, it would be required to identify the reason for the exceedance and why this was not predicted. This would be to ensure any issue with the forecasting methodology is rectified.

Operating practices and measures to reduce noise and avoid a further exceedance of the noise contour would also be identified. Should it not be able to provide a plan, which detailed how any further exceedance is not forecasted to occur in future years, it would not be possible to declare further capacity until a plan to achieve compliance is produced by GAL and approved by the Review Body.



Feedback on Gatwick's Enforcement Proposals

Key Presentation Points and Opinions by Various Community Noise Action Members:

It was suggested that achievement of noise envelope limits must be enforceable, not subject to variation through the planning system, and take precedence over other contractual rights including to slots. Breach of the noise envelope should result in both financial penalties (for the benefit of communities) and compensatory reductions in future limits, as proposed by the CAA. Penalties were discussed with opinions varying; most community stakeholders calling for meaningful financial penalties.

A separate community noise action group noted that they would not accept the existing notion of a community fund, as it is felt currently that very restrictive criteria are set to paying out for e.g., village halls and charities. The community noise action group member feels such fund payouts are used by GAL for good PR stories. Alternative suggestions were made:

- The money should go to the individuals affected
- This should be index-linked so the scale of impact is reflected in the amount paid directly to the homeowner/tenant
- For example, for every day/night the house is impacted by the breach the occupant should be paid £1,000.



Feedback on GAL's Enforcement Proposals

GAL advised that the Noise Envelope requirement to produce monitoring reports – and where necessary, action plans – to reduce noise, would form part of the DCO. This would ensure that any breach would be capable of enforcement in accordance with the Planning Act 2008.

The Planning Act 2008 enforcement regime enables the local planning authority to legally require the provisions of any DCO information, including its requirements, for the purpose of establishing whether a breach has occurred. It also provides a direct route for a local planning authority to seek an injunction from the Courts to prevent such breach. Any person may petition a local authority to investigate matters and to bring enforcement related action.

In addition, it is a criminal offence for a person to fail to comply with the terms of a DCO without reasonable excuse, and any person may petition the police to seek to bring a conviction in those circumstances.

