

ARC Comments on the “better airports” package



About the ARC

The Airport Regions Conference (ARC) is an association of regional and local authorities across Europe with an international airport situated within or near its territory.

The ARC brings together a wide range of expertise at the interface of air transport and local and regional policies. A common concern is to balance the economic benefits generated by the airports against their environmental impact, notably the effect on the quality of life of local residents. ARC works with the European Commissioner for Transport and his Cabinet and the EC Directorates for Transport, for the Environment, and for the Regions.

The ARC was set up in 1994. There are currently more than 30 member regions, representing a population close to 100 million people. More than 30 major international airports in Europe are located in ARC regions, handling over 550 million passengers per year.

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The Airport Regions Conference welcomes the intentions behind the proposals of the Airport package. Addressing the capacity issue is certainly key to Europe's competitiveness in general and to the competitiveness of regions thereof. The proposals comprise many elements that can only be welcomed in terms of limiting legislative discrepancies, improving transparency mechanisms. ARC members appreciate highly the fact that noise at airports is considered as part of the capacity issue, even if the proposed solutions are insufficient. Indeed, the “better airport package” somehow misses the point. ARC members would like to underline that:

Capacity issue is mostly an issue for large airports:

The vast majority of airports, in numbers, in Europe does not encounter a capacity crunch now, and will not encounter a capacity crunch in 2030. Capacity shortage occurs at the major hubs, which represent a substantial part of EU traffic, and as such needs to be addressed. This difference must be acknowledged and taken into account in the legislation.

Capacity issues at large airports are mostly a matter of quality of life:

The recent developments at major hubs have demonstrated time and again that before being a lack of infrastructure at major hubs, before being a shortage of services at major hubs, the challenge to growth at major hubs resides with the environmental acceptance of aviation activities by the neighbours. ARC members believe that the notions of airport capacity, quality of life, economic development, sustainable growth of aviation are intimately linked, and that all these aspects should be taken into account in the proposed legislation.

Time for addressing these issues is pressing: for airport regions, the 2030 horizon is too far. The whole issue is to allow the growth of traffic all around Europe, whilst addressing the lack of environmental capacity now at the main airports to allow them to get a sustainable growth by 2030. With these remarks in mind, ARC members would like to deliver their views on the various texts that are proposed in the airport package.



ARC comments on slots: a premature proposal

Airport slots are certainly one of the most valuable assets of airlines. A better use of these slots might improve the gain in capacity (or not). Nevertheless, there seems to be methodological biases in the approach taken in the Commission impact assessment.

This impact assessment:

- Openly considers¹ that the connectivity for remote regions cannot be assessed as it is not economically efficient. This means that the impact of aviation for remote regions has been completely undermined, without consideration to the aim of cohesion that the EU is committed to.
- Does not take environmental aspects into account. The objective of the proposal is to increase the number of passengers at the major hubs, which are the ones that are saturated already, from the residents’ perspective. Still, the impact assessment provides little element for the evaluation of the environmental impact of the proposal, especially on the noise aspects. One can assume that increasing the use of slots will increase the number of aircraft, hence the noise and the emission levels, as well as the saturation of the roads for all these further passengers.
- Considers the value of slots only through the number of passengers going through each slot with little consideration to the nature of the passenger or reason for travelling. This means that the economic impact of a business traveller is considered to be the same as the impact of a leisure traveller. Both travellers have a structural and important role to play in the regions where they are

¹ The preparatory study made by a consultant states (Point 51) that “The issues that are not addressed are the issues of access for regional service and business aviation.” This methodological bias is largely perceivable in the final assessment: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=SEC:2011:1443:FIN:EN:PDF>

departing from or arriving to, but the mechanisms and volumes of impact need to be taken into account in a proper evaluation.

Because of these major biases, ARC members consider that the proposal is premature. The impact on loss of regional connectivity, on more congested airport in environmental terms, as well as the need for regional authorities to be more involved in the attribution of slots should be better assessed.

ARC comments on ground handling proposals: jobs at airport must be preserved and the quality of these jobs promoted

Ground handling is presented as one of the bottlenecks to European air traffic, causing the major part of the delays. As local authorities, ARC members are not themselves providing ground handling services. They would still like to point out that ground handling is one of the major job providers at airports, and hence is key to the acceptance of aviation activities by the residents.

This implies that safeguarding airport jobs and the quality of these jobs is of utmost importance.

It is our understanding that the Commission proposal will allow for job continuity when there is a change of service providers, and that the proposal is also setting up minimum standards in terms of training. The proposal also aims at increasing competition (switching from 2 to 3 the minimum number of providers) at the largest airports.

The spirit of such proposal can only be welcomed, but it needs to be reasserted that the current level of training of ground handlers in a given airport should by no means be decreased and that the side effects of the measure on airport jobs should be carefully taken into account before its adoption.



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ARC comments on noise at European Union airports:

- the proposed Regulation should not aim at “forbidding to forbid”
- more comprehensive proposals should follow so as to have a real noise at airports policy

General comment:

This Regulation comes within the framework of an airport package aiming at creating more capacity at European airports. ARC members would like to point out that regulating airport operations in order to create more capacity does not constitute an effective basis for a “noise at airports policy”. There is a need to define a comprehensive policy to address specifically this issue. Operating restrictions are not the only means to be used. The other elements of the ICAO balanced approach should be further explored. Furthermore, fostering acceptance should be developed.

Noise at European airports and at the major hubs in particular is one of the hiccups to acceptance of further development of traffic in airport regions. Local authorities are in the front line for receiving the complaints and implementing solutions.

As such, ARC members believe that a number of prerequisites are necessary for an efficient noise policy at airports, and that the proposed Regulation is only the very first step for meeting these requirements.

The diversity of situations must be taken into account through a diversity of tools

No airport region is similar to another. Geography changes, density and diversity of population change. There cannot be one single solution to be

implemented, and operating restrictions are certainly not the only solution to noise issues at airports. The solutions can only come from a combination of actions to be implemented, either jointly or alternatively, according to each specific case.

All the elements of the ICAO balanced approach must be taken into account

The proposed text intends to implement the “ICAO balanced approach”, which provides 4 means to fight noise: more silent aircraft, better operations, spatial planning and operations restrictions. ARC members regret that the proposal puts all emphasis on noise restrictions, without addressing the other means proposed by the balanced approach. Furthermore, the proposal as it stands has a clear aim to prevent operations restrictions. It seems very contradictory to favour the balanced approach, and its four means to combat noise, whilst forbidding one of them and giving no element to encourage the other ones.

ARC members acknowledge that the Commission does not have the competence to propose actions when it comes to spatial planning, but would like to point out that spatial planning around airport cannot consist only of “operational restrictions” on the spatial planning side. Increasing air traffic in an area frozen for urban development is not an option. Spatial planning around airports consists of “optimizing land use around airports, balancing current and future requirements and the need for economic development with potential conflicts”. For that purpose, fostering “interactions between ATM providers and local or regional decision makers”² is key.

Building agreements between stakeholders

It is ARC members’ direct experience that a number of tools do exist to go beyond the traditional definition of spatial planning. These tools have proven to be efficient and they need to be

² Quality of life in airport regions strategic guidelines – ARC 2011



valued or promoted at European level:

- strong mediation processes
- improved communications with citizens by easy access to sufficient, simple and reliable
 - information on airport operations and development
 - actions for specific investments in the affected areas
 - action plans mitigations
 - actions plans for financial compensation.

The proposal comprises a number of positive elements: a step towards more legislative consistency, creation of independent authorities, consultative forums.

ARC would like to welcome the Commission choice to use a Regulation as a tool. It is the direct experience of ARC members that there is currently a lot of discrepancies in the application of rules, and that it leads to environmental dumping in some cases. Besides, the Commission is bringing more consistency between airport noise legislation and the Environmental Noise Directive (Directive 2002/49).

The creation of independent authorities in each country is also highly appreciated, **given that the independence of the authority is guaranteed.**

By these aspects, the proposed noise Regulation is also heading in the right direction as it demonstrates a better understanding of residents' concerns. Hence, the current proposal constitutes a good start for further discussion and legislative developments, but cannot be considered as the only solution to the environmental capacity issues in Europe.

Some modifications are needed in the current proposal, without prejudice to additional provisions needed to have a real noise at airport policy

The following issues should still be improved:

1. Role of regional authorities:

The proposal intends to implement the ICAO balanced approach, and hence recognises the role of spatial planning in terms of noise mitigation.

However, the role of local and regional planning authorities who are in charge of this spatial planning is not sufficiently acknowledged in the proposal. Article 3 should foresee their consultation for the designation of competent authorities and appeal bodies. Article 5.4 should foresee their participation in (and not simple consultation by) the forum for technical cooperation.

2. The subsidiarity principle :

ARC members highly believe in the subsidiarity principle, but would like to recall that the principle does not stop at EU level, or at State level. Local and regional authorities are the democratic entities that are the nearest to the nuisance, and their citizens are affected on a daily basis. When noise is the reason, local and regional authorities have a right to launch or veto a procedure leading to an operating restriction, and this should not be questioned.³

It is clear that restricting operations are measures that are taken locally and have an impact on the overall network. This means that none of the actors can take decisions on operating restrictions by itself. Hence collegial decisions (carefully as-

³ It is clear that an operation restrictions may not be possible for security reasons, but it has to be decided by an independent body, and regularly reviewed



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sessed through an independent body) are a better option (article 3).

3. Role of the Commission in the scrutiny procedure:

It must be clearly ensured that the role of the Commission should not be to ONLY forbid restriction measures. Whereas ARC members can accept that in some cases there could be a need to limit the operation restrictions, in other cases, the restrictions could be legitimate. The current wording of Article 10 must be reviewed accordingly.

4. Independence of the authorities that would be set up in each country

The independence of these authorities should be safeguarded, and regularly assessed by the Commission. Equally these authorities should submit a report to the Commission every second year after the entry into force of the Regulation so that the consistency of the measures taken is assessed as well as the need to avoid environmental dumping and ensure level playing field. Modifications in that direction are needed in article 3.

5. Transparency of noise information:

Data on noise performance shall be available to residents free of charge (article 6.4).

6. Internalisation of external costs:

A European compensation fund shall be set up for airport-side resident victims of airport noise (health, property loss etc...), on the basis of the polluter pays principle. This principle could be an extra tool of the Balanced Approach (Article 2.2, article 4 and Annex I)

7. Night flights:

The legislative framework should encompass better definitions of night, and should notably refer to the work undertaken by the World Health Organisation in the field

The legislative framework should implement transition measures in order to avoid thresholds effects (example : the “night “ ends at 6 am : as from 06.01 am, there are dozens of flights)

8. Minimum noise standard:

ARC members acknowledge that defining minimum noise standards is extremely complex. Still, some tools already exist, such as the classification of aircraft, and the technical and legislative tools to forbid the noisiest aircraft. The Regulation should accelerate the phasing out of the noisiest aircraft.

9. Assessment of operating restrictions:

The factors listed as optional for the assessment of cost-effectiveness of noise-related operating restrictions shall be made compulsory (Annex II). They include:

- Health and safety of local residents living in the surroundings of the airport;
- Environmental sustainability, including interdependencies between noise and emissions;
- Direct, indirect and catalytic employment effects.

