



BRIEFING PAPER

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Night flights at Heathrow, Gatwick & Stansted

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Summary

This paper explains how the night flight regimes at the UK's three designated airports, Heathrow, Gatwick and Stansted, are set and what the current proposals are for the period 2017-22.

Aircraft noise is an ongoing concern for people who live near to, or under the flight path for an airport. At designated airports the relevant authority (the Secretary of State for Transport in the case of England and Wales, Scottish Minister in Scotland) can mitigate the problem by limiting the number of flights and the type of aircraft that fly into and out of airports during the early morning (from 2300 to 0700). These are generally referred to as 'night flights'.

The current regime expires in October 2017 and in January 2017 the Government published its proposals for new limits to operate between 2017 and 2022. The key points are:

- reducing the total noise quota at Heathrow Airport by at least 43% in the winter and 50% in the summer;
- reducing noise quotas at Gatwick by at least 17% in the winter and 21% in the summer;
- setting a strict cap at existing levels for the number of night flights from Heathrow and Gatwick; and
- ending exemptions for almost 1,700 night flights operating out of Stansted by including these in the new cap, setting a strict limit which the airport cannot exceed.

Campaign groups at the three airports have given the proposals a mixed reaction and are calling for tougher restrictions to be put in place, particularly in the long term.

The proposals for the new regime period end well before the earliest estimated date for the opening of a new runway at Heathrow (mid-2020s). In the longer term Heathrow will have to commit to an outright ban on night flights if it hopes to expand.

This paper does not cover non-designated airports, where the responsibility for managing night flights and enforcing noise limits rests with the airport operator; often there will be consultation with local communities and, where applicable, local councils.

Information on other aviation issues, including aircraft noise and Heathrow expansion, can be found on the [Aviation Topical Page](#) of the Parliament website.

1. Overview

The Secretary of State for Transport is responsible for policy generally on the control of civil aircraft noise under section 78 of the [Civil Aviation Act 1982](#), as amended. These powers are devolved in Scotland to Scottish Ministers.¹ Under section 78(3) the relevant authority may “specify the maximum number of occasions on which aircraft of descriptions so specified may be permitted to take off or land” at airports so designated under section 80 of the same Act.

At present these controls apply only to **London Heathrow, Gatwick and Stansted** (the ‘designated airports’). Night flight restrictions of some form have been in place at Heathrow since 1962, Gatwick since 1971 and Stansted since 1978.²

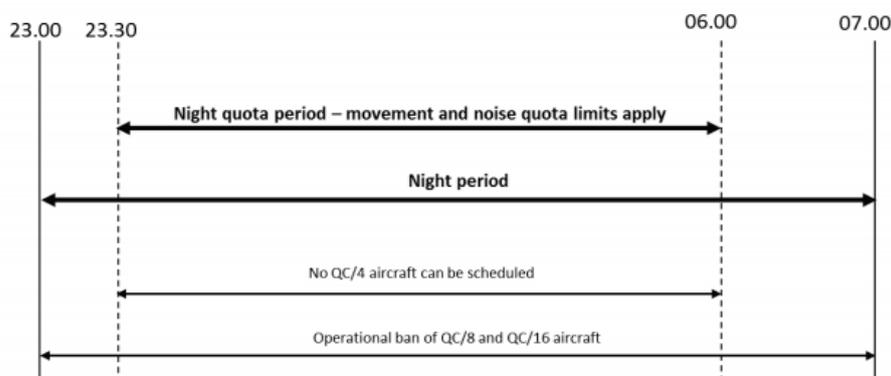
In practice, the restrictions, which the DfT calls the ‘night flying regime’, have been based on:

- setting a limit on the overall number of night flights;
- placing restrictions on the noisiest aircraft types; and
- setting noise quotas which cap the amount of noise energy which can be emitted at night over the course of the regime.

Thus, although night flights are not banned at the designated airports (except for the noisiest types of aircraft), restrictions are imposed on the number of night departures and arrivals.

The Government currently imposes movement limits and quotas between 2330 and 0600. There are also restrictions on the noisiest types of aircraft between 2300 and 2330 and 0600 and 0700 as set out below:³

Figure 1 - Structure of night flights regime



The DfT further explains that the movement limit refers to the maximum amount of aircraft that can take off or land during the night quote period while the quota count limit relates to the maximum amount of

¹ via [section 12](#) of the *Civil Aviation Act 2006*

² DfT, [Night flight restrictions at Gatwick, Heathrow and Stansted](#), 12 January 2017, para 1.2

³ *ibid.*, p11

noise energy that can be produced. If an airport uses all of its quota count, then even if it has additional movements available, no further movements can take place and vice versa. The limits are seasonal and aligned with the International Air Transport Association (IATA) summer and winter scheduling sessions. As the seasons vary in length, airports are given flexibility to manage their allowance, and may carry-over unused movements or quota from one session to another or may overrun in one season which leads to a deduction in the following season.⁴

Noise exposure contours

The Environmental Research and Consultancy Department (ERCD) of the Civil Aviation Authority (CAA) estimates the noise exposures around the designated airports (Heathrow, Gatwick and Stansted) on behalf of the Department for Transport.

The magnitude and extent of the aircraft noise around these airports are depicted on maps by contours of constant aircraft noise index (Leq) values. The contours are generated by a computer model validated with noise measurements, which calculates the emissions and propagation of noise from arriving and departing air traffic. The most recent data is for 2015.⁵

The argument for night flights restrictions is that they give those living close to an airport, affected by overflying, a predictable respite from noise disturbance. As the Government describes it: "The underlying principle of the restrictions has been to balance the need to protect local communities from excessive aircraft noise at night - which the Government recognises is the least acceptable aspect of aircraft operations, with permitting the operation of services that provide benefits to the aviation industry and wider economy".⁶

Over the years there have been debates about both relaxing the restrictions and instituting outright bans. For example, in 2013 the London Assembly Environment Committee called for an end to Heathrow night flights "because it is unacceptable that thousands of Londoners are unable to get a good night's sleep because of planes flying over the capital", and that if they must continue, "then landing more planes from the west of London would at least share the noise burden more equally".⁷ In contrast, the CBI argued at about the same time that night flights play "a key role in the aviation industry and generate millions of pounds in investment and exports".⁸

⁴ *ibid.*, paras 1.13-1.15

⁵ DfT, [Noise exposure contours around London airports](#), 12 January 2017

⁶ *op cit.*, [Night flight restrictions at Gatwick, Heathrow and Stansted](#), para 1.2

⁷ London Assembly press notice, "[End Heathrow night flights to stop sleep disturbance for thousands of Londoners, Assembly says](#)", 12 April 2013

⁸ "[Night Flights Generate Millions Of Pounds In Economic Growth](#)", *Business Report*, 24 April 2013

2. The night flying regime between 1994-2014

2.1 1994-99

In August 1995 the then Conservative Government announced the restrictions applying to night flights between October 1994 and October 1998. This followed a series of legal challenges. The limits were extended by the then Labour Government in 1998 to cover the period up to October 1999.⁹

The Conservative Government had begun consultation on the new quota system of night flying in January 1993¹⁰ and in July that year the then Secretary of State for Transport, John MacGregor, announced details of the system to come into force in October 1993. The system was to be based on the noise performance of aircraft taking off and landing, rather than the actual number of night flights at each of the three airports.

Each aircraft type would be assigned a quota count weighting, from 0.5 up to 16 – the noisier the aircraft, the larger the weighting for a night flight using that particular aircraft. Each airport was to be given a maximum quota count for their night flights; that is, flights between 2330 and 0600 (though other measures would restrict flights between 2300 and 2330, and between 0600 and 0700). The Government argued that the system provided a strong incentive for operators to use quieter aircraft, to maximise the number of night flights they could schedule, while conforming to the maximum quota count set for the airport they used.¹¹

On 30 July 1993 a number of local authorities - including the Royal Borough of Windsor & Maidenhead, and the London Borough of Richmond - applied for a Judicial Review of the system, concerned that the new rules would result in a significant increase in the number of night flights. They argued that the Secretary of State was not authorised to restrict night flights without setting a fixed limit on the number of flights occurring at a given airport. On 29 September 2003 Mr Justice Laws upheld the appeal in the High Court.¹² As a result, the Government announced a new movement ceiling (i.e. a maximum number of night flights) for the winter 1993-94 season.¹³

In November 1993 a second consultation document was issued for revised restrictions covering summer 1994, and the following four

⁹ DoT press notice, "Night flying restrictions at Heathrow, Gatwick and Stansted Winter 1995-96 to Summer 1998", 16 August 1995 [PN 95/252]; and [HC Deb 27 February 1998, c404W](#)

¹⁰ [HC Deb 28 January 1993, c795](#)

¹¹ [HC Deb 6 July 1993, cc71-72W](#)

¹² [Regina v. Secretary of State for Transport](#), 29 September 1993 [Case no. [1993] EWHC Admin 1 CO/2110/93]

¹³ DoT press notice, "Government confirms winter season night restrictions after consultation", 12 October 1993 [PN 93/405]

years.¹⁴ In February 1994, the Government announced the movement limits and quota counts for the summer 1994 season.¹⁵ This announcement was followed by a statement on 6 May 1994 that set out the movement limits and quota counts for the period October 1994 to October 1998.¹⁶ In March 1995 a new consultation paper was issued to address certain points made by the High Court.¹⁷ A supplementary paper was issued by the Government on 9 June 1995 and the local authorities concerned withdrew their appeal for a Judicial Review of the March 1995 consultation paper.¹⁸

In August 1995 the Government confirmed that the night flying restrictions previously announced in May 1994 would be implemented without change.¹⁹ In response, six local authorities sought a Judicial Review on the grounds that although it set a permitted noise level for 1993-98 less than the level permitted for the preceding period 1988-93, the effect was to allow more noise that was actually experienced in Summer 1988. Mr Justice Jowitt found in favour of the Government and ruled that it was lawful to restrict the total number of night aircraft movements for an aggregate of periods at designated aerodromes, without specifying the maximum number of movements in respect of each separate period.²⁰

2.2 1999-2005

In February 1998 the Labour Government published an initial consultation paper on the night flying regime to run from 1999 to 2004. This set out the two-stage process and the ensuing timetable.²¹ A second consultation, in two parts, was published in November 1998. The first part asked for comment on the Government's overall proposals for night flying restrictions and the second part dealt with Heathrow only, inviting views on options for the possible introduction of night-time runway alternation and on changing westerly preference at night. It also included a summary of the assessment of the continuing trial procedure for landings over London in the early morning.²²

The Minister announced the details of the new regime in June 1999. This included plans to reduce the seasonal noise quotas for Heathrow from winter 1999/2000 and for Gatwick from winter 2001/02; and to increase the noise quotas for Stansted.²³ The new regime took effect

¹⁴ DoT press notice, "Government consults on night flying restrictions ...", 10 November 1993 [PN 93/444]

¹⁵ [HC Deb 1 February 1994, cc625-627W](#)

¹⁶ [HC Deb 6 May 1994, cc653-655W](#); this includes a list of the specified limits by year and by airport

¹⁷ [HL Deb 13 March 1995, cc33-34WA](#)

¹⁸ DoT press notice, "Supplementary consultation paper on night restrictions issued", 9 June 1995 [PN 95/174]

¹⁹ DoT press notice, "Night flying restrictions at Heathrow, Gatwick and Stansted winter 1995-6 to summer 1998", 16 August 1995 [PN 95/252]

²⁰ DoT press notice, "Night restrictions at Heathrow, Gatwick and Stansted: legal challenge dismissed", 8 March 1996 [PN 96/70]

²¹ [HC Deb 27 February 1998, c404W](#)

²² [HC Deb 17 November 1998, cc492-93W](#); and: DETR, [Night Restrictions at Heathrow, Gatwick and Stansted: Second Stage Consultation](#), November 1998

²³ [HC Deb 10 June 1999, cc378-380W](#)

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from 31 October 1999.²⁴ In November 1999 the Government announced that runway alteration at Heathrow would be extended into the night.²⁵

In April 2003 the Government proposed extending the existing regime to October 2005.²⁶ This was mainly to allow the DfT to take a more strategic approach in the next round, as in early 2003 the Department was in the middle of its major consultation on the future of aviation and there was a decision by the European Court of Human Rights (ECHR) pending on the earlier night restrictions at Heathrow.²⁷

The case of *Hatton and Others v. the United Kingdom* was transmitted to the ECHR on 1 November 1998. The eight applicants lived in properties in the area surrounding Heathrow Airport. They complained that, following the introduction of the 1993 noise quota system, night-time noise increased, especially in the early morning, which interfered with their rights under [Article 8](#) (right to respect for private and family life) of the *European Convention on Human Rights*. They also claimed that as Judicial Review failed to examine the merits of decisions by public authorities and was prohibitively expensive for individuals, it did not comply with [Article 13](#) (right to an effective remedy) of the Convention.

A hearing on the admissibility and merits of the case was held on 16 May 2000. The case was declared partly admissible the same day. On 2 October 2000 the ECHR notified the applicants in writing of its judgment in the case. The Court upheld both claims: by five votes to two that there had been a violation of Article 8; and by six votes to one, that there had been a violation of Article 13. Under [Article 41](#) (just satisfaction), the Court decided, by six votes to one, to award each applicant £4,000 for non-pecuniary damages and a total of £70,000 for legal costs and expenses.²⁸

The UK Government had an option to appeal against the ruling before it became final and in December 2001 it asked for the case to be referred for consideration by the Grand Chamber of the Court.²⁹ The case was accepted for referral to the Grand Chamber of the Court under [Article 43](#) (referral to the Grand Chamber) and on 8 July 2003 the Grand Chamber overturned the previous court ruling. It ruled by 12 votes to five to reject the claim that flights unjustifiably infringed residents' rights under Article 8. Instead, it found that the UK Government had conducted appropriate investigations into the effects of the regime and had struck a fair balance between the interests involved. The Court did,

²⁴ for details, see: DETR, press notice, "[Glenda Jackson Announces New Night Restrictions At Heathrow, Gatwick And Stansted Airports](#)", 10 June 1999, Annex A

²⁵ [HC Deb 23 November 1999, cc63-65W](#); and: DETR, [Proposals for Changes to the Preferential Use of Heathrow's Runways at Night](#), November 1999

²⁶ [HC Deb 8 April 2003, cc9-10WS](#); and; DfT, [Night flying restrictions at Heathrow, Gatwick and Stansted](#), April 2003

²⁷ [HC Deb 15 January 2004, cc44-46WS](#)

²⁸ [Hatton and Others v. The United Kingdom](#), 2 October 2001 [Application no. 36022/97]

²⁹ [HC Deb 19 December 2001, c520W](#)

however, find by 16 votes to one that the UK was in breach of Article 13 by denying the protesters an effective remedy in British courts.³⁰

2.3 2006-14

The Labour Government had intended that the next round would run from 2005 to 2011 but in the end it ran from 2006 to 2014.

Consultation on the regime began in 2004. As in previous rounds, the then Labour Government announced that it would carry out the consultation in two stages.³¹

The London Boroughs of Richmond-upon-Thames and Wandsworth obtained permission to seek a Judicial Review of the Stage 1 consultation document. They argued that the then Secretary of State, Alistair Darling, had wrongly regarded himself as bound by Article 4(4) of European [Directive 2002/30/EC](#) to maintain a noise classification system which did not depart from ICAO noise classification data.³² The proceedings were stayed generally on 14 December 2004 and the High Court made an order recording that the parties had agreed on the Department's interpretation of the ICAO data.³³ This left the way clear for Stage 2 of the consultation to proceed.

The summary of responses to Stage 1 of the consultation was published in June 2005 alongside the Stage 2 consultation paper. However, as it had not been possible to publish the Stage 2 paper in time to ensure that a new regime could be in place by 30 October 2005, the minister announced that the 2005 regime (already extended from 2004) would be extended to October 2006 and that the new regime would run from 2006-2012.³⁴ The Stage 2 document set out the Government's proposed environmental objectives and specific noise abatement objectives for the three designated airports. It also sought views on:

- whether or not to extend the length of the night quota period;
- proposals for the movements limits and noise quotas in each season; and
- night noise criteria for the airports' future noise insulation schemes.

It also set out the Department's decisions about certain technical details of the restrictions taken in light of the Stage 1 consultation.³⁵

On 6 June 2006 the then Secretary of State for Transport, Douglas Alexander, made a statement to the House setting out the new regime

³⁰ [Hatton and Others v. The United Kingdom](#), 8 July 2003 [Application no. 36022/97]

³¹ [HC Deb 21 July 2004, cc56-58WS](#); and: DfT, [Night Flying Restrictions at Heathrow, Gatwick and Stansted Airports](#), 26 July 2004

³² the 2002 Directive was replaced by [Regulation \(EU\) 598/2014](#) from 13 June 2016

³³ [London Borough of Richmond v. Secretary of State for Transport, Local Government and the Regions](#), 14 December 2004 [Case no. [2004] EWHC 3206 (Admin) CO/5108/2004]

³⁴ [HC Deb 9 June 2005, c58WS](#); there was a further statement in December which indicated that the movements limits and noise quotas for the summer season 2006 would remain the same as those for summer 2005, see: [HC Deb 15 December 2005, cc177-178WS](#)

³⁵ DfT, [Night flying restrictions at Heathrow, Gatwick and Stansted Airports: stage 2 consultation](#), 10 June 2005

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for 2006-2012.³⁶ The Government guaranteed that there would be no increase in the movements limit at Heathrow, Gatwick and Stansted between 2006 and 2012. This followed extensive debate in both Houses of Parliament during the passage of the [Civil Aviation Act 2006](#) which, as originally drafted, would have removed the requirement for a movements limit. This was however, challenged in the House of Lords and the clause was eventually removed.³⁷

On 26 March 2012 the Coalition Government announced that it would extend the existing restrictions on night flights at Heathrow, Gatwick and Stansted Airports for a period of two years until October 2014. This extension would ensure a new night flying regime could take account of the Aviation Policy Framework which the Government committed to have in place by Spring 2013.³⁸

In addition, during the Winter 2012/13 season Heathrow ran an Early Morning Noise Respite Trial, which involved better routing of flights into the airport between 0430 and 0600. The airport worked alongside community campaign groups and concluded that it delivered respite to over 100,000 residents living under the Heathrow flight paths.³⁹

³⁶ [HC Deb 6 June 2006, cc24-25WS](#); details of the measures are available on the [DfT archive website](#)

³⁷ for more information, see HC Library briefing paper [SN261](#)

³⁸ [HC Deb 26 March 2012, c97WS](#)

³⁹ Heathrow, Hacaan etc. press notice, "[100,000 Get Noise Respite From Night Flights](#)", 14 August 2013

3. Night flying regime, 2014-22

In January 2013 the Government published the first of two consultation papers seeking views on setting the next night flight regime, beginning in October 2014, until summer 2019.⁴⁰

Chapter 5 of the consultation set out the DfT's initial assessment on the operation of the restrictions then in place and invited views on how these might change in the next regime. It also sought evidence on the feasibility, costs and benefits of further options to reduce noise.⁴¹ In particular, on the idea of 'guaranteed respite periods' (i.e. complete bans on movements during certain hours), the paper sought views on whether it would be possible to reduce the window for permitted night flights, thereby providing some sort of respite period. This did not constitute a proposal for a ban on all night flights (which disappointed some campaigners),⁴² nor did it give the Government's view on this.⁴³ The consultation closed in April 2013.

While the consultation was open for comment the Government published its Aviation Policy Framework. This set out the Government's expectation that the aviation industry should "make extra efforts to reduce and mitigate noise from night flights through use of best-in-class aircraft, best practice operating procedures, seeking ways to provide respite wherever possible and minimising the demand for night flights where alternatives are available". It also commended voluntary approaches, "such as the curfew at Heathrow which ensures that early morning arrivals do not land before 4.30am".⁴⁴

In November 2013 the then Transport Minister, Robert Goodwill, announced the Government's intention to set a three-year regime to last until October 2017, which would retain the main features of the existing regime, in particular the numbers of movements and noise quota permitted. This was so that the Government had time to consider the recommendations of the independent Airports Commission before taking a decision on a new regime.⁴⁵ The Government issued a second consultation paper setting out these terms.⁴⁶ On 15 July 2014 the Government announced its intention to proceed on this basis.⁴⁷

The final report of the Airports Commission was published on 1 July 2015. This recommended that the Government support the construction of a third runway at Heathrow. On night flights, it said that following construction of a third runway at the airport there should be a

Alongside the final report the Commission also published a [supplementary report on aircraft noise effects on health](#).

⁴⁰ [HC Deb 22 January 2013, c10WS](#)

⁴¹ DfT, [Night Flying Restrictions at Heathrow, Gatwick and Stansted Stage 1 Consultation](#), January 2013, p6

⁴² e.g. HACAN press notice, "[Still no Night Flight Ban](#)", 22 January 2013

⁴³ op cit., [Night Flying Restrictions at Heathrow, Gatwick and Stansted Stage 1 Consultation](#), p55

⁴⁴ DfT, [Aviation Policy Framework](#), Cm 8584, 22 March 2013, para 3.35

⁴⁵ [HC Deb 11 November 2013, c30WS](#)

⁴⁶ DfT, [Night Flying Restrictions at Heathrow, Gatwick and Stansted: Stage 2 Consultation](#), November 2013

⁴⁷ DfT, [Night Flying Restrictions At Heathrow, Gatwick And Stansted](#), July 2014

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ban on all scheduled night flights in the period 2330 to 0600 and that this would be “only possible with expansion”.⁴⁸

In 12 January 2017 the Government published its consultation on the night flights regime from October 2017 to 2022. As in previous regimes, each aircraft is set a quota value between 0 and 16 depending on how loud it is upon take-off and landing. By reducing the total noise quota allowance, industry will be encouraged to use quieter aircraft. The consultation proposed a significant cut in Heathrow’s noise quota and a smaller cut in the quota at Gatwick; a cap on the movements limit at Heathrow and Gatwick; and ending a large number of exemptions at Stansted.⁴⁹ The consultation closes on 28 February 2017.

Please note that this regime period ends well before the earliest estimated date for the opening of a new runway at Heathrow (mid-2020s).

An [impact assessment](#) for the options proposed in the consultation can be found on the [Gov.uk website](#)

3.1 Heathrow

The proposed 2017-22 regime for Heathrow would reduce the total noise quota by at least 43% in the winter (from 4,080 to 2,340) and 50% in the summer (5,100 to 2,540) and set a strict cap at existing levels for the number of night flights.⁵⁰

The current seasonal night movement and noise quota limits for Heathrow (excluding exempt aircraft) are:⁵¹

Summer night movement limit	3,250
Summer noise quota limit	5,100
Winter night movement limit	2,550
Winter noise quota limit	4,080

This equates to approximately 16 flights per night.⁵²

The consultation explains that in addition to the movement limits imposed by the Government, Heathrow also has a voluntary ban in place that sees no flights scheduled between 2330 and 0430 and prevents flights scheduled between 0430 and 0600 from landing before 0430. All scheduled night movements are therefore early morning arrivals between 0430 and 0600, mostly from destinations in the Far East. These scheduled early morning arrivals make up about 87% of all

⁴⁸ Airports Commission, *Final Report*, 1 July 2015, p10

⁴⁹ DfT press notice, “[Public consultation launched to cut night flight noise at Heathrow, Gatwick and Stansted](#)”, 12 January 2017; and op cit., *Night flight restrictions at Gatwick, Heathrow and Stansted*

⁵⁰ op cit., “[Public consultation launched to cut night flight noise at Heathrow, Gatwick and Stansted](#)”

⁵¹ op cit., *Night flight restrictions at Gatwick, Heathrow and Stansted*, table 1, p10

⁵² *ibid.*, para 1.28

the night flights that take place, with unscheduled late running flights after 2330 the remainder.⁵³

In terms of impact, the consultation states that in 2015-16 (the summer 2015 and winter 2015/16 seasons), there were approximately 105,000 people exposed to noise levels of at least 48 dB LAeq 6.5hr night between 2330 and 0600. While this number is much higher than at Gatwick or Stansted, "there have been noticeable improvements in recent years - with the current population representing a 20% reduction since 2011-12 and even larger reductions since 2002-03".⁵⁴

The main group campaigning about the noise and environmental impacts of Heathrow, Haca, said that it "is probably not realistic to expect the DfT to introduce an eight hour ban in October 2017 as over 60 flights use the airport between 6am and 7am ... But we can certainly argue that anything less than a 7 hour ban ... would be very hard to justify". It also said that it was "encouraging ... that the number of planes allowed between 11.30pm and 6am has not been increased. The number has stayed the same for about 25 years".⁵⁵ Finally, it expressed "concern that detailed cost-benefit analyses do not appear to be carried out for different scenarios at each airport ... Before any decision is taken at Heathrow there ought to be a clear cost-benefit analysis of a seven hour ban and eight hour ban".⁵⁶

Expansion

As indicated above, the final report of the Airports Commission was published on 1 July 2015. This recommended that the Government support the construction of a third runway at Heathrow. On night flights, it said that following construction of a third runway at the airport there should be a ban on all scheduled night flights in the period 2330 to 0600 and that this would be "only possible with expansion".⁵⁷ In December 2015 the Environmental Audit Select Committee recommended that the Government publish a plan, including a series of binding milestones, to deliver the Commission's proposed ban as part of any announcement to proceed with expansion at Heathrow.⁵⁸

In May 2016 Heathrow Airport said that it would support the introduction of a ban by Government on scheduled flights for six and a half hours between 2300 and 0530 and the earlier introduction of the ban "after planning consent is received and the necessary airspace has been modernised".⁵⁹

In October 2016 the Government confirmed its support for a third runway at Heathrow and on 2 February 2017 it published for consultation its draft National Policy Statement (NPS) on new runway

Details on the expansion plans at Heathrow can be found in HC Library briefing paper [SN1136](#).

⁵³ *ibid.*, para 1.29

⁵⁴ *ibid.*, para 1.32

⁵⁵ Haca briefing, [Night Flight Consultation 2017](#), January 2017

⁵⁶ *ibid.*

⁵⁷ Airports Commission, [Final Report](#), 1 July 2015, p10

⁵⁸ EAC, [The Airports Commission Report: Carbon Emissions, Air Quality and Noise](#) (First Report of Session 2015–16), HC 389, 1 December 2015, para 84

⁵⁹ HAHL press notice, ["Heathrow exceeds Airports Commission's package of conditions, so Prime Minister can make the "right choice" for Britain and approve a third runway"](#), 11 May 2016

capacity and infrastructure at airports in the south east of England. This effectively sets out the planning conditions to which Heathrow must comply if it wishes to achieve planning consent. This states that the Government is seeking a legally binding ban on scheduled night flights of a period of six and a half hours between 2300 and 0700 at an expanded Heathrow Airport, with the start and end times to be determined after consultation. The Government states that this would provide an extra hour and a half free from noise compared to today's airport operations. Further, consideration of any ban "will be subject to the International Civil Aviation Organisation's balanced approach to noise management, including consultation with local communities".⁶⁰

The draft NPS is open for comments until 25 May 2017 and will be subject to scrutiny by a Parliamentary committee.

3.2 Gatwick

The proposed 2017-22 regime for Gatwick would reduce the noise quotas by at least 17% in the winter (from 2,000 to 1,655) and 21% in the summer (6,200 to 4,870) and set a strict cap at existing levels for the number of night flights.⁶¹

The current seasonal night movement and noise quota limits for Gatwick (excluding exempt aircraft) are:⁶²

Summer night movement limit	11,200
Summer noise quota limit	6,200
Winter night movement limit	3,250
Winter noise quota limit	2,000

Gatwick's night flights are subject to much greater seasonal variability than Heathrow due to the different business models of the two airports. The consultation states that because of this, night flight activity at Gatwick varied from an average of 52 flights per night in the summer 2016 season to 12 per night in the winter 2015/16 season. There is also significant in-season variability however, "with the busiest week in the most recent summer season averaging 76 flights per night and certain weeks in the winter 2015/16 season averaging less than 7 flights per night".⁶³

In terms of impact, the consultation states that In 2015/16, there were approximately 4,300 people exposed to noise levels of at least 48 dB LAeq 6.5hr night between 2330 and 0600. However, the population within this contour at Gatwick has actually increased since 2011-12,

⁶⁰ DfT, [Consultation on Draft Airports National Policy Statement: new runway capacity and infrastructure at airports in the south-east of England](#), 2 February 2017, para 6.31

⁶¹ op cit., "[Public consultation launched to cut night flight noise at Heathrow, Gatwick and Stansted](#)"

⁶² op cit., [Night flight restrictions at Gatwick, Heathrow and Stansted](#), table 1, p10

⁶³ ibid., para 1.34-1.35

though “it is not possible to draw any firm conclusions on this as the difference is small and will have been affected to some extent by changes in the easterly/westerly split in different years”.⁶⁴

The main group campaigning about the noise and environmental impacts of Gatwick, the Gatwick Area Conservation Campaign (GACC), said that the movements limit should be reduced as “the economic justification for them is weak”, and “at the very least the aim should be to achieve a steady year-by-year reduction [...so] that all night flights will be phased out by 2030”.⁶⁵

3.3 Stansted

The proposed 2017-22 regime for Stansted would end exemptions for almost 1,700 night flights operating out of the airport by including these in the new cap, setting a strict limit which the airport cannot exceed.⁶⁶

The current seasonal night movement and noise quota limits for Stansted (excluding exempt aircraft) are:⁶⁷

Summer night movement limit	7,000
Summer noise quota limit	4,650
Winter night movement limit	5,000
Winter noise quota limit	3,310

While the seasonal variation at Stansted is not as high as at Gatwick, the average for the winter 2015/16 season was 20 flights per night, and the summer 2016 average was 34 per night - reaching 44 per night in the busiest summer week.⁶⁸

However, the consultation points out that unlike Heathrow and Gatwick, Stansted also has a large number of ‘exempt aircraft’ operating throughout the night that are not currently counted towards the night flight restrictions. There were 1,093 of these movements in summer 2016 which equates to roughly five per night. It states that “at the current time, the majority of these exempt movements are made up of small turboprop freighters and business jets. The number of these movements has grown rapidly in recent years”.⁶⁹

⁶⁴ *ibid.*, para 1.38

⁶⁵ GACC, *Response to the Night Flight Restrictions Consultation 2017*, 31 January 2017, para 20

⁶⁶ *op cit.*, “[Public consultation launched to cut night flight noise at Heathrow, Gatwick and Stansted](#)”

⁶⁷ *op cit.*, *Night flight restrictions at Gatwick, Heathrow and Stansted*, table 1, p10

⁶⁸ *ibid.*, para 1.40

⁶⁹ *ibid.*, para 1.42

16 Night flights at Heathrow, Gatwick & Stansted

In terms of impact, the consultation states that in 2015/16, there were approximately 3,800 people exposed to noise levels of at least 48 dB LAeq 6.5hr night between 2330 and 0600.⁷⁰

The main group campaigning about the noise and environmental impacts of Stansted, the Stop Stansted Expansion, said that it wants an “unequivocal Government commitment to phase out all night flights at Stansted by 2030, except in the case of genuine emergencies”, but that in the meantime the limit should be extended to eight hours (2300 to 0700).⁷¹

⁷⁰ *ibid.*, para 1.44

⁷¹ SSE press notice, “[Make Your Voice Heard - Stansted Night Flights Consultation](#)”, 17 January 2017

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