

Noise-related operating restrictions at Union airports: rules and procedures

2011/0398(COD) - 01/12/2011 - Legislative proposal

PURPOSE: to establish rules and procedures concerning the introduction of noise-related operating restrictions at Union airports.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

BACKGROUND: a large number of EU citizens are exposed to high noise levels which may lead to negative health effects. An **active noise management strategy is therefore necessary** to mitigate the undesired effects. Such noise strategy must, however, **carefully balance** the interests of the affected citizens with other interests and take due account of the knock-on effects on the capacity of the whole aviation network. The process leading to a decision on noise-related operating restrictions should be consistent, evidence-based and robust to be acceptable for all stakeholders.

In an effort to ensure a consistent approach to the application of noise abatement measures at airports, the **International Civil Aviation Organisation (ICAO)** adopted a set of principles and guidance constituting the so-called "**Balanced Approach**" on noise management, which encourages ICAO Contracting States:

- to mitigate aviation noise through selection of the optimum local combination from a range of measures i) reducing noise at source (from use of quieter aircraft), ii) making best use of land (plan and manage the land surrounding airports); iii) introducing operational noise abatement procedures (by using specific runways, routes or procedures); and iv) imposing noise-related operating restrictions (such as a night ban or phasing out of noisier aircraft);
- to select the most cost-effective range of measures;
- not to introduce noise-related operating restrictions, unless the authority is in a position, on basis of studies and consultations, to determine whether a noise problem exists and having determined that an operating restriction is a cost-effective way of dealing with the problem.

At ICAO level the EU actively supports the development of new noise standards for aircraft and invests in new technologies through Framework Programmes and the [Clean Sky](#) project. But land use planning, together with the associated insulation and compensation programmes, is a national or local competence.

This proposed regulation aims to **apply noise-related operating restrictions of the Balanced Approach in the EU in a consistent manner** by clarifying the different steps of the decision-making process when considering operating restrictions. Consistent application of the approach should identify the most cost-effective solutions, tailor made to the specific airport situation.

IMPACT ASSESSMENT: no impact assessment was undertaken.

LEGAL BASIS: Article 100 (2) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: the proposed Regulation lays down rules on the introduction of **noise-related operating restrictions** in a consistent manner on an airport-by-airport basis so as to help improve the noise climate and to limit or reduce the number of people significantly affected by the harmful effects of aircraft noise, in accordance with the Balanced Approach. The objectives of the proposal are:

- to facilitate the achievement of specific environmental noise abatement objectives, as laid down in Union, national and local rules, and to assess their interdependence with other environmental objectives, at the level of individual airports;
- to enable selection of the most cost-effective noise mitigation measures in accordance with the Balanced Approach so as to achieve the sustainable development of the airport and air traffic management network capacity from a gate-to-gate perspective.

This Regulation shall apply to aircraft engaged in civil aviation. It shall not apply to aircraft engaged in military, customs, police, or similar services. The proposal introduces a new regulation to replace Directive 2002/30/EC. It clarifies and completes the requirements of that directive in relation to the following points:

- specification of objectives to stress link with other elements of the Balanced Approach and other instruments to manage air traffic noise.
- definition of allocation of responsibilities.
- listing of general requirements to manage noise.
- provision of more details on the noise assessment process.
- specification of stakeholders to be consulted.
- harmonisation of data and methods.
- specification of notification and introduction requirements.
- allowing comitology to adapt reference to noise standards to new technological progress.

BUDGETARY IMPACT: the proposal has no impact on the EU's budget.

DELEGATED ACTS: the proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union.