

Dear Sir/Madam

As requested in your publication "Draft decision on Summer 2023 Coordination Parameters at Dublin Airport" Commission Paper 4/2022 7 September 2022 and at section 1.9 of that document, the following is my submission as an evidence based response to that consultation paper and is titled "Response to Draft S23 Declaration of Coordination Parameters".

Firstly you note at section 1.6 that "This draft Decision follows an extensive iteration process of engagement over the past number of months between stakeholders." Under the Aviation Regulation Act 2001 it states in section 33(d) that the determination should have due regard for "the contribution of the airport to the region in which it is located" Throughout the Draft Decision it refers to interaction with ANCA and its regulatory decision. Therefore CAR would be fully familiar with the submissions that have been made by St Margarets/The Ward Residents group together with submissions from many residents in the St Margarets The Ward area. However no consultation was carried out with any of the resident groups in St Margarets The Ward area. As a condition of the planning permission for the new North Runway a Community Liaison Group (CLG) was set up consisting of local groups and DAA and Fingal County Council who meet regularly to discuss issues that arise relating to operations at Dublin airport and their effect on the local community of St Margarets The Ward. However despite the obvious existence of this Group whose participants include DAA and Fingal County Council there was no consultation on this draft decision whatsoever with this group. It is therefore not accurate to describe the consultation as extensive.

As stated at section 3.67 we note that "As set out above, ahead of the S22 declaration, we concluded that there is uncertainty in relation to the interpretation of C5. This followed engagement with daa and airlines, and also a report we commissioned from an aircraft noise expert (Egis), as well as published materials made available by ANCA relating to the Relevant Action application submitted by daa" Again I note interaction with daa and Fingal County Council but no consultation with local communities.

I note however that with reference to the report from Egis attached that they clearly state that "Having not seen transcripts of the Oral Hearings that preceded establishment of condition 5, it is difficult to judge the breadth and depth of topics discussed."

I've attached the AI responses from January 2007 and the particular question that is of interest to this discussion is request #5 where it mentions the 92-day summer average. This document along with the Oral Hearing transcripts should have been provided to Egis. I believe that this information would have provided clarity to Helios about the origins of Condition 5 and why this should be interpreted as a nightly 65 flight limit.

The primary concern is the interpretation of Condition 5 of the planning permission for the North Runway and its impacts for future capacity at Dublin Airport.

"For Summer 2022, the parameters were rolled forward from Summer 2021. This decision was reached following a detailed consideration of Condition 5 of the planning permission for the North Runway, and its implications for capacity at the airport. The impact of this condition remains in line with the conclusions reached in our decision for Summer 2022. As the 92 day modelling period defined in Condition 5 of the planning permission for the North

Runway occurs in the Summer, the constraint will not affect the level of traffic in Winter 2022. Thus, Condition 5 will not serve to reduce capacity relative to the 2021 capacity parameters in Winter 2022."

The draft decision on Summer 2022 is contained in CAR document CN5/2021

"As the runway is not expected to be completed before late August 2022, approximately 75 of the 92 days in the modelling period referred to in Condition 5 will already have elapsed in Summer 2022 before Condition 5 is expected to crystallise. Thus, the first full and relevant 92 day compliance period over which the average specified in Condition 5 could be calculated would be no sooner than Summer 2023".

This interpretation of Condition 5 is contrary to the intentions of An Bord Pleanála and contrary to the ongoing planning application by the daa as part of the EU598/2014 process. All forecasts supplied by the daa assume a 65 flight limit applied as soon as the North Runway is opened.

Condition 5 is as follows:

5. On completion of construction of the runway hereby permitted, the average number of night time aircraft movements at the airport shall not exceed 65/night (between 2300 hours and 0700 hours) when measured over the 92 day modelling period as set out in the reply to the further information request received by An Bord Pleanála on the 5th day of March, 2007.

Reason: To control the frequency of night flights at the airport so as to protect residential amenity having regard to the information submitted concerning future night time use of the existing parallel runway.

The CAR are confused by the mention of the 92 day modelling period. The condition references the further information request received by An Bord Pleanála on Mar 5th, 2007. Below is the information request from An Bord Pleanála and the response from the daa:

5. Information request 5 – Night Noise

5.1 Item 5 of the information request states:

Quantify the potential for increase in night flights on the existing 10R/28L runway which could derive from the growth of air traffic at the airport arising from the proposed runway relative to that which would occur without the new runway.

Night Flights

- 5.2 The Bord has asked for an estimate of the increase in night flights that could derive from the growth of traffic with, relative to without, the proposed runway. The answer to this question is 30 movements per night on average, equating to the difference between the unconstrained and constrained positions in 2025, discussed below.
- 5.3 The bulk of night-time movements occur, and are forecast to occur, in the first and last hour of the night period (defined as 2300 to 0700 hours) and effectively represent either the end or beginning, respectively, of daily schedules. They would, therefore, be expected to grow at a similar rate to the daytime (defined as 0700 to 2300 hours) movements. Accordingly, when preparing the EIS the use of the runway at night was assumed to grow at the same rate as use during the day. This means that night traffic grows from an average of 45 movements per night over the 92 day modelling period to 65 movements per night in 2025 in the constrained case and 95 movements per night in 2025 in the unconstrained case. The detailed INM input sheets, some of which were previously included in Appendix G, are attached for reference.
- 5.4 A greater relative growth could have been assumed for night-time traffic in the constrained case as the relatively higher scarcity of daytime slots might cause airlines to modify schedules to include more night-time activity to compensate. This approach would reduce the difference between the constrained case and the unconstrained case but was not used as it would not represent a credible worst case for the assessment of impacts.

The request was to quantify the potential for increase in night flights on the existing 10R/28L runway which could derive from the growth of air traffic at the airport arising from the proposed runway relative to that which would occur without the new runway. This request was made to see if there would be an increase in night time flights even if the North Runway was not granted planning.

The answer from the daa (Aer Rianta) was that activity would grow from 45 movements per night to 65 movements without the North Runway. But if the North Runway was granted planning permission, then the night time activity would grow to 95 flights.

The daa made reference to the '**92 day modelling period**' as they delivered their statistics using annual figures and the 92 day summer period. This reference is there purely to define the average over this period. An Bord Pleanála have just reiterated this in Condition 5, but it was never intended that the 65 limit be applied to the Summer period only, as suggested by CAR.

When the North Runway opened on the 24th of August 2022, then the 65 limit should be applied straight away and maintained until the planning authority amends the condition. The CAR needs to refer to ANCA who oversee these conditions which are deemed operating restrictions as per the Aircraft Noise Bill. Local residents will robustly defend Condition 5 and the introduction of the 65 flight limit once the North Runway is operational.

The main reason for the restriction on night time flights being included in the conditions of planning for the North Runway are for the protection of Health of the neighbouring communities from the devastating consequences of the exposure of humans to aircraft noise particularly at night. Attached is a detailed report by Professor Munzel with respect to the health effects due to aircraft noise on local communities. Neither CAR, the DAA or Anca have carried out any studies on the health effects of night time noise on the local communities which is a glaring omission when reaching any decision on night flight operations at Dublin airport without considering the most vulnerable group of people affected by night time operations at Dublin airport.

The evidence to restrict night flights to 65 per night as noted above is therefore fully substantiated whilst the decision by CAR is based on incomplete review of the situation by Egis, without consultation with local community groups and ignoring the serious consequences of the health effects of the local communities with respect to that deci

Yours Sincerely

Pearse Sutton
Ballystrahan
St Margarets
Co Dublin
K67 KN88