



An tÚdarás Inniúil um Thorann Aerárthaí

Aircraft Noise
Competent Authority



//// ANNUAL REPORT 2019 ///

Comhairle Contae
Fhine Gall
Fingal County
Council



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Foreword

Message from the Chief Executive

The Aircraft Noise (Dublin Airport) Regulation Act 2019 (the 2019 Act) designated Fingal County Council as the Competent Authority for the purposes of aircraft noise regulation at Dublin Airport. The 2019 Act gives further effect to Regulation (EU) 598/2014 which applies to airports with more than 50,000 civil aircraft movements per calendar year. Dublin Airport is the only airport in Ireland meeting this threshold.

2019 saw the establishment of the Aircraft Noise Competent Authority in compliance with the legislation and all necessary resources and expertise is now in place. Section 3 of the 2019 Act requires that the Chief Executive is independent in the performance of the functions of the Competent Authority. I have therefore established the Aircraft Noise Competent Authority (ANCA) as a separate and independent Directorate within Fingal County Council to assist me in the discharge of my functions. The Competent Authority is supported by specialist experts when necessary to ensure that its functions are discharged to the highest standards and in accordance with the rules and procedures of the 2019 Act.

Irish Government policy on the aviation sector is articulated through A National Aviation Policy For Ireland 2015-2019, which translates international aviation policy into an Irish context.

This policy recognises the significant contribution that the aviation sector makes to Ireland's economic development and reconfirms the principles of the balanced approach to aircraft noise management to ensure that the sector continues to flourish in a safe, economically sustainable and environmentally responsible manner

Regulation EU 598/2014, which underpins the 2019 Act, recognises that the sustainable development of air transport should be balanced with the introduction of measures aimed at reducing the noise impact from aircraft to maintain or increase the quality of life of neighbouring citizens.



The progress made in 2019 ensures that the Competent Authority is ready to implement the 2019 Act and it will do so in an impartial and transparent manner.

I would like to thank the staff of the Authority for their support, commitment and hard work during 2019.

AnnMarie Farrelly
Chief Executive
Fingal County Council
March 2020

The Team

The statutory functions of ANCA are performed by the Chief Executive of Fingal County Council as an executive function assisted by designated staff in the performance of her duties.

ANCA has access to specialist national and international expertise in aviation, acoustics, environment, and planning as may be required from time to time to assist the Chief Executive and designated staff in carrying out assessments and making key decisions associated with the functions of ANCA.

There are currently four staff assigned to ANCA on a full time basis as follows:-

- Director of Services
- Senior Engineer
- Senior Executive Planner
- Administrator

Specialist support service providers were publicly procured as follows:

1. Aviation noise expert services are provided by Noise Consultants UK Ltd., supported by their sub contractors:
 - Acustica Ltd.
 - Rupert Taylor Ltd.
 - Trax International Ltd.
 - Nicholas Pearson & Associates
2. Legal services are provided by A&L Goodbody
3. GIS services are provided by Compass Informatics Ltd.



Joe Mahon, Senior Engineer **Angela Dullaghan,** Senior Executive Planner **Gilbert Power,** Director of Services **Aideen Meagle,** Administrator

What We Do

Legislative Context

Fingal County Council was appointed as Competent Authority for the purposes of aircraft noise regulation at Dublin Airport following the enactment of Part 1 of the 2019 Act on 14th June 2019 by Shane Ross, Minister for Transport Tourism & Sport. The Chief Executive proceeded to establish the unit as a separate Directorate within Fingal County Council – the Aircraft Noise Competent Authority (ANCA).

ANCA received full operational functional authority by the enactment of the remaining parts of the 2019 Act on 1st September 2019. The Act gives further effect to EU Regulation (EU) No 598/2014 (the Aircraft Noise Regulation) to make additional provision for the regulation of aircraft noise at Dublin Airport.

The 2019 Act includes:

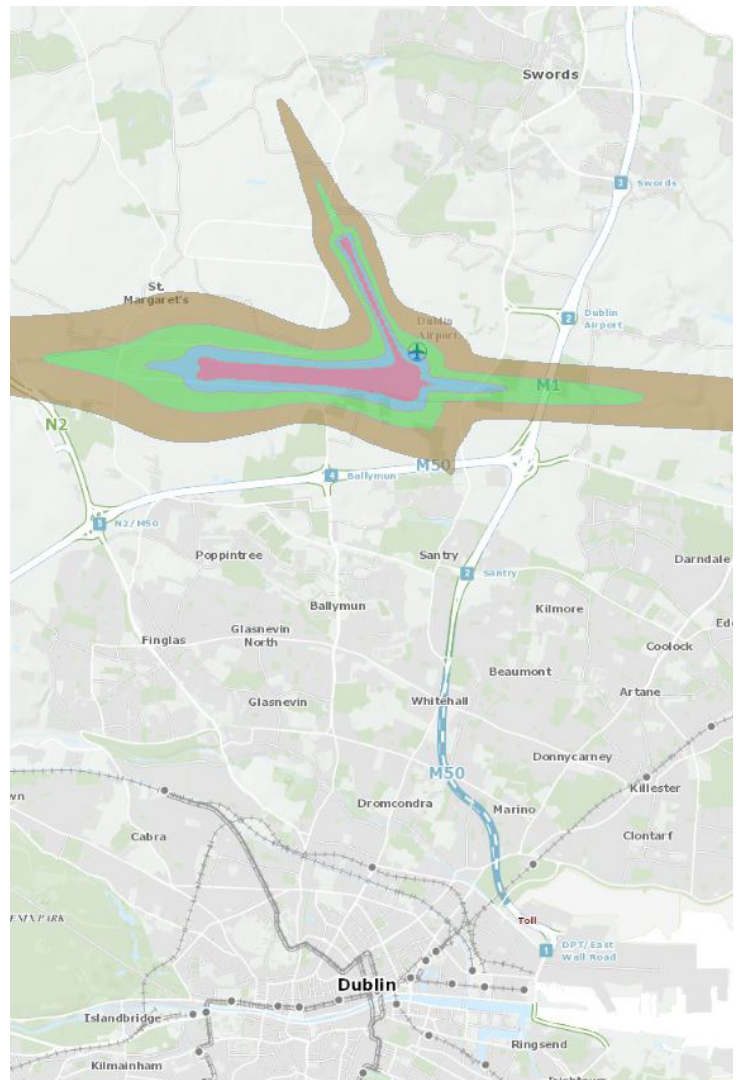
- Provisions for the regulation of aircraft noise at the Airport
- A requirement for ANCA to ensure that the noise situation at the Airport is assessed and the Balanced Approach is adopted where a noise problem is identified
- Amendments to the Planning and Development Act, 2000 providing for referral of planning applications at Dublin Airport to ANCA to assess potential aircraft noise impacts
- The ability for ANCA to amend existing, or impose new noise mitigation measures and/or operating restrictions to address aircraft noise from Dublin Airport as appropriate
- A 14 week public consultation period prior to ANCA making a final regulatory decision
- Designates An Bord Pleanála as the Appeals Body in relation to any regulatory decision by ANCA
- Provision for ANCA to recoup its operational costs from the Dublin Airport Authority (daa).
- Provision for ongoing monitoring and enforcement of the implementation of noise mitigation measures and operating restrictions at the Airport.
- Formal notification to the European Commission in advance of introducing a new operating restriction.

Assessment of the Noise Situation at Dublin Airport

ANCA is responsible for ensuring that noise generated by aircraft activity at Dublin Airport is assessed in accordance with EU and Irish legislation and for applying the Balanced Approach to aircraft noise management where a noise problem at the Airport is identified.

Noise related actions prescribed by ANCA under the 2019 Act cannot be more restrictive than is necessary to achieve the noise abatement objective for the Airport. Operating restrictions cannot be applied as a first resort but only after consideration of the other measures of the Balanced Approach

Noise management should seek to achieve the maximum environmental benefit most cost effectively.



What We Do

Process of Assessment and Application of the Balanced Approach

A general schematic of the process is set out below. Please refer to relevant Sections of the 2019 Act for the statutory requirements of the process as they may vary depending on how the process is initiated.

Assessment of Planning Applications at the Airport

Planning applications at the Airport are referred by the Planning Authority to ANCA to assess whether there are any aircraft noise implications relevant to ANCA's functions under the 2019 Act. ANCA staff may attend pre-planning meetings as required.

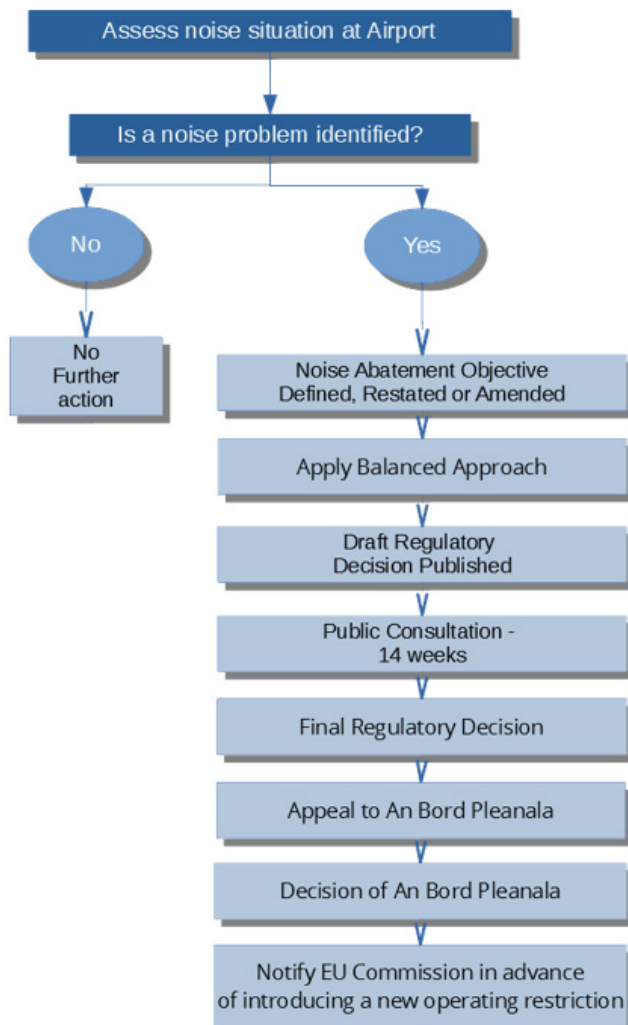
Monitoring of Noise Mitigation Measures and Operating Restrictions

The 2019 Act requires ANCA, on an annual basis, to monitor:

- (a) compliance with noise mitigation measures and operating restrictions, and
- (b) introduction of any new operating restrictions.

ANCA is required to review the effectiveness of noise mitigation measures and operating restrictions (if any) in achieving the noise abatement objective.

A noise abatement objective is not currently defined for the Airport. ANCA will further investigate the development of a noise abatement objective through the regulatory process under the 2019 Act expected to occur in 2020.



BALANCED APPROACH

The International Civil Aviation Organization (ICAO) is a UN specialized agency, established in 1944 to manage the administration and governance of the Convention on International Civil Aviation (Chicago Convention). ICAO works with the Convention's 193 Member States and industry groups to reach consensus on international civil aviation standards and recommended practices and policies in support of a safe, efficient, secure, economically sustainable and environmentally responsible civil aviation sector.

The overarching ICAO policy on aircraft noise, which contains details on all the elements that can be employed to achieve noise reductions, is the Balanced Approach to Aircraft Noise Management.

The Balanced Approach is applied where a noise problem at an airport has been identified and involves analyzing various measures available to reduce noise which can be classified into four principal elements as below.

The goal is to address noise problems on an individual airport basis and to identify the noise-related measures that achieve maximum environmental benefit most cost-effectively using objective and measurable criteria.

The four principal elements of the Balanced Approach to Aircraft Noise Management are:

1. Reduction of Noise at Source
2. Land-use Planning Management
3. Noise Abatement Operational Procedures
4. Operating Restrictions

What We Did During 2019

Separate Directorate established

A separate Directorate (ANCA), reporting directly to the Chief Executive, was established within Fingal to assist her in the performance of her functions under the 2019 Act. Four staff members were assigned to the Directorate, and relevant training was provided.

Public Procurement of Specialist Services

Specialist services were procured for aviation, acoustics, environment, legal, and GIS services.

Assessment of Planning Applications at Airport

From 1st September 2019 planning applications at Dublin Airport are referred by the Planning Department to ANCA for assessment of potential aircraft noise impact.

Planning applications may be for proposed development at the airport or for changing or revoking existing operating restrictions at the Airport. ANCA may decide that a more detailed assessment for revised or new noise-related actions is required.

To end 2019, the planning authority referred three planning applications to ANCA for an assessment of the potential aircraft noise impact.

The reports of ANCA in respect of these applications are available on the ANCA web site at www.fingal.ie/aircraftnoiseca/.

Pre-planning consultations

ANCA also participates in relevant pre-planning consultations held by the planning authority to encourage appropriate consideration of potential aircraft noise impacts in any subsequent application.

Noise Insulation Scheme

ANCA is required by Section 20(3) of the 2019 Act to ensure that the Dublin Airport Noise Insulation Scheme applies to all homes located within the relevant noise contours. ANCA has requested and received relevant information from the daa in relation to this. A review of this information commenced in 2019 and is ongoing.

Airport Levy Regulation

The Aircraft Noise (Dublin Airport) Regulation Act 2019 (Levy No. 1) Regulations 2019 (S.I. No. 590 of 2019) was prepared and published during 2019. It was laid before both Houses of the Oireachtas in November 2019. These regulations prescribe the "Airport Levy", imposed on daa to cover ANCA's operating costs.

NOISE RELATED ACTIONS

A noise related action is any measure that is designed to limit or improve the noise climate around an airport. In particular, noise abatement operational procedures and operating restrictions are two pillars of the Balanced Approach to aircraft noise management.

A noise abatement operational procedure is a measure that limits or improves the noise climate at an airport without restricting aircraft access.

Examples of noise abatement operational procedures include:

- Noise-preferential routes.
- Preferential runway operation.
- Specific procedures for aircraft approach and departure to the extent possible without affecting safety.

An operating restriction is any measure that limits access to or reduces the operational capacity of an airport. Examples of an operating restriction include:

- Movement caps.
- Noise quotas.
- Curfews.

Looking Ahead for 2020

Assessment of the Noise Situation at the Airport

This will be a priority objective for ANCA in 2020.

The assessment can be initiated by ANCA or may be required in relation to certain planning applications at the Airport.

Following the assessment, it may be necessary to define a Noise Abatement Objective for the Airport and apply the Balanced Approach as part of a regulatory process under the 2019 Act.

Ongoing Participation in the Statutory Planning Process

ANCA will continue to assess potential aircraft noise impacts of planning applications at the Airport during 2020.

ANCA will process all relevant applications within the statutory periods in the 2019 Act and decisions will be published on the ANCA website.

Noise Insulation Scheme

ANCA is undertaking a review of the Dublin Airport Noise Insulation Scheme to ensure it applies to all homes located within the relevant noise contours, as required by Section 20(3) of the 2019 Act. That process is expected to be completed in early 2020.

Publication of Regulations

Regulations to recoup the 2020 costs of ANCA from daa will be prepared and published.

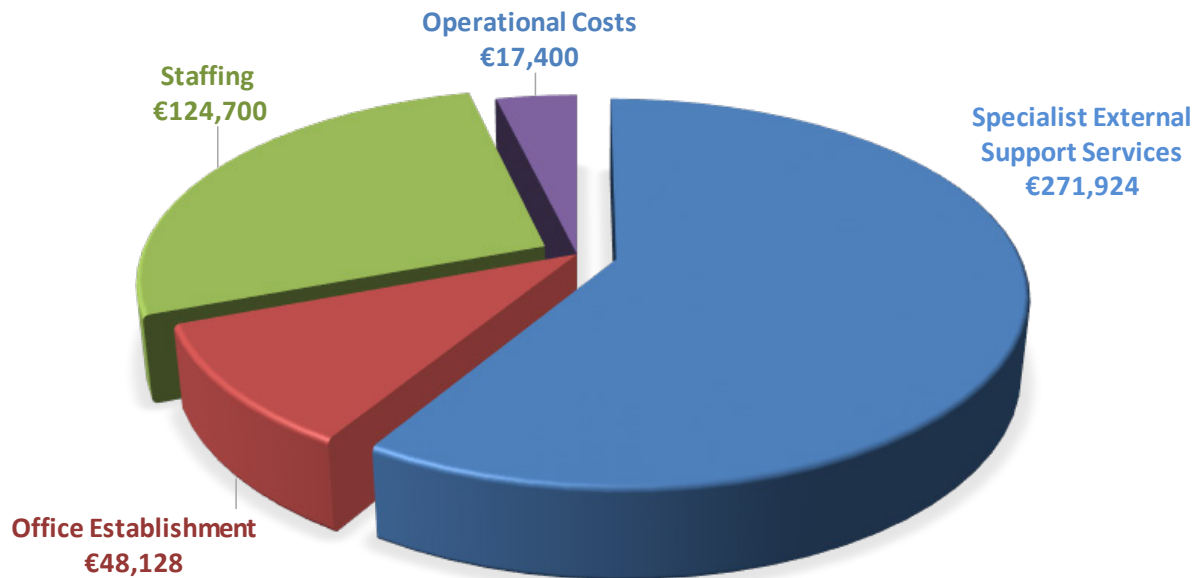
Staff Training and Development

Training and development of staff will continue including meeting other relevant bodies to ensure that the work of ANCA is informed by best practice.



Financial Statement

COMPETENT AUTHORITY COST BREAKDOWN 2019



Section 5 of the 2019 Act stipulates that ANCA shall, by Regulation, recoup the costs incurred in the performance of its functions from the daa on a monthly, biannual or annual basis.

ANCA is required to ensure that costs from the performance of its functions are kept to a minimum and are not excessive.

An overview of ANCA expenditure for 2019 is given in the Competent Authority Cost Breakdown chart.



Contact Us

ANCA will deliver the highest possible quality of service to stakeholders with courtesy, sensitivity and with the minimum delay for those that interact with us.

ANCA will demonstrate the following values in our interactions with individuals, organisations, statutory and regulatory bodies and other stakeholders when performing our functions and fulfilling our statutory obligations:

- Fairness
- Expertise
- Collaboration
- Professionalism
- Transparency
- Independence
- Accountability

By Telephone:

If you contact us by telephone, we will:

- Make every effort to answer your query immediately. However, if we cannot do this, we will take your details and get back to you with an answer as soon as possible.
- If we need to transfer your call to a colleague, we will explain why. We will provide you with that person's name, area of work and will ensure your call is transferred properly.
- Respond promptly to all voicemail messages.
- We will only divert calls to voicemail facilities where the relevant person is engaged on another call or unavailable/absent.

By Written Correspondence including emails

If you write to us, we will:

- Acknowledge all written correspondence within 3 working days.
- Where possible, we will make every effort to provide a full reply within 15 working days.
- Ensure all our written replies include a contact name, telephone number and e-mail address to facilitate correspondence in a manner that best suits you.

General information and consultation/publications

ANCA publishes information throughout the year. We will ensure that all information that we issue is clear, timely and accurate. All key publications and contact details are available on our website: <https://www.fingal.ie/aircraft-noise-ca>

General Data Protection Regulation (GDPR)

ANCA will protect personal information, use it in a fair and legal way and make it available when asked for a copy.

If an individual's personal information is incorrect, they are entitled to ask for that information to be corrected.

Requests For Information

ANCA is committed to making information at its disposal available at the earliest possible opportunity.

We will publish reports on our website in clear language, explaining any technical terms where they are unavoidable, and will respond to requests for information through any of the contact channels listed at the end of this report.

Information may also be formally requested under the Freedom of Information Acts from:

The Freedom of Information Officer

County Hall, Swords

Fingal, Co. Dublin

Telephone: (01) 890 5162

Email: foi@fingal.ie

If it is not possible to release requested information, for example whilst a statutory process is underway, ANCA will explain the reasons why and may be able to provide a deferred date for the release of any withheld records.

Aircraft Noise Competent Authority Contact Details

TELEPHONE:	01 890 5998
EMAIL:	aircraftnoiseca@fingal.ie
OPENING HOURS	Monday - Thursday: 9am - 5pm Friday: 9am - 4:30 pm
ADDRESS:	Aircraft Noise Competent Authority, Fingal County Council, County Hall, Main Street, Swords, Co Dublin K67 X8Y2.

Further Information

AIRCRAFT NOISE COMPETENT AUTHORITY

<https://www.fingal.ie/aircraft-noise-ca>

FINGAL PLANNING SEARCH

<https://www.fingal.ie/view-or-search-planning-applications>

AIRCRAFT NOISE (DUBLIN AIRPORT) REGULATION ACT 2019

<https://www.oireachtas.ie/en/bills/bill/2018/130/>

REGULATION (EU) NO 598/2014

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32014R0598>

ICAO BALANCED APPROACH TO AIRCRAFT NOISE MANAGEMENT

<https://www.icao.int/environmental-protection/Pages/noise.aspx>

FINGAL COUNTY COUNCIL NOISE ACTION PLAN FOR DUBLIN AIRPORT 2019- 2023

<https://www.fingal.ie/council/service/noise-action-plan-consultation>

DAA – AIRPORT NOISE MANAGEMENT PLAN 2018

https://www.dublinairport.com/docs/default-source/airport-noise/dublin-airport-noise-management-plan.pdf?sfvrsn=c8e73047_2

AIRCRAFT NOISE COMPLAINTS

<https://www.dublinairport.com/about-us/-community-affairs/noise-complaint>



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Thorann Aerárthaí**

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Competent Authority**

AIRCRAFT NOISE COMPETENT AUTHORITY

ANNUAL REPORT 2019

Prepared in accordance with the requirements of Section 3(9)(c)(i) and 3(9)(c)(ii) of the Aircraft Noise (Dublin Airport) Regulation Act 2019.