

Dear CAR,

I'd like to make a submission on the Third Interim Review of the 2019 Determination on Airport Charges at Dublin Airport.

In my previous submission, I made reference to the daa breaching the 32m passenger cap in 2019. In its response the CAR stated:

"Regarding the point on passenger levels above 32m, this is a planning issue within the remit of planning authorities, rather than an issue for the Commission to address".

I agree that enforcement of planning issues should be the responsibility of the Planning Authority and the 32m cap is an operating restriction that should be enforced by the Aircraft Noise Competent Authority. However, that has not been the case to date and is omitted in ANCA's 2019 Compliance report. But the financial gain attributed to this illegal breach of planning must come under the remit of the CAR. Section 32(6)(a) states that a determination must provide for an overall limit on airport charges. This should take account of passenger capacity limits enshrined in planning conditions. The limit on any passenger charges should be capped by the CAR at 32m. The daa have illegally acquired additional revenue beyond the forecasts given to the CAR. It is not a Planning Authority matter to collect illegally acquired passenger charges and the CAR must accept responsibility for this and take these additional monies into account in its determination. The CAR already deploys service quality penalties.

On the charges for a drop off and collection facility, the daa was granted planning permission by Fingal County Council (F21A/0518) on March 3rd, 2022. Therefore, projected revenues should be taken into account in future revenue forecasts. The public should not be taxed twice.

The CAR must also take into consideration the funding received from the Irish Government (<https://www.gov.ie/en/press-release/0dd30-minister-of-state-naughton-announces-108m-in-funding-for-irish-airports/>). In total in 2021, 97.2m has been awarded to Dublin Airport.

In its determination the CAR should also apply service quality incentives/penalties to environmental health risk factors. The CAR should help incentivise the quietest and more energy efficient aircraft. There should also be lower passenger charges for flights at night. These policies should be in line with changes to the Aviation Regulation Act 2001, to take account of Government policy on climate change and sustainable development.

And finally I'd like to comment on my previous submission re 'Local Communities'. The Aviation Regulation Act 2001 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'*. What consideration has the CAR made about the local communities that live in the region, especially those closest to the airport?

Yours Sincerely
Liam O'Gradaigh
Ward Cross
The Ward
Co Dublin