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Co Dublin  
K67 A364.

Tuesday 19<sup>th</sup> November 2023

Commission for Aviation Regulation

IAA – CAR

[consultation@iaa.ie](mailto:consultation@iaa.ie)

Re: Draft Decision on allocation of Airline slots for Summer 2024

Disregarding the planning conditions attached to the operation of Dublin Airport

In relation to runway 10L-28R and 10R-28L – F04A1755 – PL06F.217429

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Dear Committee – airlines - IAA – members of CAR.

The draft decision of the members to overlook and ignore the planning Conditions attached to the construction and operation of Dublin Airport runways in S23 and S24 is totally unacceptable. I am calling on the Decision makers of CAR to reject and reverse this decision. Per the planning conditions issued with the grant of permission for North Runway, a maximum of 65 flights in total , whether taking off or arriving is permitted on Runway 10R-28L and NO flights from 11pm to 0700am on Runway North -10L – 28R. As the coordination Committee is made up of DAA and airlines and IAA, there is conflict of interest and all the information comes from the regulators themselves, complicit with the communities and persons affected, that the actual conditions were set , to give protection against aircraft noise and harmful aircraft emissions.

I find myself and my neighbours in the flightpath of Runway North, subjected to aircraft noise and aircraft emissions , harmful PM2.5 which is invisible to the naked eye, for 16 hours a day.

The Local Guidelines proposed by the Co-ordination Committee were from the DAA and the airlines, primarily Ryanair, as we hear Michael O Leary on the airwaves and in our newspapers, undermining the planning system, and diminishing the impact of high levels of aircraft noise and emissions on those trapped in the flightpaths, as NONSENSE. The conditions are the conditions and are part of the grant of permission and the disregard by the DAA, Ryanair's Michael O Leary, and the Government is negligent and totally unacceptable. This was highlighted in the HSE submission on DAAs planning application F20A/0668 stating that the conditions were imperative for the health of the communities impacted. This has been ignored by DAA, Ryanair and Government.

The Draft states in 2.6 that a maximal on Coordination Parameters at Dublin Airport was decided rather than minimal approach, when taking account or relevant constraints in issuing a capacity declaration. The conditions constrained the capacity in the planning conditions namely condition 5 and 3(d) .

Daa have chosen to breach these conditions on the opening of Runway North from August 24<sup>th</sup> 2022 and have permitted over 65 ATMS between 11pm and 7am.

The CAR have been complicit in ignoring these conditions in setting up the S23 and S24 Slot allocation.

..The document states in 2.6 – requires the determination to be based on the possibilities of accommodation the air traffic.

8<sup>th</sup> Sept 2023 –In light of the Enforcement Notice, we note that **the airline members** of the Coordination Committee **supported the T-coding of any new slots/ re-times within the hours 2200 – 0600z with Dublin Airport and Air Nav abstaining**. It is very clear, the airlines , with DAA are self-regulating Dublin Airport, Why did the Co-ordination committee support this – T coding – and what is T-Coding? **There is no explanation for this and so this needs to be clarified**. This is airlines totally ignoring the conditions. The CEOs of Ryanair and all the other airlines, do not live under the flightpath of Dublin Airport – the impact on flightpath residents – is far from NONSENSE – it is catastrophic to the health and well-being of each of those humans.

There should only be 65 aircraft movements between 11pm and 7am, in the interest of human health and GHG. In a world of environmental crisis, Dublin Airport is doubling the ATMS, with CAR making assumptions that ABP will remove the conditions . I note 500 pages of AI have been submitted to ABP in relation to the appeal and we do not know, what the content of that AI is currently or when a decision to refuse will emerge.

I note Daa went to the High Court, after an enforcement Notice was served, to return to the restricted number of flights between 11pm and 7am . Whatever the reasons for the late serving of this notice, 11months after Runway North was open, this is an ENFORCEMENT NOTICE . DAA have refused to abide or accept it.

The document states that *there are approximately 110 historic slot entitlements over the 92 day modelling period, it is very unlikely that any interruption of Condition 5 would coincidentally require the non-allocation of any new or re-timed slots, but be permissive of all historic*.

This is very presumptuous of the airlines, and DAA with the support of Air nav (IAA)

The number permitted between 11pm and 7am – how this affects the slots is a matter for daa and the airlines to reduce and resolve. I note most of the flights between 5.30 and 7am are Ryanair aircraft. Ryanair along with DAA should not be permitted to override the restricted night time conditions that are in place since August 2007, as a legal planning statutory document.

I have been involved with the North Runway from pre-planning process, 2001 to grant of permission, following Oral Hearing with ABP, in August 2007. DAA agreed to the night time restrictions with their legal representative, Mr Michael O Donnell, at the Oral Hearing and agreed to no night time flights from 11pm to 7am on North Runway and only 65 aircraft movements , The Inspectorate

recommended refusal of the planning permission, due to the health implications on surrounding communities and based on the data submitted by DAA. But following additional information and the agreement from Mr Michael O Donnell on the night time restrictions, it was granted on THAT BASIS.

From the outset, DAA did not accept the conditions handed down from the Board of ABP, and submitted an application under SID in August 2008 to remove Condition 5 and Condition 3(d)

It is very clear DAA never intended to accept the conditions, that were issued for all parties to adhere to.

Therefore I appeal to the airlines who appear to have drafted this document with DAA and IAA abstaining on the Enforcement Notice to adhere to the planning conditions as set out in F04A/1755 and PL06F. 217249

Open and meaningful consultation is required with those adversely affected, and their health and welfare should not be diminished as nonsense.

Submitted by Sheelagh Morris

19<sup>th</sup> September 2023.