

Geen classificatie

## **Schiphol's stance on the draft arrangement 'Preliminary Scheme Schiphol'**

Jouw contactgegevens

DEFINITIEF  
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Royal Schiphol Group N.V. (Schiphol) hereby takes the opportunity to submit a stance on the draft arrangement 'Preliminary Scheme Schiphol' (hereinafter: preliminary scheme), published by the Ministry of Infrastructure and Water Management (I&W) on 26 January 2023.

- Schiphol connects the Netherlands to the world. This is of incredible value to our prosperity and well-being. At the same time, we realise that aviation also affects air quality, noise pollution and the climate. We are fully committed to reducing noise nuisance and emissions. In order to reconcile these interests, it is important that a new system is put in place soon that protects local residents and offers perspective and clarity for the aviation sector. A system that has been in the works for almost 10 years now and for which the Senate and House of Representatives already created the conditions in 2016, but which has not yet been finalised.
- Schiphol therefore believes that a new Airport Traffic Decree containing hard environmental limits should be initiated as soon as possible. Environmental limits that make it clear to the aviation sector what is and what is not possible. And there should also be room for reward within these limits, when aviation proves to be quieter and cleaner.
- Until the new Airport Traffic Decree is in place, Schiphol believes it is important to remove the uncertainty and ambiguity that currently exists. The temporary preliminary scheme aims to achieve that.
- Schiphol sees this temporary scheme as a necessary intermediate step, but one that will hasten progress towards the new and crucial Airport Traffic Decree. Schiphol will therefore set its capacity declarations for the winter season 2023-2024 and summer 2024 ('operating year 2024') at 460,000 flights per year as soon as this preliminary scheme comes into force, all in accordance with the corresponding requirements imposed on Schiphol by I&W.

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## Stance

Central to Schiphol's stance is that, without a completed process for a new Airport Traffic Decree, this preliminary scheme is necessary as an interim step so that a new decree can soon be settled. Pending a new decree, this preliminary scheme provides the necessary certainty for local residents and the aviation sector.

Schiphol certainly does not see this temporary scheme (track 1) as the final solution. It remains of great importance to work as rapidly as possible to structurally improve perspective and protection for local residents, as well as offer the aviation sector perspective and certainty, and to lay this down in a new Airport Traffic Decree.

1. The Ministry of Infrastructure and Water Management submitted the preliminary scheme for consultation on 26 January 2023. With this scheme, the minister aims to put an end to the so-called anticipatory enforcement in which violations of the enforcement points of the current Airport Traffic Decree 2008 are tolerated, provided they are attributable to flying according to the rules of the envisaged new legal framework: the New Standards and Enforcement System.
2. Schiphol believes that perspective and clarity are needed; for local residents, for local authorities and for the Dutch aviation sector. This preliminary scheme, which is by definition temporary, unfortunately does not yet offer this. The central government should therefore not focus on a procedure concerning the maximum number of flight movements (track 2), but on a system that works with environmental limits (track 3). According to Schiphol, the central government should switch as soon as possible to a system – to be laid down in a new Airport Traffic Decree – in which these environmental limits are controlled instead of numbers of aircraft movements. This will create certainty for local residents and, at the same time, ensure that the aviation sector is held to (ambitious) environmental targets that lead to less nuisance and emissions. On the other hand, such a system should also provide the aviation sector with opportunities for development within those environmental limits and encourage innovations for reduced nuisance and emissions.
3. Until then, it is important to avoid unnecessary uncertainty. Schiphol therefore sees the proposed preliminary scheme as a necessary intermediate step, but not as a desired end goal. According to Schiphol, it remains important to settle a new Airport Traffic Decree as soon as possible, with a future-proof system in which we can work according to environmental limits.
4. The restriction on growth in the volume of flight movements is not an end in itself for Schiphol. The proposed volume restriction is a painful intervention for the airlines, but acceptable for Schiphol given the situation as outlined above. The scheme is feasible and workable.
5. The legislative process to enshrine the New Standards and Enforcement System in a new Airport Traffic Decree started back in 2014. In 2016, both the Senate and the House of Representatives agreed to the legislative amendment enabling the New Standards and Enforcement System. However,

the final step, establishing an amended decree, has not yet been completed, nor has a nature permit been issued for Schiphol.

6. In a letter dated 10 December 2021, the Minister of Infrastructure & Water Management informed the House of Representatives that he had received word from the Environmental and Transport Inspectorate expressing concerns about the (legal) sustainability of this situation.<sup>1</sup> There is a risk of having to fall back completely on the existing Airport Traffic Decree 2008. For local residents, the effects of reverting to the old system could have unpredictable consequences.
7. On 24 June 2022, the ministry took a decision intended to prevent this situation. The proposed preliminary scheme whereby the noise capacity is adjusted (in jargon: updating the limit values) and the number of aircraft movements is reduced from a maximum of 500,000 to 460,000 movements is an elaboration of this.
8. The minister's decision calls for flying according to enforcement points within the limits of the existing Airport Traffic Decree on the one hand and (continuing to) apply the principles of the New Standards and Enforcement System on the other. The combined principles are given a formal legal basis for the first time in this preliminary scheme.
9. However, these approaches clash with each other and so updating the enforcement points is necessary. The Minister of Infrastructure & Water Management's choice to include this update in the proposal for a preliminary scheme is an appropriate and necessary one for Schiphol. Had this not been done, the volume might have been limited to less than 400,000 flight movements and the aviation sector might have had to take drastic control measures that would most likely not have had a positive impact on noise nuisance in the surrounding area and quality of Schiphol's network.
10. Still, the noise capacity adjustment does not provide enough room to deal with the existing upper limit of 500,000 aircraft movements, because the update must meet the equivalence requirement of Section 8.17 (seventh paragraph) of the Aviation Act. This means that in the preliminary scheme, no more noise capacity can be made available than determined in previous decisions. An analysis by the Netherlands Aerospace Centre – which the Ministry of I&W based the draft preliminary scheme on – shows that, taking into account the equivalence requirement, there is room for 460,000 aircraft movements in this preliminary scheme.
11. Schiphol expects that the preliminary scheme will lead to less noise nuisance around the airport compared to the reference year 2019. The reason for this is that Schiphol will continue to fly according to the rules of strict preferential runway use, but with fewer aircraft movements than in 2019.

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<sup>1</sup> Letter from the Minister of Infrastructure & Environment, 10 December 2021, IENW/BSK-2021/332619.

12. When the preliminary scheme comes into force in accordance with the proposal, Schiphol will be obliged to bring its activities in line with it. Specifically, this means that Schiphol must adhere to the following environmental constraints in its capacity declarations for the winter season 2023-2024 and summer 2024 ('operating year 2024') under section 6 of the preliminary scheme:
  - A maximum of 460,000 commercial aircraft movements, 32,000 of which at night.
  - A maximum number of aircraft movements for general aviation traffic, in line with the 2.5% noise allowance for this type of traffic offered by the preliminary scheme. Schiphol considers it important that the preliminary scheme also includes a maximum number of movements for general aviation, not including social traffic. Schiphol can imagine that there will also be a reduction in the number of air transport movements for general aviation.
13. Schiphol notes that in discussions with the slot coordinator it will emphasise the importance of keeping the reduced slots with a historical entitlement reserved for the relevant airlines for the duration of the experimentation scheme.
14. Finally, Schiphol stresses that it is bound by the Calendar of Coordination Activities as contained in IATA's Worldwide Airport Slot Guidelines. These global sector agreements stipulate that the capacity declaration for the winter season 2023-2024 must be published through the slot coordinator no later than 4 May 2023. This means that the final preliminary scheme must be published by this date, ideally before the mandatory Coordination Committee taking place on 6 April 2023. Schiphol is obliged to consult the draft capacity declaration with interested sector parties. Should the final preliminary scheme be published too late, Schiphol will not be able to incorporate the provisions of the scheme in the capacity declaration for winter season 2023-2024.