

Transcript: Joint Committee on Transport, 24 March 2026

Pre-legislative scrutiny of the General Scheme of the Dublin Airport Passenger Capacity Bill 2026.

Session 1: daa (Dublin Airport Authority) Session 2: IAA (Irish Aviation Authority)

Witnesses

Session 1: daa

- Nick Cole (NC), Deputy CEO, daa International
- Vincent Harrison (VH), Chief Commercial and Development Officer
- Gary McLean (GM), Managing Director, Dublin Airport
- Miriam Ryan (MR), Chief Governance and Strategy Officer

Session 2: IAA

- Declan Fitzpatrick (DF), Chief Executive Officer
- Dr Aidan Corcoran (AC), Director of Economic Regulation, Licensing and Consumer Affairs
- Luke Manning (LM), Head of Economic Regulation

Committee Members Present

- Michael Murphy (CHAIR), Senator, Fine Gael
 - Grace Boland (GB), Deputy, Fine Gael
 - Lorraine Clifford-Lee (CL), Senator, Fianna Fail
 - Dr Cathal Crowe (CC), Deputy, Fianna Fail
 - Darren O'Rourke (DOR), Deputy, Sinn Fein (substituting for Deputy Pa Daly)
 - Roderic O'Gorman (ROG), Deputy, Green Party
 - Louise O'Reilly (LOR), Deputy, Sinn Fein (substituting for Deputy Louise O'Hara)
 - Gillian Toole (GT), Deputy, Social Democrats
 - James Ahearn (JA), Deputy, Labour
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Session 1: daa

Opening and Privilege

1. CHAIR: So just to note at the start of the meeting, Deputy Darren O'Rourke will substitute for Deputy Pa Daly and Deputy Louise O'Reilly will substitute for Deputy Louise O'Hara. Apologies being received from Senator Mark Duffy and Senator Nessa Cosgrove. I see Deputy Ahearn and Deputy Toole here. I'll try and bring you in towards the end. We're going to go for five minutes per member according to the speaking order on rotation.
2. CHAIR: So the purpose of our meeting this morning is to resume our pre-legislative scrutiny of the general scheme of the Dublin Airport Passenger Capacity Bill 2026. And today's meeting will be in two separate sessions.
3. CHAIR: On behalf of the committee, I am pleased to welcome from the daa Nick Cole, CEO, daa International and Deputy CEO of the daa. Vincent Harrison, Chief Commercial and Development Officer. Gary McLean, Managing Director of Dublin Airport. Miriam Ryan, Chief Governance and Strategy Officer. So I just need to read you a note on privilege.
4. CHAIR: Witnesses are reminded of the longstanding parliamentary practice that you should not criticize or make charges against any person or entity by name or in such a way as to make him, her or it identifiable or otherwise engage in speech that might be regarded as damaging to the good name of the person or entity. Therefore, if your statements are potentially defamatory in

relation to an identifiable person or entity, you will be directed to discontinue your remarks. It is imperative that you comply with any such direction.

5. CHAIR: Members of the Committee are reminded of the long-standing parliamentary practice to the effect that they should not comment on, criticise or make charges against a person outside the Houses or an official either by name or in such a way as to make him or her identifiable.
6. CHAIR: So, ready to go, I'm now going to invite Mr Cole to make the opening statement on behalf of daa.

daa Opening Statement (Nick Cole)

7. NC: Good morning. On behalf of daa, I'd like to thank the Chair and the Committee for your invitation. We appreciate the opportunity to address you as you carry out the pre-legislative scrutiny of this important Bill.
8. NC: A few brief words about me. As you may know, I was recently appointed the Deputy CEO of daa. Most of my working life has been spent in aviation. I previously held roles at Heathrow and Stansted airports before moving to international roles in the Middle East. I joined the daa group in 2017 and have been leading our international business since 2018. I'm joined here today by three of my executive colleagues, Vincent Harrison, our Chief Commercial and Development Officer, who leads for us on planning matters, Gary McLean, the Managing Director of Dublin Airport, which last year celebrated a record year, and Miriam Ryan, our Chief Governance and Strategy Officer, who leads on sustainability and community engagement.
9. NC: I'd like to turn and talk about economy and connectivity. Dublin Airport is critical national infrastructure, the economic impact of which is felt nationwide. The airport directly and indirectly supports over 116,000 jobs across Ireland and contributes approximately 10 billion in gross value added annually. As an island, air connectivity is a lifeline, not a luxury. We've punched way above our weight in developing Dublin Airport as an international hub. The fact that Ireland has the fourth best connected European airport to North America proves this.
10. NC: However, that connectivity is constrained and under threat due to the cap. The ongoing uncertainty discourages airlines from investing in new routes that Ireland wants, such as direct flights to India and Brazil. It sends a clear signal to international businesses that good connectivity is not a given. It encourages competitor airports such as Manchester and Glasgow to lure flights away, and it causes price increases and reduced choice for Irish consumers. This is not theory, it is fact. For winter 24-25, the IAA took the cap into account when allocating slots to airlines. Fares on European routes at Dublin Airport increased by 13% year on year, the highest of all the top 80 airports in Europe, and our capacity fell by 3%. The following winter, the cap was parked due to legal reasons, capacity rose, and airfares at Dublin were flat, in line with the European average.
11. NC: Members, this adjustment was the tip of the iceberg. In our view, removing the cap is as critical to aviation as corporation tax certainty is to FDI. With the decision imminent from the European Court of Justice that could force Ireland to significantly slash Dublin Airport's passenger numbers from 36.4 million last year to 32 million, the importance of this legislation cannot be overstated. The blunt cap artificially restricting Dublin Airport must be resolved and resolved soon. We strongly welcome the government's proposed legislation. In saying that, we appreciate the committee weighs up different viewpoints and I'd like to address some of the concerns that have been raised.
12. NC: Turning first to regional airports. Some suggest that capping Dublin benefits regional airports. Members, daa plays a leading role in Ireland's connectivity at both Cork and Dublin. Last year, Cork had 3.5 million passengers and announced a 200 million expansion plan. Like Cork, Ireland's regional airports have grown at a much faster pace than Dublin in recent years. The reality is that Dublin is in competition with airports of similar scale. The winners when Dublin is capped are Edinburgh or Amsterdam. The regions don't gain, but Ireland loses. It's an own goal to pit Dublin against regional airports. We need a national strategy that supports the growth of both. Dublin also fulfils a different role as Ireland's hub airport, pooling both connecting

and point-to-point traffic. This is vital in fighting off competition from other European airports. Far from being unbalanced, the concentration of traffic at Dublin Airport is in line with other European capital city airports and is key to its success as a hub.

13. NC: Turning to growth. Some suggest that removing the cap will lead to unconstrained growth. daa's mandate is to operate Dublin Airport for the benefit of Ireland and ensure good connectivity. Removing the cap is about a continuation of incremental growth to ensure that we meet the needs of Ireland's growing population. It is not a growth free for all. There are also existing constraints. Our infrastructure has a certain capacity. We are approaching a point where we cannot facilitate more passengers without building new piers and stands, subject to planning permission as part of our infrastructure application, which currently sits with Fingal County Council. Further expansion would also require permission. We will also continue to be subject to regulatory conditions at an EU and Irish level, including environmental regulations, and the bill proposed by Minister O'Brien will include environmental safeguards.
14. NC: Turning to the environment, we fully recognise that airports, airlines and the entire industry must play their role in national and global efforts to reduce climate change. daa and Dublin Airport has clear targets to reduce our carbon emissions. Those within our own control, Scope 1 and Scope 2, by 51% by 2030 for Dublin and Cork Airports, as part of the National Climate Action Plan and our own commitment to achieving net zero emissions by 2050, including Scope 3 across our whole group. As airlines may discuss with you tomorrow, emission reductions are achieved through newer, quieter aircraft, new fuels and other innovations. The industry can and will continue to do all it can to address the emission challenge. The cap does nothing to help the industry achieve this. And as members are aware, the cap was never intended as an environmental sustainability measure. It was a blunt instrument to manage congestion on nearby roads. Concerns around national aviation emissions and climate change are best addressed in the relevant climate and environmental policy, both national and international, not through planning conditions.
15. NC: Turning to the all-important matter of community. Community engagement is and remains a key part of our strategy and a priority for daa. To date, we've committed over 50 million euro in community-related funds, schemes and initiatives to improve the lives and welfare of our neighbours. We're pleased that 50% of all flights to and from the airport are now quieter, next-generation aircraft, and we continue to incentivise this. Though not complacent, we're encouraged by research recently undertaken by Red C that shows that a large majority of Fingal residents, 82%, continue to view Dublin Airport as a positive force in their community.
16. NC: Careful planning since the 1960s has meant that Dublin Airport is still largely surrounded by greenfields. Since the opening of the North Runway, far fewer homes located in densely populated areas are overflowed. I recognise that is small comfort for those who continue to be or are impacted for the first time. And that is why mitigation and ongoing engagement with those most impacted is a key priority.
17. NC: We have a comprehensive suite of mitigations that we've benchmarked against other leading European airports. We've offered to fully buy out 41 homes with a premium of 30% above market value. We've fully insulated 200 plus homes at an average cost of between 80 and 100,000 euros per home. Last year, we announced a new bedroom insulation scheme for another 1,000 homes, providing a grant of 30,000 euros per home. And we've insulated five local schools. Our 10 million euro community fund supports local groups benefiting more than 100 projects last year with 500,000 euro in funding. Our Elevate 25 initiative provided 2 million euro for educational and wellbeing projects in local schools in North Dublin and East Meath. Our community team conducted hundreds of home and school visits last year and we held 10 meetings of two independently chaired community groups. We are listening and we are acting.
18. NC: In conclusion, daa has a mandate to ensure the connectivity of Ireland and in doing so balance national, local and environmental interests. As the Members and those crafting this legislation would likely agree, squaring this circle is not easy. It requires nuance, not a blunt cap. That is why we would urge the Members to support this Bill. Thank you very much, and we would be pleased to take your questions.

Q&A Round 1

19. CHAIR: Thank you very much for that. So, Members, as I advised at the start of the meeting, I'm going to propose that we take five minutes per speaker, as per the speaking order that's been shared with you, and then to Deputies Toole and Ahearn. I'll bring you in after that first cycle of members have completed their round of questions. So I'll go first to Senator Clifford-Lee please.

Senator Clifford-Lee

20. CL: Thank you very much and thanks for coming here today. This is of grave concern to many communities in North County Dublin. The wrong flight paths is an issue that you will be aware of and since the opening of the new runway it's been a particular concern to people in Ballyboughal, Coolquay, Kilsallaghan, Ashbourne and beyond, because we now have flights flying over areas that never expected to be under a flight path, and people who would have conducted their own due diligence and built houses specifically to avoid any flight paths that had been granted planning permission. Can I ask you why you still permit flights, hundreds of flights every day, to fly the incorrect flight path? And you might recall that one of the witnesses that was before us last week, Mr Gareth O'Brien, presented a technical solution. Have you examined this technical solution or any other technical solution?
21. NC: Okay. Senator, thank you very much for your questions. Gary leads for us on flight paths, so I might ask him to address those questions.
22. GM: Morning, Senator. So just to clarify, so we would have consulted in 2016 on the flight paths for the North Runway, an open community forum engagement around those flight paths.
23. CL: I'm talking about the new North Runway and the incorrect flight paths. My time is constrained. So if you could just keep your comments to that.
24. GM: I'm referencing the North Runway flight paths. We consulted with them back in 2016 when we would have run open forums and opened up for consultation and input from communities. They're the flight paths that are still flown today.
25. CL: There are flights not adhering to the flight path contained in the grant of planning permission.
26. GM: So the planning permission is a separate process. So back in 2004, if that's what you're referring to, indicative paths were used, assumptions were used.
27. CL: I'm referring to the flights that are flying out on the North Runway since its opening over two years ago. And they're now flying over areas such as Ballyboughal, Coolquay, Kilsallaghan, places like that. Are you aware that the flights aren't following the correct flight paths?
28. GM: So the flight paths today are following the flight paths that were consulted on in 2016.
29. CL: So you're saying that what the communities are reporting back, hundreds of flights flying over and not taking the correct route, you're saying that that's not happening?
30. GM: So what I'm saying is that they're flying the SID that was designed in advance of opening of the runway, they're flying compliantly with that SID, which is what the consultation in 2016 was based on. So I appreciate that that's new noise for those communities, but that's...
31. CL: Clearly that's not what's happening. I want to move on to the voluntary buyout scheme. It has been in place since 2016. You referenced the 41 families that have been made an offer under the voluntary buyout scheme. The scheme has not been updated since 2016. It doesn't reflect current property values. People, particularly in St Margaret's, who have been offered or are afraid that what will be offered to them will far be below what their houses are worth. The reinstatement value, and I'm talking about St Margaret's, which is 18 kilometres from O'Connell Bridge. And their concern is that the Red Book value is not comparing like with like. You're comparing houses maybe in adjoining counties such as Louth and Meath, which isn't obviously the same as a house in County Dublin, 18 kilometres from O'Connell Bridge. Are you willing to re-look at the terms of that and also re-look at the August 26th deadline that has been put in place for families? Because as you can imagine, it's a huge decision for a family to take

that buyout. Many, many families in St Margaret's were there far before the airport was there. They've been there for generations. And can you see that putting them up against the clock in this way, and as well as that, the buyout scheme does not include stamp duty, any fee for disturbance of the families, the potential that their homes may present in the future. It's a very risky decision for a family to take because there's not a lot of homes in the locality. There's a risk around planning permission if the site is actually miraculously acquired, will they get planning permission? So can you not look at the terms of the scheme and revise because it's a very low number of families.

32. MR: We completely understand the significant impact this has on families and the difficult decision that it is, which is why we spent a lot of time with the families that are impacted. We've met practically all of the people, those 41 people that we've offered voluntary development purchase scheme to. Just to clarify in terms of what the voluntary purchase scheme allows us, you're correct, Senator, in saying that it is based on the Red Book value of the property, but it also has an uplift of 30% on that market value. And that market value is determined as though the runway wasn't actually in operation. So we have a very extensive process whereby there's an independent valuation undertaken of the property. If there isn't agreement and we pay for the families to get their own independent valuation done as well.
33. CHAIR: I'm not going to open this up again.
34. MR: If there isn't agreement on that, it goes to a separate adjudicating body in respect of that. We also offer relocation expenses. We cover the cost of stamp duty. So we actually cover both the cost of the property, 30% uplift and the expenses.
35. CHAIR: Thank you, Ms Ryan. Are you willing to extend the deadline? Just the deadline question. We have a second round. If everybody keeps the time, we'll be able to have a second round for everyone.

Deputy Boland

36. GB: Sorry, I don't want to be unfair to everyone.
37. CHAIR: Deputy Boland.
38. GB: You're very welcome. I want to get straight to it because my time is very limited. So the environmental impact statement, does it contain SIDs flight paths? How many? Just one, is it? It's one. And how is adherence to that flight path monitored? And where can I get the percentage of adherence?
39. GM: Yeah, so what we have is noise preferential corridors that are set around the flight paths that were designed and introduced back at the opening of North Runway. And we monitor compliance with those corridors and they're publicly available.
40. GB: So what's the percentage adherence?
41. GM: So the majority of airlines are adhering to the noise corridors. There are reasons why flights might deviate for weather reasons and other reasons. And what we do is every time a flight is non-compliant with the corridor, we follow up.
42. GB: So can you send the committee a note on the adherence since the North Runway opened?
43. GM: We can provide you with that.
44. GB: Look, the reality is I live in North County Dublin. I go all over the constituency. I have been out in Rostown, Oldtown, Ballyboughal, Oldcourtown. I have been on flights. You take off, you literally turn right. You're barely off the runway and you're turning right. That is not what happens. So we need to deal on the facts here. The impact that the North Runway has had on the area has been huge. And in terms of the local authorities, both Fingal and Meath, trying to plan and trying to develop communities and support communities, it has had a huge impact. And to be quite honest with you, the engagement from daa has been shockingly poor with communities and with the local authorities. What are you going to do to address the issues that this North Runway is having on the local community in both Fingal and Meath?

45. NC: Well, as I think we said, thank you for your question, Deputy. As I think we said, the community is really important to us. We have a dedicated community team who report into Miriam.
46. GB: In terms of the flight paths, if we can just stick to the flight path. OK, so carry on.
47. GM: Yeah, so look, when we opened up the runway, we understood and realised straight away that there was a challenge with regard to the aircraft flying compliantly with what we expected, anticipated it. That was a clear error, and we apologised for that at the time and went quickly to fix that. What we are now flying, as I explained, is aligned to what was consulted in 2016, and we do take that seriously and monitor compliance against...
48. GB: What happened at the 2016 consultation? That never went ahead.
49. GM: No, it did, yeah. No, to be clear, in 2016 we did extensive consultation in a number of locations in the area and online.
50. GB: But then why was the local authority granting houses, granting planning permission for houses to be built in areas that were assumed not to be under the flight path?
51. GM: Sorry, I suppose the consultation was clear in relation to what direction and where that flight path would go.
52. GB: And what was that, to fly straight out?
53. GM: No, the original planning permission was based on indicative flight paths that did have a straight-out element.
54. GB: So planning permission does apply to the flight path?
55. GM: No, it doesn't apply. So flight paths were part of that planning permission, and hence why when we eventually agreed to move on with the development of North Runway and the infrastructure, we engaged and consulted around what the requirements were.
56. GB: So why was it such a surprise to the communities in both Meath and Fingal?
57. GM: Well, I suppose, as I said, it was publicly available information that was consulted with on them in 2016.
58. GB: So let's get back to it. So Dublin Airport's own AIP, the official reference document for the aerodrome, contains a noise abatement section that says pilots must not turn below 700 feet. Yet the same document says that strict compliance of the SID is mandatory, yet the published SID for the North Runway commands a turn below 750 feet. So what is the story there? Why is there such a contradiction?
59. GM: No, so the legislation, the safety regulation requires a turn and a divergence from the other flight path immediately after takeoff. So that's different for all aircraft. And so obviously what's happening, what happens then obviously is aircraft turn at a 30 degree angle from the southern runway flight paths, which is a requirement under ICAO safety regulation.
60. GB: But that doesn't seem to make sense. So why are they turning so quickly? Like, we all see it. They are turning unbelievably low. And that was not the case before the North Runway was opened.
61. GM: So, no. What is the requirement for that? So it has been the case. What is the requirement for that? So the wording in the regulation, I don't have it in front of me, but it's that divergence must occur immediately after take-off is the wording within the regulation. And so that's deemed to be a safe height at which an aircraft can turn.
62. GB: And what is that safe point?
63. GM: It's different for all aircraft.

Dr Cathal Crowe

64. CHAIR: Anything else? Are you finished? Yeah. Okay, great. Thank you. Dr Cathal Crowe.

65. CC: Thank you, Chairman. So a few questions I want to put. First of all, the community fund that you dispersed last year, half a million, and you talk about it being a 10 million euro fund overall. In a whole different realm, I'm talking about the realm of wind turbines, where they also have a community fund. Very controversially, that community fund gets spent and dispersed in, I think, a 16 kilometre radius. I'm just wondering, to what extent is this fund benefiting actual local groups as opposed to a scatter of groups that may be far beyond the airport curtilage?
66. MR: The focus of the community fund is very much on close-in areas and areas that are directly underneath the flight path.
67. CC: Okay, but there must be terms of reference in that area?
68. MR: Oh, absolutely there are, yeah.
69. CC: Are there so many kilometres from the airport itself?
70. MR: It doesn't specify kilometres, Deputy, but it is very much focused on areas that are directly under the flight paths and that are closer in and most significantly impacted. And all the terms and conditions are transparently available on our website.
71. CC: Can I ask you might submit the terms of that scheme to the committee just so we can see in due course. Could I ask, are daa willing to extend the August 2026 deadline that you've imposed for the families under the voluntary buyout scheme? Will that deadline be extended or is it quite rigid at the moment?
72. MR: The deadline has already been extended by three years. Initially it was due to be there for one year and then it was extended. But the voluntary dwelling purchase scheme is updated every two years, so those who are within the contour will remain to be eligible to apply for the voluntary dwelling purchase scheme as long as they remain within the contour as designated under the planning conditions. That's the 69dB contour.
73. CC: But can I ask, given that this whole thing's been going on forever, it's been going on an awful long time, the legislation is now finally happening, but that won't happen overnight either. I don't see why everyone has to be so welded to this idea of August. I mean, there's voices in the community, there's representatives like Senator Lorraine Clifford-Lee who are asking for an extension. So would you give that commitment today that you'll extend it further?
74. MR: We'll certainly consider it.
75. CC: Yeah, I can give that comment. You might also come back to the local representatives and our committee in that regard. Could I ask, have you examined any other solution for the North Runway in light of what we've been discussing here this morning?
76. GM: Yes, so I think I mentioned the last time I was here, Doctor, that we have engaged with numerous airports who have similar operations around process they've undertaken in relation to change to flight paths. We've also consulted with, I got specialist consultancy advice, and that was also that we were carrying out at the time in good faith that there would be an outcome to the North Runway relevant action, which was to reset the baseline for operations at the airport. So we have started to look at that process. However, because the North Runway relevant action is not finalised, we can't move that on beyond that initial review.
77. CC: Could I just ask, along the lines of what Deputy Boland was asking a while ago about the sharp turns as it rises into the air, my understanding is that any divergence from the regular take-off or landing path needs divergent clearance from AirNav Ireland, from tower clearance. So I'm just wondering...
78. GM: Sorry, all aircraft are in control of the tower, obviously, on departure, and they're following the SID. You know, the SID compliance is something that's monitored and the noise preferential corridors I referenced before are actually narrower.
79. CC: How many times has it diverged from what is the regular flight path?
80. GM: Very seldom, but I don't have that information here.

81. CC: Would you also supply us with those figures? Could I finally just ask, in terms of noise pollution, I mean, you've gone quite extensive with the local community in terms of trying to soundproof houses and undertake certain measures. I didn't see anything in your opening statement about the non-compliance. Where are you at with that? Because our committee two years ago, the former committee, the Oireachtas Committee on Transport, went to Amsterdam Schiphol Airport and Rotterdam to look at this very specific issue. It is a hugely hot issue. And they cautioned us. They said Ireland Inc. and all other European countries is going to be facing the gauntlet in the years to come because noise regulation is going to get an awful lot stricter. So where is non-compliance at with that? And how often have you been hauled over on noise pollution?
82. GM: So what we're focused on, obviously, is the compliance, as I mentioned, with the corridors. And so we publicly provide that information, report on that information. And compliance in general is good.
83. CC: If you're telling me compliance is good, what's your non-compliance rate? That's my question. There must be a rate here. There has to be. This is measured. There's metrics.
84. GM: Yeah, it's measured for all flights. But what is the figure? I don't have that.
85. CC: But surely representing daa, you'd have your top line figures. Surely non-compliance would be... That's your line of defence here. So what is the non-compliance?
86. GM: It's in the region about 90%, but I don't have the exact figure with me.
87. CC: The non-compliance is in the region 90%.
88. GM: No, no, the compliance is in the region.
89. CC: Compliance. So therefore non-compliance is 10%.
90. GM: Yeah, but again, there's multiple factors, weather and other reasons as to why, without going through the detail of the reasons for that, it's hard to give a definitive answer.
91. CC: Again, I want to conclude by saying you really should have better figures coming in here. Please, in writing, supply us also with that. That's the third written request for detail.

Deputy O'Rourke

92. CHAIR: Thank you, Chairman.
93. DOR: Mr Cole, I think you referred to airlines cutting capacity by 3% last winter in relation to the passenger cap. Is it not usual for airlines to cut their capacity around the winter period based on demand, and how does that 3% compare to European comparators?
94. VH: The reason for the cutting capacity in the previous winter season, and we're just this week reaching the end of the current winter season, so just for reference that's a five month period, that was the single occasion for winter planning that a capacity restriction was introduced by the IAA who I know are in with you later. So it was as a result of the reduction in the number of slots that were made available that capacity at the airport was reduced. You're correct, from season to season there can be market changes in activity, but that was an imposed reduction which meant that what the airlines filed for was greater than the slots they were granted. That process, for legal reasons, has not occurred subsequently. Yes, there are differences between the level of activity in the summer and the winter, but winter to winter, there was a reduction from the previous winter, despite the fact that there was growth in general across the year. Now, what we saw as a result of that was a very significant fare increase. This is based on research across 80 airports in Europe conducted independently, which demonstrated that for that season, the rate of increase in airfare to Dublin was...
95. DOR: Thanks, I'm going to interrupt just in the interest of time, but thanks for that. Can I ask, Mr Cole, you make that comparison in terms of the cap in relation to corporation tax, but do you not agree, and there are concerns articulated, that the corporation tax that we have in Ireland, it's not the state exempting itself from environmental law, from courts of appeal, leave to appeal,

or giving executive powers to the minister in relation to the planning system. Do you have any concern in relation to those elements?

96. NC: From our perspective, we don't feel that a lifting of the cap is not a free-for-all. There will be safeguards in this new legislation. So there are environmental safeguards. We will have to do environmental impact surveys, etc. And there are other limitations on growth. The state does limit itself. We will comply with all relevant legislation and ensure that any growth that we continue to deliver in Dublin Airport is part of this new legislation. So, in short, I'd say it won't be a free-for-all. We'll still be monitored and we'll comply.
97. DOR: And you will have heard last week, and I think there is, you know, even here this morning, you're hearing, I think, clear criticism of daa and their compliance with planning. For example, in relation to the flight paths, Fingal County Council issued a warning letter in September 2022, over 180 weeks later, we're no further on and in fact, from listening to Mr McLean, I was a member of the previous Transport Committee and in June 24, we had heard that the daa would review the flight path. I think at that stage there was acknowledgement that there was deviation, that there are houses been flown over that weren't intended to be flown over. I would have significant questions in relation to the 2016 consultation and absolute criticism in terms of compliance with the 2007 planning and environmental impact statement. Mr McLean, you said that you've engaged with other airports, that you've brought in specialist consultants, but that the relevant action is the problem for not moving in relation to the flight paths. I don't accept that, I have to say. The flight paths need to be corrected. You have the capacity to do it, but you're not doing it. What do you say to that contention?
98. GM: So I think, look, we've had loads of good suggestions in relation to change to flight paths.
99. DOR: Why don't you act on any of them?
100. GM: So I think any kind of review needs to be done as part of a holistic review of airspace. Any change impacts new areas, new other airports potentially. And so what we were recommending at the time was a holistic review of airspace in which we consider all suggestions. It was an extensive process that we would have to follow as required under regulation.
101. DOR: So is that advanced at this stage?
102. GM: No, it hasn't advanced because we need a baseline of the North Runway relevant action before we can understand what that baseline is, before we start to understand the impact of different changes.

Chair Questions

103. CHAIR: Okay. I'll turn to my turn in the speaking order first. Can I ask, first of all, and I don't know who this is most appropriately directed to, what modelling have you done in terms of the expected volumes of travel for the next five years if this legislation is passed?
104. VH: There are two issues that will impact the level of volume. One is the demand that we see that is currently not being met. But the legislation itself is only one component because the removal of the cap also needs, within our planning framework, to be met by the introduction of new infrastructure. And that's why we have an infrastructure application framework to put in place the necessary infrastructure to meet the demand that we see happening in the next number of years. We will undoubtedly, due to the slow passage of the planning application, see constrained demand for a number of years. We would see that growth being in the region of very low single digits because what we're talking about is not having the availability for some of our main carriers for example to base more aircraft at the airport early morning. We will be infilling on available capacity throughout the day.
105. CHAIR: Is there a target in terms of the growth levels that you want to see if that infrastructure application comes to pass and if the additionality is made to the airport?
106. VH: We don't per se set a target for growth for the airport. We view the mandate of the company and the airport to provide the facilities to meet the demand that benefits the wider economy.

107. CHAIR: So then in the next five years what do you expect the passenger throughput of the airport to be?
108. VH: We expect the passenger throughput until we see significant infrastructure and pier development advanced to be constrained to one or two percent per annum growth.
109. CHAIR: Okay so 40 million passengers is that?
110. VH: Within the period to about 2030.
111. CHAIR: 2030, and then outside of that if the infrastructure enhancements are made?
112. VH: As some of the infrastructure is brought on stream, that enables more of what I would call the mainstream demand in the airport to be developed. There's been references to some of the new markets that we would like to connect to in Asia, South America, etc., they benefit from the fact that typically flights to those destinations leave in the evening time. So there is available capacity for certain types of traffic, but some of our main carriers are very heavily constrained.
113. CHAIR: So it sounds to me you have done some work on modelling. Can I turn then to this question on divergence of the flight paths? How is that captured in terms of data? I mean, is there reporting on that every month? Do you see a report every month on how many flights diverge from their paths and how is that then monitored and oversight implemented in those flight paths?
114. GM: Yeah, so as I said, the flights are, all flights are compliant with the flight path as such. It's this noise preferential corridor that we...
115. CHAIR: Can I just ask a question, just for clarity here? How do you know they're compliant? What mechanisms do you have in place to inspect compliance there?
116. GM: Well, I suppose the way that the flight paths work is that they're programmed into aircraft. So, you know, so the aircraft are following the code that's within the flight path. We can see that monitoring and we share the outputs of that. We might measure against the preferential corridor, noise preferential corridor, which is a narrower corridor than actually the flight path to the approved SID.
117. CHAIR: And for a flight path itself, are there bands then within that flight path of like, all flight paths happen within 5% of this band, or 10% of this band, or 15% of that band? Or is it a static distance that they have to be inside?
118. GM: Yeah, it's a static distance. So the SID might be represented as a line, but obviously it's a compliant corridor of about a mile either side in which aircraft can operate and still be compliant with the system.
119. CHAIR: And then inside that mile, how many of those flights operate in the centre or is it spread across the mile spectrum?
120. GM: Primarily, it works that they're on the centre, but there can be varying reasons as to...
121. CHAIR: And what percentage of the flights would be near to the centre? Within 10% of the centre, what percentage of the flights...
122. GM: It depends on what flight path they're actually on, because within the departure off the North Runway, for example, the one we're probably primarily talking about, there are aircraft going north that would use the more right-hand side of that corridor. If they were going south, then actually we'd maybe veer earlier off the centre line towards the left.
123. CHAIR: So are you in a position to provide a report, then, of all the flight paths on either runway that can say what percentage of flights fall within the sections of the mile flight path?
124. GM: Yeah, we have all that information.
125. CHAIR: Could you provide that to the committee, please, in terms of the last 24 months? OK. Thank you. OK, I'll move on.

Deputy O’Gorman

126. CHAIR: Deputy O’Gorman.
127. ROG: Thanks, Chair. Good morning, everyone. When the officials from the Department of Transport came before us, I asked them, is there a target for the number of passenger numbers going through the airport or a ceiling for the number of movements through the airport? And they say they didn’t have any. They basically said they were agnostic on the throughput issue. Does daa have a target or a ceiling for the number of passengers it wants to see going through Dublin Airport?
128. NC: I mean, from our perspective, our job is to make sure that we provide the country of Ireland the best connectivity to the rest of the world that we possibly can. And that will always be incremental. In terms of an absolute ceiling, if you were to look at, let’s say, 50 million passengers, we’re certainly looking in the region of the late 2030s to early 2040s as far as that goes. And what we found, Deputy, is what we don’t want to do is do just in-time planning. We want to focus on the future and make sure that we’ve got a really long-term lens on what we’re looking to do. So there isn’t an absolute number.
129. ROG: Minister, sorry to cut across to you there, but Minister O’Brien has put out the figure of 60 million, which is about what JFK did last year. Is that in your horizon?
130. NC: We’re certainly focused on, at the moment, we are focused on the 50 million, so sort of end of 2030s, early 2040s. Technology could change dramatically by then, so we are using a crystal ball, and what we’d rather do is look at the near and medium term as we go through 40, 45 and 50 million passengers.
131. ROG: And Mr Harrison spoke earlier about a 1% to 2% growth per year in the current constrained growth situation. What would you expect your annual growth to be when the constraints, the cap and the inadequate terminal infrastructure, when they’re removed, what would you expect to be unconstrained annual growth at the airport?
132. VH: I would say that by the time the infrastructure is completed, we would probably have seen about 3 million annual capacity growth that has not been provided for. So there is the potential that that level of increase could happen as the infrastructure, that would be displaced demand, if I call it.
133. ROG: Three million on top of?
134. VH: On maybe 40 million.
135. ROG: It’s up to 43, okay. Is it fair to say that once this cap is removed, that daa will be the driving force in setting the size of Dublin Airport? If we have a department that is kind of agnostic, it is ultimately yourselves, your board, who set how big Dublin Airport is or who drive, let’s say, that policy on a national basis.
136. VH: Well, if we take the way that the system is structured, we respond to the broader demand, the demand that is represented by our airlines, and then we’re right in the process currently of then, we submit that to our regulator, our economic regulator, as a proposal to invest, as their price regulator, and they will then form an opinion as to whether that level of infrastructure that we’re proposing is allowed.
137. ROG: The regulator makes the decision, but you make the proposal, and the proposal is on foot of what you hear from the airlines? Correct. Okay, thank you.
138. ROG: Heading 12 of the bill we’re discussing exempts this bill from consideration under the Climate Action Act. Do you think that’s necessary?
139. MR: I think as an airport authority and as part of the aviation, broader aviation environment, we absolutely recognise the role that we have to play in addressing the national and global effort to address emissions. The cap was never put in place to address emissions, it was to address local traffic impact primarily, so it wasn’t put in place in the first place in order to address emissions

issues. Look, we've been advised that what's been proposed by Mr O'Brien will maintain a requirement for environmental assessments.

140. ROG: Sorry to cut across you, but is it necessary for the removal of the cap?
141. MR: Well, as it stands, aviation isn't caught within the climate action framework because only domestic aviation, which is a very, very small amount of the total aviation in Ireland.
142. ROG: So if it's not caught, I don't really understand why it's being exempted then, because if it's not caught within the remit, what's the point of exempting it if it's not going to make any difference?
143. MR: That's not a question, I think, for us to answer, to be honest.
144. ROG: It's one we couldn't get an answer from transport officials. You made a point of not wanting to engage just in time planning. Can I ask, why did the application to extend the cap from 32 million to 40 million, considering it's so existential in your argument, why did it come in so late?
145. VH: We engaged with An Bord Pleanála as it was at the time in 2018. We had pre-engagement at the time when we would have been in a position to make a direct application for the infrastructure to An Bord Pleanála. That process then was overtaken by the introduction of ANCA, the establishment of that body within the auspices of Fingal County Council. That process took a number of years to conclude, and at the time, as the runway application was urgent, particularly in terms of the potential expiry of that planning application. We prioritised the delivery of the runway, but we were also expressly informed by both Fingal and ACP that they couldn't accommodate both applications at the same time.
146. CHAIR: Thank you.

Deputy O'Reilly

147. LOR: Thank you, and thanks to our witnesses. Mr Cole, in response to a question from my colleague Deputy O'Rourke, you said that the lifting of the cap won't be a free-for-all. We will be monitored and we will comply. But the cap was knowingly broken in 2019, 2023, 2024 and 2025. With the greatest of respect, why would anyone have any confidence that you will comply and uphold any regulations or any... Because you haven't until now. And I'm very disturbed to hear that it will be the airlines that are in the driver's seat when it comes to expansion, not officials and not yourselves, that you're content to sit back and allow the airlines to just expand at will as required. So perhaps you might comment on that, please.
148. NC: Yeah, I mean, look, from our perspective, there obviously was a legislative process which exempted us from the cap for two years. And we have used that, which gets us into the position that we're in now. I think daa's view is very much we want to expand Dublin Airport for the good of Ireland and for the people of Ireland. And at the moment, there's 36.4 million of those that want to fly from Dublin Airport. We want to make sure that we keep pace with them as we continue to develop.
149. LOR: So I asked a question about why would anyone have confidence that you're going to comply when you haven't complied in 2019, 2023, 2024 and 2025? Why would other years be different? I mean, I think the answer is they won't, but I'm willing to hear from you if they will.
150. NC: I mean, look, as I said, from our perspective, we have a stay on that right now as far as the cap goes. So we have some exemption to go over the cap. And that's because there's demand here for the people of Ireland.
151. LOR: So this will be entirely demand led and it will be led by the airlines, not by the minister, not by the department, but led by the airlines.
152. NC: There are a number of factors, so obviously we're part of it, the airline's part of it, the IAA set the slots, so it's a variety of stakeholders.
153. LOR: The same variety of stakeholders that are consistently breaching the cap. You'll understand why. I'm 10 years representing this constituency and we are 10 years pleading with you guys

to be good neighbours and the people who live beside the airport will tell you that you very much are not. On the radio last week, Minister O'Brien said that he was, that he had spoken to yourselves about improving the scheme. Can you just give a brief outline, or maybe you might provide in writing for us what those improvements are going to look like and when they'll come into force?

154. LOR: Miriam will talk about the schemes that we've already put in place. No, not the ones in place, the improvements, specifically what the Minister spoke about, what's going to be different because we know what's there. We remain in dialogue with the Minister on that issue. He did say that there are going to be improvements to the buyout and insulation schemes. I'm assuming that's what your dialogue is about, so what are the improvements and when will we see them? Thanks. We'll come back to you. You'll come back to me.
155. LOR: Okay, so the Minister was fairly confident that these improvements have been agreed, so it's a bit worrying that we can't see them today. At the last hearing, Gareth O'Brien asked for an independent, qualified flight procedure designer to deal with the issues around the incorrect flight paths, for which I appreciate you have apologised. But what would be... Is there a problem with that? Would you accept that? Is that a good idea? Would you proceed on that basis, with the independent qualified flight procedure designer?
156. GM: So I think... Well, sorry. So all of our flight paths are designed by a flight procedure designer, an approved company. I think Mr O'Brien was referencing ASAP which is the company that actually designed the North Runway flight paths. It would be a company like that that we would engage with when we were to go ahead with a further review, which was what I was referencing earlier on to the other deputy. It is something like that that would give us advice in relation to it.
157. LOR: Okay, so an independent advisor, would you be in a position to agree the independent designer with the campaign groups that live locally?
158. GM: Well, as I said, the one that was mentioned by Mr O'Brien is actually the one that AirNav use at the moment.
159. LOR: And you wouldn't have any issue with it? Well, that's good to know. That's very good to know. Can I just ask, just in terms of the planning permission that was withdrawn in 2020 and resubmitted in 2023, what was the reason for that delay?
160. VH: The application that was submitted in 2020 was for a temporary lift of the cap or an operating lift of the cap. The feedback we received from the planning authorities was that they were not in a position to progress with that and the consideration of the runway application at the time.
161. CHAIR: No, no, we're going to finish this answer, please. Do you have anything else to add, Mr Harrison? Sorry? Do you have anything else to add?
162. LOR: Why would they not proceed?
163. CHAIR: We're going to move on. We're going to give a second round. Thank you. All right.

Deputy Toole and Deputy Ahearn

164. CHAIR: Before I ask Deputy Toole to speak, I'm just going to say what's going to happen. We'll have five minutes for Deputy Toole, five minutes for Deputy Ahearn, and then we'll do a second round of two minutes each. I have to step out for a little while, so is there any objection to Deputy Boland taking the chair for that time? No? Okay, so Deputy Boland, if you're happy to take the chair, and then Deputy Toole, if you're ready.

Deputy Toole

165. GT: Good morning, everybody. Thank you for meeting with us. In relation to just a couple of points of, I suppose, to correct the record, Mr McLean, in 2016, or you've made the point in 2016 that there was consultation and open forums. There was none in County Meath. And the impact

of that currently is that daa is now making submissions on planning applications to the south of Ratoath, County Meath. So just to clarify that point.

166. GT: In relation to, I suppose, looking at your website, the daa website, mission statement, and as somebody who's been involved, small business, etc., you try to adhere as close as possible to your business, your vision, your mission, you constantly go back, review, analyse, again, constantly checking back in. So in relation to the good neighbour policy and health impacts, my background would be healthcare, so modelling for going forward in the event of the abolition of the cap if the bill is passed, what type of modelling are you doing on health impacts? We're currently aware of the 800 million euro per annum health impact as evidenced by Dr Pat McLaughlin in his report which was referenced to the Brussels Aviation Study. The existence of PFAS currently, how is that going to be factored into modelling? The EPA air quality monitoring has been sporadic, out of order for five months in 2023, 2024, 2025, sporadic monitoring issues. So from a health impact, from an air quality, from a noise quality, those issues.
167. GT: Moving to the quieter aircraft piece that was in the preemptive media release in advance of the meeting. And I think it's the engine test lab, a three decibel reduction in acoustic energy. Humans need a 10 decibel reduction to perceive sound half as loud. So if you take an area like the Coolquay, moving further away, I appreciate X number of kilometers further, the impact is lessened accordingly. But if you take an area like the Coolquay and on the ground being overflown, you're still talking about a 78 decibel reduction. It's 13%, not 50%. Lden night, we know, should be 45 decibels. That's linked to the 800 million per annum health impact. So what type of modelling are you doing? You don't want to be just-in-time operators. You want to be forward planners. So are you doing modelling from an environmental perspective, air quality, health impact perspective. What format is that taking? And why was Meath not consulted? And what consultation will there be going forward? The noise preferential corridor has had no consideration whatsoever for Ashbourne area, Ratoath area. So the 50 million community compensation scheme effectively will cover 1,200 homes, but there are 6,850 new homes approximately that weren't ever extrapolated into that. So what's going to happen there? Thank you.
168. MR: A lot there, Deputy. So look, the reason that there are noise contours put in place and mitigations are aligned to those noise contours is because those are the areas that have greatest impact. And that's why mitigation schemes are put in place to address the areas with the most impact. And that is why, I suppose, the insulation schemes and the VDPS scheme that we have in place, we've looked at those in comparison to other schemes and at other airports. And I know Deputy O'Reilly asked about it earlier as well. Our schemes are very, very good, very, very extensive and comprehensive in terms of the supports that they provide and the materials that they put in place for people. And they are focused on the areas of most impact from a noise perspective.
169. MR: In terms of the air quality monitoring, we have agreed with the EPA a new monitor on the airport site, and that's going ahead. But in general, the compliance in terms of the air quality monitoring is showing that we are well within the thresholds that have been set by the EPA for air quality and are meeting all of the requirements in that regard. And I think in terms of the health study, and you mentioned the 800 million, look, you know, we're aware of the report. We've reviewed it. We are a bit, we would query some of the methodologies used, to be honest, because they draw a direct comparison between Ireland and Belgium, and those levels and that economic comparator isn't actually relevant.
170. GT: I'll just cut across you there, if I may. Are you actually carrying out modelling in the area of health impacts for your projected growth for the late 2030s?
171. MR: There is a human health chapter as part of all of the EIARs that we do.
172. GB: I think we'll have to leave it there, Ms Ryan, but I think daa should write to us in response to Deputy Toole's queries. Her time is up, unfortunately.

Deputy Ahearn

173. GB: Now we're moving to Deputy Ahearn.

174. JA: Thanks, Chair, and thanks to our guests for attending today. I read your statement, opening statement, with interest, and along with the statement, you sent us a kind of a glossy statement, a glossy presentation on sustainability at Dublin Airport, and you're making a big play of your commitment to sustainability. And I'd just like to know, you know, how many tonnes of CO2 have been eliminated from your activities at Dublin Airport as a result of the sustainability measures that you've undertaken? And I understand that these relate to Scope 1 measures in particular, which are really just measures within your control, and this is in relation to the operation of the building and your ground operations there. So how many tonnes of CO2 have been...
175. MR: I don't have the precise number for you here, Deputy. We can certainly send that on to you. But I would say that it isn't a play. We don't see it as a play. We see it as a very important issue that we are very committed to. We have invested hugely in it. We've put a lot of money into it. We've put a lot of effort into it from our people. We have been leaders in terms of some of the initiatives that we've taken. So we've been at the forefront in terms of new initiatives like geothermal investigations, for example, that we spent a lot of time doing last year to identify what new sources there might be to help us address our impact.
176. JA: We're really tight for time here. So you don't have any figures on how much CO2 has been eliminated yet. Do you have figures on what lifting the cap would mean from an emissions perspective? We've heard it would be a 22% increase in emissions by 2031, which is about 750,000 tonnes of additional CO2 going in. So what is the airport doing to mitigate that and how much of your sustainability measures on the ground are going to take away from that? Do you have any figures for that?
177. MR: In terms of the carbon that we have taken out of the emissions that we've reduced by, we are firmly on track to meet our target in terms of 51% decrease in emissions by 2030, which is what we're held to under the public service requirements.
178. JA: Do you know where you're at now? We're at 2026, so are you at 25%? Are you at...
179. MR: I can come back to you with the actual numbers, but we are on track to meet that 50% reduction by 2030, and we have made a commitment to be net zero by 2050, and we're also on track for that. We're one of the very few companies in Ireland that have signed up to science-based targets, so our targets have been validated and reviewed by that very prestigious body, and that came through last year.
180. MR: In terms of future and the development, we put in a number of different scenarios that we looked at in terms of our infrastructure application. And the final decision in respect or the final outcome in respect of that would very much depend on the extent to which, you know, we have new fuels that are being adopted, we have SAF, we have new technologies being available.
181. JA: Very good, very good.
182. MR: And you also have your... The airlines will be in with you tomorrow.
183. JA: That's all future technology that's pie in the sky or that would, you know, require an area the size of Tipperary or possibly Connacht if we were to use biofuels for all the, to replace the current aviation fuels. You know, we'd have to set aside areas as large as that to grow these kind of biofuels. So, you know, we're relying on future technology there. And you've said that you commit, the airport commits to achieving net zero carbon emissions by 2050, including scope three emissions, which are related to the airlines using your airports. And that's coming from that. So, I mean, but in this paragraph in your opening statement here, on the one hand, you commit to these plans, but then on the other, you seem to sort of pass responsibility to the airlines. And so if the airlines can't reduce their emissions by 2050 in line with the net zero, what's the daa going to do? And would you welcome being subject to the Climate Act applying to you there so that you're committing to it? Are you willing to commit via law to these targets?
184. MR: We have committed under existing regulations and international arrangements that are there under EU ETS and CORSIA, which manage international aviation emissions, and the entire aviation sector has signed up to those. Airlines, airports, anybody that's involved in the aviation

sector has been involved in those. And I draw your attention to Destination 2050, which is the aviation policy statement that is firmly fixed on that deliverable.

185. JA: So rather than the Climate Act not applying, would daa welcome the Climate Act actually applying and actual rigorous targets being set for the airport?
186. MR: Targets have already been signed up to by the aviation industry.
187. JA: Legally binding emissions targets being set for you and all the airlines that use the airport.
188. MR: Targets have already been signed up to by the aviation industry.
189. JA: Okay. And just when it comes to, last question, Chair, when it comes to, you talk about demand here being set by the airlines, essentially. I mean, there's figures out there that say that they're not actually doing anything for the economy, that actually we have a net deficit when it comes to tourism leaving the country as opposed to money coming into the country. So the Irish state seems to be losing out economically from expansion here, the number of flights, and we're potentially losing out from an environmental perspective. Would you support an Irish aviation passenger tax?
190. GB: I'm afraid we're going to have to move on, Deputy.

Q&A Round 2

Senator Clifford-Lee (Round 2)

191. GB: Senator Clifford-Lee.
192. CL: Thank you very much. I'm curious to ask about the improved insulation and buyout scheme. Deputy O'Reilly referred to it there. And when will the details of that be available? And when does it start from?
193. MR: Well, we already have a very good, very good level of schemes, which we've benchmarked against other schemes.
194. CL: But the improved one that was referenced by the Minister?
195. MR: Just last year, we've announced that we will extend the R6 scheme to a wider number of houses, and we have increased the grant amount for that by 50% to 30,000 per home. That benchmarks really, really positively against, for example, if you look at Gatwick, which has 40 million passengers, similar to ourselves, where you get 4,300 per house.
196. CL: There's not an improved one. We've got 30,000 per house. There's not an improved one pending. It's already improved. It has been improved. That's it. It's not improving forward. And would you not look at the CPO model of valuations, which includes the reinstatement, which includes disturbance of the families? It's a very small number of families that we're talking about. And really what is being offered does not offer the families an ability to replace what they have in a similar location.
197. MR: Just before I deal with that question, just in terms of future, we're also going to need to go through, if this bill goes through, we will need to make assessments. We will need to submit those to ACP, and they potentially may ask for further requirements that we will be, of course, happy to comply with as a result of that process. In terms of the VDPS, we went through a process whereby we agreed with Fingal County Council the manner in which the VDPS would be implemented and agreed and that was all signed off and we're complying fully with that and delivering it along those lines.
198. CL: Could I just ask in relation to the removal of the cap, would increasing the cap not be sufficient? Do we need to remove it completely?
199. MR: The bill allows for either the amendment of the cap or the removal of the cap, so both things are covered within the legislation.
200. CL: Both would suit your needs.

201. MR: Both would suit your needs. Thank you, Senator. I think the preference would be to try and address the cap fully in the longer term. Thank you.

Deputy Boland (Round 2)

202. GB: To my own speaking time, the 2016 consultation, what was the degree turn that was consulted there?

203. GM: Starting from 15 degrees all the way out to 75.

204. GB: So you're saying a consultation 10 years ago, which was a precursor to a planning application that didn't progress, is sufficient?

205. VH: Sorry, that planning application did progress. That was the North Runway relevant action.

206. GB: Did progress.

207. VH: Talking about the runway planning here, I think there were all the references to the infrastructure application, which is the rest of the airport infrastructure and the cap of the airport.

208. GB: And so in terms of the degree turn that you're talking about, how can you say that the 30 degree turn was the one that everyone knew about based on the 2016 consultation?

209. GM: Yes, so we would have taken feedback both in the sessions run, but also afterwards through people could submit in, and then we communicated the outcome of that consultancy. It would have been published, I don't know exactly who would have received it direct, but it was publicly published.

210. GB: The EIS is based on?

211. GM: Yes. Fully. Sorry, that's what, sorry?

212. GB: The environmental impact statement is based on the 30 degree turn.

213. GM: So we would have obviously reassessed the impact of the design SIDs in line with the opening of the new runway. So, yeah, there was a new environmental impact assessment at that point in time, which was more or less the same as what would have been done back in 2004.

214. GB: I want to say to you, as a lawyer, you have to engage constructively with the communities, and we have all heard from the communities they are not happy with how daa is engaging. To get anywhere on this, please, please be positive and engage constructively. Buy out the homes that need to be bought out at a very fair price and insulate, premium insulation, and invest in the communities, roads, paths, infrastructure. Be a good neighbour. That is what we are asking. Please, please do that.

215. MR: I would say, Deputy, that we absolutely are committed and we are doing that. We met over 200 people last year alone. We have a dedicated group that goes out and meets people.

216. GB: I'm representative for the area and I hear from people every day.

217. MR: I completely accept that.

218. GB: And that is not how they feel. So I'm asking you to re-look at that.

Deputy O'Rourke (Round 2)

219. GB: Now, moving on to Deputy O'Rourke.

220. DOR: Continue along the same lines in terms of communication in good faith with communities. I want to just get daa to reflect on an experience for local public representatives and members of the community dating back to last March. There are a huge number of people and some of us will regularly attend public meetings with hundreds of people in the community in relation to these. There's expertise in the community and there's extreme interest in it.

221. DOR: And I want to reflect on the experience of Mr Eoin Keary from Ratoath, who is one of those people who I would say is very interested and quite expert in relation to this, and copies local public representatives on correspondence with yourselves. In March of last year, in response to that correspondence, he was excluded from it, but local public representatives, and not just local public representatives, Michael Lowry TD from Tipperary, was included in it. And Mr Keary was accused of making serious falsehoods and unfounded accusations and was referred to as a prolific correspondent. But actually, the claims that he had made have since, I have permission, yeah, I have permission, thanks, the charges he made were since substantiated and confirmed by the IAA and indeed others within the daa.
222. DOR: Are you aware of that email and the approach that was taken in it to exclude him in response to correspondence directly from him? Is that normal practice on behalf of daa? And most importantly, what does it say about the types of communication that you will have with the community into the future? And do you stand over the response in light of the facts after the matter?
223. MR: I don't want to get into the detail of individual scenarios. I don't think that's appropriate. But I will say that we have a lot of engagement and a lot of emails and communications and so on with individuals. And also when individuals call into question particular aspects of the way that we do things or how we approach things, then we will obviously respond to that.
224. DOR: Well, I'm specifically interested in an individual case. And I would ask you that you would take that away and maybe correspond with the committee in relation to how you've reflected on it, and if you're going to take any different approach at all.
225. GB: Thank you. Deputy Crowe?

Deputy O'Gorman (Round 2)

226. GB: Deputy O'Gorman?
227. ROG: Thanks, Chair. The permitted level of passengers under the cap at the moment is 32 million, and in your application you've asked to raise that to 40 million, so that's an extra 8 million passengers per year when that second figure is reached. Have you estimated what the additional carbon emissions per metric tonne is of an extra 8 million passengers coming through the airport every year?
228. NC: I think the first thing to say is that what we're seeing in our industry is a trend of reduction of carbon emissions for all the reasons we've already described. So it is a trend that is slowly reducing.
229. ROG: But on today's basis, if there was an extra 8 million, do you have an upper estimate provided?
230. MR: It's difficult to do that given that there's technological change. It depends on the type of aircraft that's being flown. There are a lot of different scenarios. And we've included a number of different scenarios in our infrastructure application.
231. ROG: I don't see how it's hard to do it in terms of a today basis. What would the addition of 8 million extra passengers in terms of an upper potential limit of the increase in carbon?
232. MR: We've incorporated a number of scenarios in our infrastructure application. We can make that table available to the...
233. ROG: Yeah, that would be great if you could make that table available. In terms of your engagement with the department on this piece of legislation and on the question of the cap, have you ever specifically asked the department to exclude this legislation from the application of the Climate Act?
234. ROG: So you don't see that point, Heading 12, you don't see that as, I suppose, existential to the wider question of the cap?
235. NC: It's not really for us to decide.

236. ROG: But it's in terms of, obviously, there are issues here that are burning questions for the daa. I'm trying to, I don't understand why the Climate Act has been excluded from the application of this particular bill. And I'm trying to understand, has anyone been asking the department to do that? The department weren't able to tell us why they've done it. It's not a key issue for yourselves. Am I correct in saying that?
237. MR: It's not something we've asked for.
238. ROG: Okay, that's great. Thank you.

Deputy O'Reilly (Round 2)

239. GB: Deputy O'Reilly will be the last speaker in this session.
240. LOR: I just want to go back to the issue of the buyout and insulation schemes. So I think there's a wee bit of confusion which we have two minutes to clear up so that should give us plenty of time. So the Minister on the radio said that he had spoken to you about improving the buyout and insulation schemes which to me would indicate there's going to be some improvement. So is it the case that that improvement has happened in the last couple of days because he seemed to be referring to future improvement. But what you've just said in response to a question there was that all of this improvement has happened. And that wasn't, I'm not trying to trip you up, I'm trying to get an answer on this. So when I asked the question, the indication was given that you were in constant dialogue with the Minister, etc., etc., which I would expect. But specifically on the insulation and buyout schemes, as they exist today, are you in discussions with the Minister about improving those schemes? If you are, do you have a timeframe for those discussions and when we're going to find out about it? If you're not, and you have had discussions with the Minister previously, but those discussions are now closed, and I'm not saying you don't communicate on a regular basis, I appreciate you do, but those are now closed. So it's a very, very specific question in relation to is the scheme about to be improved? Have all the improvements happened already?
241. MR: There are ongoing communications with the Minister on that.
242. LOR: Okay, so he indicated that there was a new scheme, an improved scheme in construction. Is that the case?
243. MR: There's ongoing communications with the Minister. I know that's not an answer though. I'm not at liberty to say anything.
244. LOR: So if there's going to be a new scheme, is it envisaged that there will be a new scheme, that it will be a revision of the same scheme, that there will be an addition to the current scheme? What are you talking about? If the discussions are ongoing, you know what's on the agenda.
245. MR: If the discussions are ongoing, we will continue to keep all of our schemes under review.
246. LOR: Okay, so what the Minister said in terms of a new scheme coming, is he wide of the mark there? Well, he didn't say there was a new scheme. What he said was that there would be improvements that he'd spoken to you about improving the scheme. Is that the focus of your discussions in the ongoing discussions?
247. MR: We have a continued exchange of views.
248. LOR: Do you see when you're evasive like this, do you see the way it really annoys the people who live around and are going to be impacted by this? There either is or there isn't ongoing discussions in relation to improvement.
249. MR: I understand that. We have ongoing discussions with our shareholder, which you can understand have to remain confidential until such time as we can...
250. LOR: He's talking about it on the radio. He's talking about it on the radio. So, I mean, it doesn't seem confidential if it's discussed on the radio. Thank you, Deputy.

Closing (Session 1)

251. CHAIR: OK, go raibh maith agaibh, and thank you very much. That brings this hearing to an end. I'd ask our witnesses to carefully review the transcripts of the meeting to provide the follow-ups. The clerk will also follow up with you by email as well. I'd be very keen that that information that wasn't provided today is shared with the committee as soon as it's practicable and we'll be following up in that regard. But I want to thank you for coming in today and for taking the time to engage with members of the committee. So we're going to take a short break now and bring in our next set of witnesses.
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Session 2: IAA

Opening and Privilege

252. CHAIR: On behalf of the committee from the Irish Aviation Authority, I want to welcome Mr Declan Fitzpatrick, Chief Executive Officer, Dr Aidan Corcoran, Director of Economic Regulation, Licensing and Consumer Affairs, and Luke Manning, Head of Economic Regulation. Before we begin, I'm going to read a note on privilege.
253. CHAIR: Witnesses are reminded of the longstanding parliamentary practice that you should not criticize or make charges against any person or entity by name or in such a way as to make him, her, or it identifiable or otherwise engage in speech that might be regarded as damaging to the good name of the person or entity. Therefore, if your statements are potentially defamatory in relation to an identifiable person or entity, you will be directed to discontinue your remarks. It is imperative that you comply with any such direction. Members are reminded of the long-standing parliamentary practice to the effect that they should not comment on, criticise or make charges against a person outside the Houses or an official either by name or in such a way as to make him or her identifiable.
254. CHAIR: So now I'm going to invite Mr Fitzpatrick to make the opening statement on behalf of IAA.

IAA Opening Statement (Declan Fitzpatrick)

255. DF: Deputies, Senators, thank you for the invite to appear before you this afternoon. I'm joined by my two colleagues, Dr Aidan Corcoran, Director of Economics, Consumer Affairs and Licensing, and Mr Luke Manning, Head of Economic Regulation.
256. DF: I'll provide a brief outline from the IAA's regulatory perspective of the technical and legal position in relation to the Dublin Airport 32 million annual passenger cap planning conditions, which I hope may be of assistance to the committee. Just in very quick summary, the IAA is Ireland's civil aviation regulator, responsible for the regulation of safety, security and economic and consumer interests. And then of particular relevance here today is the IAA's role in setting the slot capacity at Dublin Airport pursuant to the EU slot regulation 95/93.
257. DF: So that regulation was adopted to ensure that airlines have access to the busiest EU airports on the basis of neutrality, transparency and non-discrimination. It is part of the EU's policy to facilitate competition and to encourage entry, particularly from new entrants, into the internal EU aviation market. So a slot is a permission given to operate an air service at a slot-coordinated airport, such as Dublin, on a specific time and date. The aim of the slot regulation is to make the best use of the capacity at congested airports in order to meet these objectives. In summary, it is the tool that regulators use to fairly and effectively deal with capacity constraints.
258. DF: The slot capacity parameters are set twice per year by the IAA, once for each scheduling season. The summer scheduling season runs from the last Sunday in March until the last Saturday in October, and the winter season runs from the last Sunday in October until the last Saturday in March. In setting the maximum capacity, the IAA is required to take account of all relevant constraints which impact the ability of the different airport systems, such as passenger security

screening, immigration, aircraft parking stands, etc., to process aircraft and passengers. Infrastructure capacity limits are ordinarily set at very granular intervals, such as hourly or 10-minute periods within each day.

259. DF: After the IAA has set the slot capacity parameters, the allocation of slots is then carried out by an independent and specialised slot coordinator, which is also a requirement of the slot regulation. The IAA has appointed Airport Coordination Limited to provide this service at Dublin Airport. ACL has extensive experience coordinating multiple airports in the UK, EU and beyond.
260. DF: So turning to the specific situation here, the IAA's assessment is that where an existing and enforceable planning condition is anticipated to constrain the ability of the airport to fully facilitate demand, that condition amounts to a relevant constraint which the IAA is bound to take account of when setting the slot capacity. That is the case regardless of any view that might fairly be taken as to whether a particular planning condition itself has merit or is obsolete, and regardless of whether the original purpose of that condition was policy-related or alternatively a condition which was identified as an environmental mitigation measure in an environmental impact assessment.
261. DF: The IAA has also concluded that where such a constraint requires a reduction in the level of slots, it is necessary for airlines' historic slots to be reduced accordingly, and that doing so is in line with EU law. This position, as it relates to the 32 million conditions, has been challenged by airlines in various ongoing judicial review proceedings before the High Court relating to the IAA's capacity decisions for winter 24 and summer 25.
262. DF: The High Court has decided to refer several questions of EU law to the Court of Justice of the European Union. While the full judgment of the CJEU is not expected until later this year, the Advocate General's advisory opinion was published on the 12th of February. That opinion aligns with the assessment of the IAA, as I just outlined.
263. DF: It should be noted that airport slots are allocated in respect of aircraft movements and do not determine the number of passengers actually carried on each flight and hence use the airport. Ordinarily, the number of passengers that actually use Dublin Airport over a given year is not determined by daa or IAA, but rather by the collective decisions of the travelling public to buy tickets on the available flights from that airport.
264. DF: To understand the precise nature of any slot constraint generated by the 32 million conditions and as part of the subsequent legal proceedings, the IAA had to consider, based on all of the original planning material, how the 32 million conditions came to be imposed in the first place. A recent understanding has emerged that a road analysis conducted in 2007 concluded that the road network could only support 32 million annual passengers using the airport. That was not actually the case. The 32 million conditions were instead a policy measure based on a local area plan which was adopted by Fingal County Council in 2006.
265. DF: That 2006 plan, which has since elapsed and been replaced, envisaged that passenger numbers would grow to 38 million passengers by 2025, and provided that passenger capacity over 30 million should be provided by a third terminal building on the western side of the airport. And, as you know, terminals 1 and 2 are on the east of the airport.
266. DF: In 2007, An Bord Pleanála then imposed the 32 million conditions on terminals 1 and 2 so that there would be sufficient future passengers to use this terminal 3 and thus the airport would develop in the manner envisaged in the 2006 Local Area Plan, with balanced development on the east and west sides. The additional 2 million was added by An Bord Pleanála to the 30 million target simply for contingency and flexibility purposes, noting, for example, the risk that faster than expected growth in passenger traffic might lead to the 30 million target being exceeded before Terminal 3 was completed.
267. DF: The 32 million conditions are expressly not a cap on the whole airport. Rather, it is just a cap on Terminal 1 and Terminal 2 combined. Equally, it was not designed explicitly as an environmental mitigation measure, and will not be efficient at mitigating any noise, aviation CO2 emissions, or other environmental issues at the airport. It did not result from any road capacity analysis, and it was not intended that the 32 million conditions would in themselves

prevent congestion as a standalone measure, but rather that they would ensure balanced access to the three planned terminals.

268. DF: As things have transpired in the subsequent 20 years, it is clear that there is no requirement for this third terminal, at least in the short or medium term. Yet the conditions intended to support the use of that terminal remain, and the unique planning process currently applicable to Dublin Airport infrastructure applications seems likely to take many years to revoke or change.
269. DF: It should also be noted that the interaction between any annual passenger cap and the EU slot regulation generates particular difficulties. The slot regulation requires that available slot capacity must preferentially be allocated to airlines which have historic slots. This means that an airport constrained by an annual passenger cap cannot facilitate any additional traffic for new routes or new entrants at any time of the day or year, at times when capacity is otherwise available. It also means that no additional passenger flights can be added for peak demand periods, such as Christmas or Easter, or for special events, such as major sporting events. Such unintended consequences may explain why, as far as the IAA is aware, no other EU airport is subject to an annual passenger cap.
270. DF: The IAA is not currently taking account of the passenger cap when setting slot capacity because the High Court has enjoined us from doing so, pending the determination of the daa and Airlines proceedings.
271. DF: In summary, the interaction of these still-extant Terminal 1 and 2 capacity planning conditions with how the aviation industry works in practice gives rise to various legal and technical complexities, and therefore the IAA welcomes the objective of the legislation to remove the annual passenger cap. Any physical infrastructure constraints or environmental impacts can be more effectively addressed with targeted measures within the capacity-setting process. Thank you, and we welcome any questions.

Q&A Round 1

272. CHAIR: Thank you very much, Mr Fitzpatrick. For members, for the ease of the meeting, I'm proposed to adopt the same speaking order that we had last time. We'll do a first round of five minutes each, and then if we have time, we'll go to a second round as well. So I think Deputy Boland, you're first in that order, please.

Deputy Boland

273. GB: You're very welcome. Do flight paths need planning permission?
274. DF: So the flight paths in place in Dublin Airport, and this was the subject of a previous Transport Committee meeting, the flight paths that we approve are as per the ICAO regulation. So to step it back a little bit, for each runway, you will have approved standard approach and standard instrument departures. And the idea of those is to regulate the traffic off the runway in a safe manner. It cuts down on things like air traffic control having to intervene to explain where they want the aircraft to go. You tell the aircraft, follow this standard instrument departure, and they will follow that. So those procedures are approved by the IAA from a safety perspective. They're not part of, our process does not involve validating whether they do or don't need planning permission.
275. GB: And then who makes sure that there's adherence to those flight paths? Who monitors that?
276. DF: So the flight paths themselves, so just to be very clear again, ultimately the air traffic controller has the final say. So the air traffic controller will advise the aircraft to follow a particular instrument departure. And there can be multiple departures from the different runways in Dublin and other airports. So the air traffic controller can advise the aircraft to take a very certain route, and that could be a deviation from the standard instrument departure. And that can be for operational reasons. It might be to deconflict another aircraft crossing over or a helicopter in the region or something like that. So ultimately, it's the air traffic controller has

the final say on where the aircraft goes. But for the most part, the aircraft will follow the standard instrument departure. AirNav Ireland monitor that at an operational level continuously. So they're continuously watching where the aircraft are in that airspace.

277. GB: And where would we get the data on that?
278. DF: I think it would be something that we could probably obtain from AirNav Ireland possibly, or I think there is, through the ANCA process as well, availability of the flights being flown out of Dublin Airport. We could get them there. Sorry, I'll hand over to my colleague as well, give a bit more information.
279. AC/LM: Well, I was just going to say that, as I understand it, the actual paths flown is published by ANCA, so kind of like maps of the density of various routes flown by aircraft.
280. GB: That's the actual? Actual flown, yeah. And I suppose it gets a bit frustrating trying to work out, well, what's agreed and what is a deviation from what is agreed?
281. DF: Yeah, it comes back to this point I was trying to make about ultimately the air traffic controller has the say. They decide where the aircraft goes.
282. GB: How does that work with a planning authority? So to be fair to Fingal and Meath County, when they're trying to plan and they're trying to get certainty as to how the airport is going to operate, how can they get certainty if there can be so much deviation?
283. DF: Okay, so I think we're talking about two different things here. We're talking about, you know, in terms of planning of the airport and what would be required for your planning approval. But separately then, we're talking about the operation of aircraft and airspace.
284. GB: So how can the local authorities make sure that they're not building communities that are going to be disproportionately impacted because they're under flight paths?
285. DF: I think that's a question for Fingal or for the local council, not for myself.
286. GB: And we can't ask them, unfortunately, because there is a planning application in process. So that's an issue for us when trying to consider all of this. It feels like we're going around in circles a lot of the time.
287. GB: Can I ask you on what basis you have asserted that it's clear that there's no requirement for a third terminal?
288. DF: I haven't asserted, but I suggested was, sorry that...
289. GB: It's contained in your statement, but it's clear that there is no need for a third terminal.
290. DF: If you go back to the local area plan in 2006, it envisaged that you would need the third terminal after 30 million passengers. We're at 36.5 million at this stage. When we do our slot regulation, we are looking at the capacity of the airport and its ability to provide the service. We can see that the airport is able to supply up to 36.5 million and beyond.
291. GB: But the surrounding infrastructure in terms of the M50 and the M1 are absolutely at capacity and breaking point. So while the airport itself might be able to facilitate increased passengers, the surrounding infrastructure is really creaking.
292. CHAIR: And we're finishing this answer, so...
293. DF: Well, I respect your opinion on that. But what we're looking at in the slot regulation is purely bound around the actual operation within the airport. So the slot regulation doesn't take account of things like planning outside of the airport. But that said, if a condition arises in the planning process and it's a relevant condition to the operation of the airport, we take account of it. So we will adopt it into the slot regulations. Thank you.

Dr Cathal Crowe

294. CHAIR: I'm going to move on to Deputy Crowe. We'll go back to that again. Deputy Boland, I'll bring you back in again.

295. CC: Thanks, Chairman. I want to thank the Irish Aviation Authority for being here and I always found them a very helpful and cooperative agency, so thanks for everything. I just want to pick up from where Deputy Boland left off because what she has described around Dublin Airport is very true and yet it's in sharp contrast to, I'm a County Clare representative, very close to Shannon Airport. I speak up for it a lot here in the Dail. It's in sharp contrast to what we would have in Shannon. So without adding a single brick to the Shannon airport terminus, you could actually double the amount of flights landing and taking off. There's a motorway network that plans for a heavy rail system up to the front door. So there's really an onus on Ireland Inc. and on the government to sweat out all national assets. It can't just be that every single flight come into Ireland has to touch down in Dublin. That simply isn't the case.
296. CC: Other countries have gotten ahead of where we need to be at, and I think there's an inevitability about where all this will ultimately end up. But other countries have looked at other airports, and this committee in the last Dail all travelled to the Netherlands, and we saw how the Dutch Civil Aviation Authority, your opposite numbers operating in Holland, they've had to implement a government strategy that disperses flights out to the regions.
297. CC: Now, I was totally misrepresented last year by Dublin Airport Authority. They were suggesting I'm trying to impose some stopover in Shannon or elsewhere. I'm not suggesting that. What I'm suggesting is that, like every other government policy, whether it's healthcare, housing provision, the provision of water and utilities, we have a balanced regional development strategy to that.
298. CC: A lot of what I'm hitting on here is for government to fix, and I respect that you only deal with a slice of all of this. But what I want to ask you, this is the point I'm getting to, when you deal with these slot applications, it's very one-dimensional. There'll be a service in and out of Dublin, let's say Dublin to Amsterdam Schiphol. I think 14 services today is what that will have, major European hub connectivity, but there'll be none out of Shannon. I don't think there's any out of Cork at the moment. Is there any way that the IAA could have, could there be a clause inserted in this legislation or something put in there that, yes, the national airport, the state capital airport in Dublin gets a huge amount of traffic, fine, I'm not to take away from that, but that there be some dispersal of other flights out to the regions?
299. DF: So the slot regulation as it's structured, it's obviously European regulation, it doesn't, it only applies to those airports that are considered constrained. So Shannon Airport is not constrained, and you're right, there's loads of capacity there in Shannon to grow Shannon. From a safety perspective, we see no issue with Shannon growing their numbers. There's no additional infrastructure required to do that. So it's well-primed to grow, similarly with Cork Airport. But on the slot regulation, it doesn't provide for a mechanism for us to require slots to be cancelled or for flights to be moved to another airport. There is some provision in it for scenarios where two airports are in the same city, but that would not apply in this situation. And even on that, there is very strict requirements that you would have to get approved at the European Commission level to apply that. So it doesn't provide a mechanism within the slot regulation to do that.
300. DF: But I think ultimately it's a very good question for the airlines, and I think you'll be meeting them tomorrow, to understand what drives them to want to put another flight into Dublin versus not putting a flight into Shannon or Cork or one of the other regional airports. I think understanding that is fundamental in being able to encourage growth in the regional airports. And, you know, just to be fair too, the regional airports are growing, I think. Cork Airport, I think, was the fastest growing last year. So there is growth in the regions, but I think your point is you'd like to see more.
301. CC: I suppose just the central spine of the legislation makes sense. And we've seen what the heads of sections are going to be. And yet there's a lot of concerns from residents. We have to deal with that as a committee. There's the other airports of the country. I'm trying to reflect that counterbalance here as well. But the one point I made to officials from the department who were in here last week was that it's the first time I've seen legislation or policy going forward that has no mention on any page of balanced regional development, Project Ireland 2040, National Planning Framework. It's all to cater for Dublin, Dublin growth, and it's Dublin-centric all over

again, and it amounts to Ireland becoming imbalanced.

302. CC: So I'm just wondering, is there anything at all, if a clause was put in there that, you know what, KLM and Aer Lingus are looking for an 18th and 19th flight a day out of Dublin, that you say, hang on, that's enough. That's saturation. And there's Knock and there's Shannon and there's Cork. We need to disperse this a little bit more. It's Ireland tipping over because one side has everything going in and out and the other side's neglected. Is there any clause that could be inserted?
303. DF: I think, and obviously the devil is in the detail, but I think if you were to do that, you'd have to be very cognizant of the European regulation and not in some way impacting on that, you would have to adhere to what is laid out in the European regulation. Do you want to expand in any way?
304. AC/LM: Well, I just agree with that, that under the slot regulations, it's not something that's provided for, it's something we can do. I think as Declan already said, there is a separate piece of regulation, which the department did refer to, which does allow for redistribution of traffic when it's serving the same airport. But I think it's important as well to just consider that even if we were to say to an airline that 15 through to whatever can't go into Dublin, that doesn't mean they would then put it into Shannon. Yes, I accept it. They consider their whole network available. Thank you.

Chair Questions

305. CHAIR: My turn now. Just a quick question. You mentioned in your opening submission that there's no other EU airport that has a similar or equivalent passenger cap. Are there any airports in the world that have a similar or equivalent passenger cap that you're aware of?
306. AC/LM: Yeah, we believe Luton in London has a similar cap. It's not the same, it's slightly different the way it's constructed, but it's...
307. CHAIR: Is it a planning condition or is it a...?
308. AC/LM: It is set by the local authority, but I don't think it was part of the planning. It's a planning condition. Yeah, it is, yeah.
309. CHAIR: Just on the question of flight paths, we had daa here with us earlier on. They kind of illuminated a little bit for me in terms of how flight paths are set, so it's kind of a static distance of one mile. The question I wanted to ask them was, does everything tend towards the centre, or can they give us a spread of variation across that mile, so are 20% of them within the first 200 metres on the left, and 20% of them on 200 metres on the right, and the rest sit in the middle stream. What compliance or what monitoring do you do on flight path compliance? Because I think we heard two different versions of this from residents who would suggest that they don't necessarily comply with the flight paths that are there, but the airport tells us that the flight paths are compliant. What role does IAA play in oversight and monitoring compliance with flight paths that are set down?
310. DF: So the authority who implements or operates those flight paths is AirNav Ireland. They're the air traffic controllers there. We regulate them. So we are their regulator. We certify them. So part of their processes would be to monitor the flight paths and adherence to. And that's what we would monitor. We monitor how they do that. So they would have the data, and then if in any situation where a pilot deviates from a flight path outside of the margins allowed, they would have to issue an occurrence report, for example. So the airline would submit an occurrence report to the IAA, AirNav Ireland would probably submit an occurrence report similarly as well, explaining why this issue arose. And it can be for many reasons. It could be a technical problem on the aircraft, it could have been a bird strike, the engine out, they were trying to maintain flight level straight out and would have deviated slightly from the flight path, there's various reasons.
311. CHAIR: How many of those reports were made last year? I'd have to come back to you with details. Yeah, and I think for all the airports as well, but I think particularly for that, and with the

view to kind of comparing that to the numbers as a proportion of the overall flights that left the airport as well, that would be useful.

312. DF: Just to be clear, what we're doing, what we'll provide you with is details on the deviation of aircraft from the standard instrument departure applying at the time.
313. CHAIR: And then also the number of resulting occurrence reports where that deviation happened. Yeah, yeah, those are going to... OK, I'll move on next.

Deputy O'Gorman

314. CHAIR: Deputy O'Gorman.
315. ROG: Thanks, Chair. As someone who represents a constituency close to Dublin Airport, I've met with a lot of residents' groups and individual residents over the years, and I've never really been able to understand how this divergence has developed between the planning permission that was granted for the North Runway and the noise contour modelling that was undertaken and the daily functional operation of what happens in Dublin Airport with that sharp turn. Could you, for beginners, could you explain why that huge divergence between the regulatory function of a planning regulator and then the day-to-day operations has taken place? Because I think that is the source of so much frustration here.
316. DF: I'll explain it from the safety regulator's perspective. You have two parallel runways. They are being operated in what we call SOIR, simultaneous operations of independent runways. So the operation on one runway is completely independent of the operation on the other runway. Now part of the regulatory requirements, the safety requirements for doing that, is that aircraft departing off the end of the runways will deviate by 30 degrees. So the idea is that if an aircraft landing in on the left runway has to go around, that it will not inadvertently meet an aircraft taking off off the other runway. And we do that, we guarantee that by having that 30 degree deviation.
317. DF: Now that 30 degree deviation can be applied in multiple different ways. You could have the aircraft going around, turn 30 degrees, you could have it go 15 degrees and have the aircraft departing on the other runway 15 degrees, for example. So there's many different ways to do it.
318. ROG: And can I ask, how was that, I suppose, and this isn't a new approach you're adopting there, that's a standard approach. How wasn't that factored into the planning of the new, well, the then new North Runway at all in terms particularly of the noise modelling?
319. DF: Well, again, it's not a planning function. The design and approval of flight instrument procedures is not part of a planning process.
320. ROG: But did nobody see this, the planning we're giving, but that doesn't seamlessly interact with the day-to-day operation of an airport? Did no one kind of spot that divergence about what the planning rules were versus what the safe operation of a two-runway airport is? Did no one spot that?
321. DF: So, the responsibility for the provision of instrument procedures at an aerodrome is the aerodrome's responsibility. I can't answer for them. They were here earlier. So, but from our perspective, what we're approving is the procedures that are presented to us. So when they're presented to us, we go through them.
322. ROG: I'm going to have to cut you off, and I'm sorry to be rude, but just limited time. In your statement, you said that the passenger cap was never an environmental mitigation measure, and you say any physical infrastructure constraints or environmental impacts can be more effectively addressed with targeted measures within the capacity setting process. What are you referring to in terms of those targeted measures, particularly talking about environmental mitigation?
323. DF: Yeah. I'll give a very practical example. If the concern is traffic on the M50 during rush hour in the morning, 8am to 9am, you could have targeted measures where you would actually reduce

the slots available at the airport at 11am. So the people are then effectively reducing the number of passengers travelling to the airport during rush hour. That's a targeted measure. That's a way of reducing the traffic congestion on the motorway. And I think that's an infrastructure constraint. So that's what we mean by that.

324. ROG: In terms of environmental impacts, do you have any specific examples like the one you just gave there?
325. DF: So the slot regulation is not designed to implement environmental... What we do is we take what have been set and apply them into the slot regulation, into the determination of the slots.
326. ROG: Can I ask, does the IAA have a view on Heading 12 of the legislation here, which excludes the application of the Climate Action Act from this particular bill? We don't have any particular view. You've never requested that? That's not something that you see is essential in terms of the operation of this legislation?
327. DF: We haven't engaged in either asking for it or not asking for it. We haven't been involved in that process, no. That's great. Thanks very much.

Q&A Round 2

328. CHAIR: We'll go around again.

Dr Cathal Crowe (Round 2)

329. CC: Deputy Crowe, would you like in? Five minutes. Yeah, thank you very much. Again, I want to go back, and I'm conscious that my line of questioning, some of this is a statement, because you're dealing, you've made it very clear to our deputies, you deal with a very narrow lens here, and your functions relate to the airport, but Chairman, it's more for the benefit of the committee. I think we need, in this body of work, and there's quite a lot to undertake here, I think we need to be looking at that Dutch example, which our committee found two years ago relevant to go and examine. But I think maybe by video link they could join us some day because they have assigned functions to their civil aviation regulator that extends beyond the curtilage of the airport and managing slots and being the regulator.
330. CC: They have stipulated that, and maybe I've taken this up wrong, but my clear understanding was when I was in Holland with this committee that they have a function over enforcing that they're within environmental regulation, noise, sustainability, balanced regional development. So they've put other additional headings on the regulator that we don't seem to have in Ireland. This is for the minister to fix and this is for government to fix. But I'm just wondering, can you think of examples where your opposite numbers, where other regulators have a more broader expanse of, maybe some of you have worked with different regulators overseas over the years, but is the Irish narrow lens typical of what happens around Europe or is there a broader remit that others have?
331. AC/LM: I think it's just worth considering that various European regulations are implemented differently in different countries, so the allocation of certain functions to different aviation regulators is different. So while we have the slot regulation here in Ireland, including setting the capacity, in many European countries that capacity setting wouldn't be done by the Civil Aviation Authority. And similarly, we don't have a role in relation to the traffic distribution. Not that it really would apply in Ireland anyway, as we discussed already, but that competency is kept by the Department of Transport here. So it depends on how European regulation, but we don't, other than the Dutch example, which is still very much an ongoing process, I don't have another example similar to that. And those two airports do serve the same conurbation within the Netherlands.
332. CC: I'm listening to Dublin deputies and they're representing the concerns of their local residents and constituents. I've corresponded to some of those people as well, even though I don't represent them at all. I also aspire to see growth along the Western seaboard and that the other airports would benefit. I don't believe, I've never believed that anything should all be

focused on one region to the detriment of others. And I do think that there are policies, it's not maybe widespread in Europe, but there is the Dutch example where they have consideration for broader matters. I'm not suggesting that you become marshals of traffic on the M50 motorway or anything ludicrous like that. But I do think that, and I'd like to admit it, I don't know, because we've ultimately to provide some kind of feedback to the Minister here.

333. CC: I think we need to, in this legislation, we have to somehow stitch in into one of those headings that there would be a broader remit, I think, for the Irish Aviation Authority, that they would also have some checks and balances that reflect other state policies, be it environmental, noise outputs, balanced regional development. Of course, that has to be legally compliant with that 1995 regulation. But I'm also conscious that the legislation that will ultimately be passed, probably in the autumn of this year, that's a once-in-a-lifetime kind of thing. The slot regulation dates back to 1995. These kind of things only get overhauled every 20, 25, 30 years, many of us won't be in politics or maybe in our professional lives, we'll probably be retired out of it. So we've one shot here to do the right thing, not just for Dublin Airport, but for Ireland at large.
334. CC: So look, I don't have much more to say, but I do think it'd be worthwhile, and maybe it could be meritorious, that I think we need to at some point in the next few weeks, try, if we can, maybe to have a video link with the Dutch Civil Aviation Regulator to see how have they applied different headings in their legislation, and yes, they're compliant with EU regulation. They're not in breach of it, and yet they've managed to stitch in other headings of consideration that I think we need to have in Ireland as well. Thank you, Chairman. Thank you to the IAA.
335. CHAIR: Do you want to respond there, gentlemen?
336. DF: No, look, I think what would be key is how do we incentivise the airlines to grow more in the regional airports? Recognising that stitching anything into the capacity at Dublin Airport won't necessarily, as you agreed earlier, that it won't necessarily drive the traffic from Dublin to the regional airport because the regional airports are competing with regional airports in the rest of Europe, not competing with Dublin. So I think you'd want to kind of get that balance to make sure that you're not introducing something in the bill that actually wouldn't have the effect you're looking for. That's the key point. But I think understanding what drives airlines to put on additional flights to the regional airports, I think that would be very important. It would be good to get a clear understanding of that tomorrow.

Chair Questions (Round 2)

337. CHAIR: I'll ask one follow-up question related to that. You mentioned earlier on that you were able to forecast or to calculate the capacity of Dublin Airport as being 36 million, I think was the phrase used. Have you done that similar exercise for airports all around the country? So do you have an idea in your head of what airports are operating at under capacity, how far away they are from full capacity?
338. DF: So the exercise done for Dublin Airport is because it's a constrained airport and it's part of that process of determining what exactly is the maximum capacity at any given hour of the day. For the regional airports, it's not a specific exercise. My colleagues will correct me if I'm wrong, but it's not a specific exercise. But we do know that there is additional capacity in Shannon and in Cork and in the other regional airports as well. There's plenty of space there for them to grow with their existing infrastructure.
339. AC/LM: Just to say, the slot regulation only kicks in when demand exceeds supply, so that there's more airlines looking to operate in a particular hour, like a peak hour. And then, you know, our role then is to assess, well, does this airport need to be coordinated? And we did that for Dublin Airport back in 2007. And it was only at that point Dublin Airport became a coordinated airport.
340. CHAIR: It sounds like, from your answer, there's a lot of flex in the regional airports.
341. AC/LM: Yeah, absolutely. Yeah, yeah. So we're nowhere close to this kind of regime. I think Dublin Airport's 36.5 million passengers last year compared to Cork's 3.5 million.

342. CHAIR: 100,000 a day, so you're kind of working. Okay, is there any further contributions you want to make?

Dr Cathal Crowe (Final)

343. CC: Yeah, just briefly, Chairman, and I'll end on this, but I don't know if this is in or outside of your remit. We're talking about Dublin Airport, capital city airport, major hub now at this point. It's grown hugely. And if you go to Dublin Airport, Departures Hall, you'll see it's very well connected to other hubs. There may not be direct flights yet to South America or to Australia, but it's very well connected.

344. CC: Has Ireland Inc. or have the Irish Aviation Authority as regulator looked at having a secondary or a tertiary network of connectivity and slots? Because if so many Irish people are living in Melbourne and Sydney and many more in Canada and places, but there's got to be, not everything has to go from capital to capital, from hub to hub. There's surely a way to go from a West of Ireland airport maybe to Riyadh, to South America, to Kuala Lumpur and to Australia. And I'm just wondering, is there any thinking at European level that everything at the moment is focused on capital to capital to hub to hub, getting to the four corners of the world? Is there any examination being done of secondary and tertiary routing? Or is this beyond your remit?

345. DF: Sorry. It's beyond our remit as it stands at the moment. But again, it's to try and understand what drives the airlines to put on routes. What's the economics of it? I think that would be a good question again for the airlines tomorrow to understand. Have they done that assessment? I think they would have. They'll have done it in some form in determining which is the most economic routes for them to put on. Thanks. Thank you very much.

Closing (Session 2)

346. CHAIR: Are there any final concluding remarks you'd like to make?

347. DF: No, Deputy. Thanks. We welcome the bill. We look forward to it. It will make our life that little bit easier in terms of implementing the slot regulations. So we do look forward to seeing it.

348. CHAIR: Great. Well, Mr Fitzpatrick, Mr Manning, Dr Corcoran, thank you very much for coming in. And I want to thank you for your attendance here this morning. The meeting now stands adjourned until tomorrow, 25th of March at 9.30 a.m., when we will meet in public session.