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A7-0274/2014

10.4.2014

*****II**

RECOMMENDATION FOR SECOND READING

on the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at Union airports within a Balanced Approach and repealing Directive 2002/30/EC
(05560/2/2014 – C7-0133/2014– 2011/0398(COD))

Committee on Transport and Tourism

Rapporteur: Jörg Leichtfried

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ■ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

CONTENTS

| | Page |
|--|------|
| DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION | 5 |
| ANNEX TO THE LEGISLATIVE RESOLUTION..... | 7 |
| EXPLANATORY STATEMENT | 8 |
| PROCEDURE..... | 9 |

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at Union airports within a Balanced Approach and repealing Directive 2002/30/EC (05560/2/2014 – C7-0133/2014 – 2011/0398(COD))

(Ordinary legislative procedure: second reading)

The European Parliament,

- having regard to the Council position at first reading (05560/2/2014 – C7-0133/2014),
 - having regard to the reasoned opinions submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the French Senate, the German Bundesrat and the Dutch House of Representatives, asserting that the draft legislative act does not comply with the principle of subsidiarity,
 - having regard to the opinion of the European Economic and Social Committee of 28 March 2012¹,
 - having regard to the opinion of the Committee of the Regions of 19 July 2012²
 - having regard to its position at first reading³ on the Commission proposal to Parliament and the Council (COM(2011)0828),
 - having regard to Article 294(7) of the Treaty on the Functioning of the European Union,
 - having regard to Rule 72 of its Rules of Procedure,
 - having regard to the recommendation for second reading of the Committee on Transport and Tourism (A7-0274/2014),
1. Approves the Council position at first reading;
 2. Takes note of the Commission statement annexed to this resolution;
 3. Notes that the act is adopted in accordance with the Council position;
 4. Instructs its President to sign the act with the President of the Council, in accordance with Article 297(1) of the Treaty on the Functioning of the European Union;
 5. Instructs its Secretary-General to sign the act, once it has been verified that all the procedures have been duly completed, and, in agreement with the Secretary-General of the Council, to arrange for its publication in the *Official Journal of the European Union*;

¹ OJ C 181, 21.6.2012, p. 173.

² OJ C 277, 13.9.2012, p. 110.

³ Texts adopted of 12.12.2012, P7_TA(0496)2012].

6. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

ANNEX TO THE LEGISLATIVE RESOLUTION

Statement by the Commission on the revision of Directive 2002/49/EC

The Commission is discussing with the Member States Annex II to Directive 2002/49/EC (noise calculation methods) with a view to adopting it in the coming months.

Based on work the WHO is currently undertaking regarding the methodology to assess health implications of the noise impact, the Commission intends to revise Annex III to Directive 2002/49/EC (estimation of health impact, dose response curves).

EXPLANATORY STATEMENT

The Regulation further harmonises, clarifies and strengthens the common rules on how decisions on noise related operating restrictions at EU airports, such as bans on night flights, are to be taken. The rules, which are based on principles agreed by the International Civil Aviation Organisation (ICAO) and known as "Balanced Approach", cover in particular the assessment and management of aircraft noise and are designed to identify the most cost-efficient way of tackling aircraft noise at each individual airport. The Regulation only applies to larger airports, with more than 50 000 civil aircraft movements per year and does not establish specific noise thresholds, which remain within the competence of national or local authorities.

At the initiative of the EP, the local authorities would retain their powers to decide on noise related measures at airports, such as bans on night flights. Moreover, the Commission has been obliged to address health-related aspects of aviation noise by revising the Environmental Noise Directive 2002/49/EC. The Parliament's objectives have been, to a large extent, met in the negotiations with the Council and the Commission.

Following the adoption of Parliament's first reading position on 12 December 2012, informal negotiations with view to reaching an early second reading agreement took place on 14 January 2014 and 27 January 2014. The outcome text of negotiations was approved by the Committee on Transport and Tourism on 11 February 2014. Following legal-linguistic verification, Council adopted its first reading position confirming the agreement on 24 March 2014.

The Committee on Transport and Tourism recommends endorsing without amendment the Council's position at the first reading and the statement by the Commission on the revision of Directive 2002/49/EC. The statement is to be published together with the final legislative act.

PROCEDURE

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| Title | Introduction of noise-related operating restrictions at Union airports within a Balanced Approach |
| References | 05560/2/2014 – C7-0133/2014 – 2011/0398(COD) |
| Date of Parliament's first reading – P number | 12.12.2012 T7-0496/2012 |
| Commission proposal | COM(2011)0828 - C7-0456/2011 |
| Receipt of Council position at first reading announced in plenary | 2.4.2014 |
| Committee responsible Date announced in plenary | TRAN 2.4.2014 |
| Rapporteur(s) Date appointed | Jörg Leichtfried 10.1.2012 |
| Date adopted | 10.4.2014 |
| Result of final vote | +: 20 –: 4 0: 0 |
| Members present for the final vote | Georges Bach, Izaskun Bilbao Barandica, Michael Cramer, Philippe De Backer, Christine De Veyrac, Saïd El Khadraoui, Ismail Ertug, Knut Fleckenstein, Mathieu Grosch, Dieter-Lebrecht Koch, Eva Lichtenberger, Gesine Meissner, Hubert Pirker, Dominique Riquet, Brian Simpson, Silvia-Adriana Țicău, Giommara Uggias, Artur Zasada |
| Substitute(s) present for the final vote | Spyros Danellis, Isabelle Durant, Michael Gahler, Zita Gurmai, Alfreds Rubiks, Sabine Wils |
| Date tabled | 10.4.2014 |