



Committee of the Regions

**COTER-IV-008**

**71st plenary session**

**10-11 October 2007**

**OPINION**

**of the**

**Committee of the Regions**

**on**

**THE FUTURE OF EUROPEAN AIRPORTS**

Puts forward the following recommendations:

- Some regulation is necessary but it should be light, to intervene where national regulations are seen not to be working (subsidiarity principle). The key features should be transparency in the consultation process and a European appeals process.
- The threshold of 1m passengers seems arbitrary and possibly unnecessary as it will bring over 150 airports under regulation, many of them small regional airports unable to cope with the bureaucracy. The Directive should therefore only apply to those airports that have over 1% of the total EU wide air passenger market.
- The national independent regulatory authority should also have the power to grant exemptions, to include airports which fall below the threshold, if it is felt that they possess significant market power. Any market tests to be carried out by national aviation regulators are subject to scrutiny by the European Commission to ensure uniformity of treatment across Europe (Article 1.2 of COM(2006) 820 should therefore be amended).
- The Directive should be neutral regarding the single-till principle.
- Access to airports by various means of transport is an essential component of "capacity" and to more fully exploit existing capacity at regional airports.
- Regional airports are vital to the prosperity of regions and can play an important role in alleviating congestion at major hub airports. Moreover, they can service the general aviation sector and offer a number of potential services that major airports will have less room for in future, given the increase in commercial traffic.

Reference documents

- Proposal for a regulation of the European Parliament and of the Council on common rules for the operation of air transport services in the Community COM(2006) 396 final
- Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions on An action plan for airport capacity, efficiency and safety in Europe COM(2006) 819 final
- Proposal for a directive of the European Parliament and of the Council on airport charges COM(2006) 820 final
- Report from the Commission on the application of Council Directive 96/67/EC of 15 October 1996 COM(2006) 821 final

Rapporteur : Councillor Gordon Keymer, Tandridge District Council, (UK/EPP)

## **I. POLICY RECOMMENDATIONS**

### *I. Need for regulation*

1. Some regulation is necessary but it should be light, to intervene where national regulations are seen not to be working (subsidiarity principle). The key features should be transparency in the consultation process and a European appeals process.

### *II. Airport charges*

2. The threshold of 1m passengers seems arbitrary and possibly unnecessary as it will bring over 150 airports under regulation, many of them small regional airports unable to cope with the bureaucracy. It is recommended that national aviation regulators carry out market tests which could be subject to scrutiny by the EU to ensure uniformity of treatment across Europe.
3. The Directive only applies to those airports that have over 1% of the total EU wide air passenger market.
4. The national independent regulatory authority has the power to grant exemptions, either on the basis of a market contestability test, or in the case of those airports which possess less than 20% of their national market share. It also has the power to include airports which fall below the threshold, if it is felt that they possess significant market power.
5. Any market tests to be carried out by national aviation regulators are subject to scrutiny by the European Commission to ensure uniformity of treatment across Europe.
6. The Directive should be neutral regarding the single-till principle (a dual-till can function well).
7. Airports need to be able to operate differentiated charges, both to encourage "anchor airlines" and to allow development of low-cost terminals within an airport.

### *III. Regulator*

8. The national regulatory authorities need to be truly independent, both operationally and financially.

### *IV. Capacity*

9. Europe needs to both improve use of existing capacity and invest in new capacity.
10. Unrestricted access to airports by various new means of transport is an essential component of "capacity" and to more fully exploit existing capacity at regional airports. In particular, the

linking of airports with urban centres and high-speed rail networks, and a denser network of high-speed rail links in order to reduce short-haul traffic and free-up capacity.

11. General aviation plays an important role in an enlarged Europe in allowing rapid and flexible travel from regional airport to regional airport. Therefore provision for general aviation movements should be maintained.

V. *Groundhandling*

12. The 1996 Directive has delivered benefits in terms of raised efficiency, lower costs and jobs created. Better implementation of the existing Directive would be possible, but new legislation is not needed.

VI. *Planning implications*

13. Recognising the correlation between regional connectivity and growth, the CoR believes that regional airports are vital to the prosperity of regions and can play an important role in alleviating congestion at major hub airports. Moreover, they can service the general aviation sector and offer a number of potential services that major airports will have less room for in future, given the increase in commercial traffic.
14. Regional and local authorities must engage with the aviation sector in a different way, notably on shorter-time horizons and in a more dynamic fashion.
15. Future growth of airports must be better taken into account in long-term local and regional land-use planning (housing, transport networks, retail planning etc).

## II. RECOMMENDATIONS OF THE COMMITTEE OF THE REGIONS

### Recommendation 1

Commission's proposal for a directive on airport charges [COM(2006)0820]

<i>Text proposed by the Commission</i>	<i>CoR Amendment</i>
Recital (1) The main task and commercial activity of airports is to ensure the handling of aircraft, from landing to take-off, and of passengers and cargo, so as to enable air carriers to provide their air transport services. For this purpose, airports offer a number of facilities and services related to the operation of aircraft and the processing of passengers and	Recital (1) The main task and commercial activity of airports is to ensure the handling of aircraft, from landing to take-off, and of passengers and cargo, so as to enable air carriers to provide their air transport services. For this purpose, airports offer a number of facilities and services related to the operation of aircraft and the processing of passengers and

cargo, the cost of which they generally recover through airport charges.	cargo, the cost of which they generally, <b>but not necessarily exclusively</b> , recover through airport charges.
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**Reason**

The Directive should be neutral regarding the single-till principle (a dual-till can function well).

Recommendation 2

Commission's proposal for a directive on airport charges [COM(2006)0820]

<i>Text proposed by the Commission</i>	<i>CoR Amendment</i>
<p>Article 1.2</p> <p>This Directive applies to any airport located in a territory subject to the provisions of the Treaty and open to commercial traffic whose annual traffic is over 1 million passenger movements or 25 000 tonnes of cargo.</p>	<p>Article 1.2</p> <p><del>This Directive applies to any <b>the twenty largest</b> airports located in <b>the EU</b> a territory subject to the provisions of the Treaty and open to commercial traffic whose annual traffic is over 1 million passenger movements or 25 000 tonnes of cargo.</del></p> <p><u>This Directive applies to any airport located in a territory subject to the provisions of the Treaty and open to commercial traffic whose annual traffic is over 1% of the total EU wide air passenger market.</u></p> <p><u>The national independent regulatory authority has the power to grant exemptions, either on the basis of a market contestability test, or in the case of those airports which possess less than 20 % of their national market share. It also has the power to include airports which fall below the threshold, if it is felt that they possess significant market power.</u></p> <p><u>Any market tests to be carried out by national aviation regulators are subject to scrutiny by the European Commission to ensure uniformity of treatment across Europe.</u></p>

**Reason**

The Directive as currently drafted will regulate over 150 airports, many of whom are not equipped for the bureaucratic burden implied by the Directive and whose market share does not warrant their inclusion. As a guideline, an airport in the EU top twenty will have in excess of 10 million passengers.

Brussels, 10 October 2007

The President  
of the Committee of the Regions

Michel Delebarre

The Secretary-General  
of the Committee of the Regions

Gerhard Stahl

### III. PROCEDURE

<b>Title</b>	Proposal for a regulation of the European Parliament and of the Council on common rules for the operation of air transport services in the Community Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions on An action plan for airport capacity, efficiency and safety in Europe Proposal for a directive of the European Parliament and of the Council on airport charges Report from the Commission on the application of Council Directive 96/67/EC of 15 October 1996
<b>Reference(s)</b>	COM(2006) 396 final COM(2006) 819 final COM(2006) 820 final COM(2006) 821 final
<b>Legal basis</b>	Mandatory referral, Arts 265(1) and 80
<b>Procedural basis</b>	
<b>Date of Council referral</b>	15.9.2006
<b>Date of President's decision</b>	19.9.2006
<b>Commission responsible</b>	Commission for Territorial Cohesion Policy
<b>Rapporteur</b>	Gordon Keymer, Member of Tandridge District Council (UK/EPP)
<b>Analysis</b>	Yes
<b>Discussed in commission</b>	23.5.2007
<b>Date adopted by commission</b>	23.5.2007
<b>Result of the vote in commission</b>	Adopted by a majority
<b>Date adopted in plenary</b>	10.10.2007
<b>Previous Committee opinions</b>	