

**CAA consultation on
Draft Airspace Design Guidance
(CAP 1520 – CAP 1524)**

Responses submitted by email
(where permission has been given for publication)

Some personal information has been redacted by the CAA

Airport Operators Association (AOA)
Belfast City Airport Watch
Bletchingley Parish Council
Bristol Airport Consultative Committee
British Airways
Edinburgh Airport
Future Airspace Strategy Industry Implementation Group (FASIIG)
Gatwick Area Conservation Campaign (GACC)
Gatwick Area Night Flight Nightmare (GANN)
Hever Castle
Lasham Gliding Society
London Boroughs of Hillingdon, Richmond and Wandsworth and Royal
Borough of Windsor and Maidenhead
Mole Valley District Council
NATS
Parish Council Airport Association (Bristol)
Pitstone Parish Council
Plane Justice
Strategic Aviation Special Interest Group (SASIG)
Skylines UK
Slinfold Parish Council
St Albans City & District Council
Stop Stansted Expansion
Sustainable Aviation
Tunbridge Wells Borough Council
Virgin Atlantic
Two responses from residents who preferred to remain anonymous

Airport Operators Association response to the CAA Consultation on Draft Airspace Design Guidance

Introduction

1. Founded in 1934, the Airport Operators Association (AOA) is the national voice of UK airports. We are a trade association representing the interests of UK airports, and the principal such body engaging with the UK Government and regulatory authorities on airport matters. The AOA's members include over 50 airports and 160 Associate Members, made up of companies representing a wide range of suppliers in the aviation industry.
2. The AOA is also an active member of Sustainable Aviation, the UK coalition of airports, airlines, aerospace manufacturers and air navigation service providers that sets out a collective and long-term strategy to ensure a sustainable future for UK aviation; additionally, the AOA are also members of 'The Sky's the Limit', an industry campaign group making strategic case for airspace modernisation.
3. Airspace is a key part of the UK's national infrastructure and there is an urgent need to modernise airspace across the whole of the UK to handle the forecast levels of traffic without significant delays. Modernised airspace will enable us to further improve continuous climbs and descents, reduce holding, and implement multiple routes which can help minimise noise and meet environmental targets. UK airports are committed to educating stakeholders on the need for airspace modernisation and engaging with local communities to find innovative solutions to reduce the impact of aviation.
4. The AOA welcomes the opportunity to respond to the latest CAA Consultation on draft airspace design guidance. Overall, we feel that the new guidance is clear and most of our members are supportive of the proposals, however our response also highlights a number of concerns, which are outlined below.

General Observations

5. Definite, long-term and stable criteria to guide airspace change decision-making is critical. The current airspace change process already takes a long time and the industry now needs a reliable policy framework which delivers greater clarity when planning for changes and which removes uncertainty for the Industry and for local residents and communities. The AOA is concerned that although the new change process and guidance makes some improvements, particularly around transparency and community engagement, the process is also longer and require more resources.
6. In the response to the CAA Airspace Change Process consultation in June 2016, our response stressed that in most cases airspace changes are planned and implemented to bring about a range of benefits, including environmental, safety and economic benefits. Therefore, the airspace change process should be efficient in order to enable the necessary and beneficial change. While the need to take sufficient action to address community issues and guard against legal challenges by affected stakeholders is fully understood by the AOA, it is important to ensure there is sufficient clarity in terms of the processes which must be followed in order to give certainty to an expected outcome.

7. To this end, the AOA reminds the CAA of its concern that if a 'Gateway' has been successfully passed (i.e. agreed by the CAA) that the CAA can later decide to turn down an application based on information that had previously been agreed by the CAA in order to pass through a 'Gateway'. The process would be clearer and more certain if the 'Gateway' was a known pass/fail point in the decision process.
8. Similarly, in the AOA response to the DfT's consultation on Airspace Modernisation, the AOA is supportive of the Government's objective to maintain credibility and trust in the process of change, but we have again expressed concern that elements of their policy do not currently provide sufficient clarity. For example, there are certain definitions and parameters which are left open to interpretation. There is a concern that without greater clarity, there will be a heightened risk of disagreement and challenges between airports and communities during an airspace change process. The CAA must therefore ensure that guidance, while providing some freedom to allow for local circumstance, can be clearly followed and the CAA must play a role in ensuring that a change process, once the gateway steps have been followed, will not be delayed due to any ambiguity in either process or policy.
9. The AOA also notes there are currently too many areas within both the recent DfT consultation on UK Airspace Policy and in this consultation that are subject to change based on the outcome of each consultation. Therefore, there are elements of this consultation which cannot be adequately addressed without having better knowledge of the outcome of the DfT consultation.

Tier 1a

10. It is not clear within the guidance exactly how an initial proposal will be reviewed to decide which process is to be followed. There is a need for more clarity as to how the CAA will decide what Stages or processes will be required in different circumstances. The process of going through an airspace change is already too long, so it is important to avoid creating an environment in which the CAA feels the need to insist on the whole process being followed for fear of public challenge. Further to this by making the process too lengthy, onerous and subsequently costly it could deter change sponsors from implementing changes that would bring benefits to local communities.
11. The CAA draft guidance requires evidence of a two-way conversation to ensure the sponsor has adequately engaged stakeholders. The guidance describes the necessary evidence as "detail of what sponsors have been told by their audiences; how they responded to this feedback; and how it has affected the proposals they are bringing forward." These are sensible proposals. The CAA should bear in mind the time and cost required to respond to feedback in cases where a change sponsor receives a considerable amount of feedback. Provided a change sponsor adequately addresses the overall concerns of their audiences, sponsors should be afforded a greater degree of certainty as to the likely final outcome of a decision. It is also felt that this is currently covered through Focus Groups so long as the correct membership is gained so as to ensure that the views of all affected communities are accounted for.
12. At various points in the process, the CAA suggests the use of a third-party facilitator. The AOA feels that a facilitator could be effective in some circumstances – for example, in working through disagreements arising out of ambiguities previously mentioned in this

response. While there is some concern around the additional cost and time which might be involved in the use of a facilitator, the option of the use of a facilitator should be kept open, provided it is only used to work through genuinely contentious issues where a resolution cannot otherwise reasonably be achieved. The use of a facilitator should also be at the discretion of the change sponsor.

13. The AOA welcomes the categorisation of consultation responses to differentiate between responses that have the potential to impact on the proposal because they include new information that could potentially lead to an adaptation in a lead design option, and those responses that do not offer new information. The airspace change process is already a costly and time-consuming process, and so any categorization exercise which can build efficiency into the process should be welcomed.
14. The creation of a portal for the live publication of responses to airspace change consultation, which is to enhance transparency and inform audiences, needs to be re-considered. Although we are supportive of efforts to enhance transparency and to keep interested parties informed, the current proposals carry a number of significant risks for change sponsors. Firstly, publication of all airspace change correspondence without the accompanying presentations or context, risks generating a large amount of uninformed public reaction which will have to be dealt with. This could see other responses reacting in similar vein, rather than on the basis of the consultation itself. This risk is enhanced by the fact responses are published on an official website. Secondly, the cost and resource involved in managing responses to these comments risks deterring the majority of airspace changes and will use up a large amount of CAA and sponsors' capacity to deliver airspace modernisation. Thirdly, the CAA need to be careful that they may raise expectations that commentary provided in this way will result in changes to the airspace design and there is also a very real risk that poorly informed public commentary will be picked up by media, resulting in reputational risk for sponsors, CAA and Government. Furthermore, rather than aid transparency regarding the process of making airspace changes, we believe the portal proposal may add significant confusion, mask the real issues for those most acutely affected and reduce the clarity around how airspace decisions are made. The AOA is not aware of any other consultation process being run in this way, even among very controversial projects such as HS2 or planning applications.

Tier 1b & Tier 1c

15. The guidance is comprehensible, transparent and proportionate. It is clearer that there will be a review and that certain stages do not have to be followed. However, the inclusion of a couple of scenarios that show examples of a change that do not require the full process and what has to be completed could provide more certainty and clarity.

Tier 1: Spaceflights

16. An airspace change process for a Spaceflight should be treated in the same way as any other airspace changes as a Spaceflight will still require airspace that will impact on local populations and other users of the airspace, particularly if the Upper Air Routes are to be closed for periods of time. Although any proposal will be limited in time, there needs to be a clear method of providing adequate notification of activity and, potentially, change to the design.

Tier 2: Permanent and planned redistribution

17. The Government proposals describe a Tier 2 change as one which is likely to alter traffic patterns below 7,000 feet over a populated area and which therefore could have a potential noise impact for those on the ground. However, the DfT consultation is still ongoing and we ask the CAA to reflect on the outcome of the DfT consultation.
18. The key requirement is that the air navigation service provider must demonstrate that it has assessed the noise impact of the proposed change and engaged with affected communities as appropriate. The CAA asks which stages of the Tier 1a airspace change process are necessary for a proposal categorized as a Tier 2 change.
19. Tier 2 changes are not the same as airspace changes and should not follow the same proposed process as for Tier 1. Where changes are made above a certain level within controlled airspace that the ANSP has responsibility for, no consultation or notification should be required other than notification of a change. Within Class G uncontrolled airspace, other airspace users should be notified through NATMAC.

Tier 3: Other changes to air operations affecting noise impacts

20. It is difficult to provide detailed comment without a clearer definition of a tier 3 airspace change.
21. Airports see value in providing transparency around tier 3 usage as a means of building trust with communities. The AOA believes that reviewing existing communication channels between the industry and communities affected, and improving these where necessary, is the key to success for tier 3 airspace usage. Delivering this could be possible through direct discussions and there may not be a need for formal policies, particularly where these may become overly rigid and not fit for purpose. To this end, some caution is needed so as to not set unrealistic expectations about mitigations, compensation and that evolving trends can be reversed.
22. For airports, there is also a challenge in knowing when airspace tier 3 usage has occurred as most changes are outside the control of an airport and so can only report the facts, normally after the change has occurred. Airports and airlines would also need time to understand the type of information to be provided, and how best to provide it.
23. There could be potential long term reputational harm from the CAA publicly drawing attention to any breakdown of trust between an airport and stakeholders. An Independent Commission on Civil Aviation Noise (ICCAN) could play an advisory role in improving communication and trust with communities before such a situation might arise. Alternatively, the requirements of Tier 3 could seemingly be built into an airport's existing stakeholder communication channels, for example Airport Consultative Committees.

For further information, please contact

CAA draft airspace design guidance 2017

Consultation submission from Belfast City Airport Watch

About Belfast City Airport Watch

Belfast City Airport Watch Ltd. is an umbrella group of 13 residents' and community associations, and one trade union branch, and 763 individual associate members. Most of the residents represented by the affiliated groups and our own individual supporters are directly affected by aircraft noise linked to the operations of George Best Belfast City Airport (GBBCA).

Our supporters are anxious to ensure that there is a better balance between the commercial interests of GBBCA, and the health and quality of life of local residents. The group operates as a not-for-profit company, limited by guarantee.

Consultation responses

1. A.1,B 2,C.1. Transparency could be better; the process totally relies on the internet, and makes little consideration of those not computer literate, those blind or with a physical disability that prevents internet use. Moreover, all the stage Gateways will only be published on the portal, with no method of advising concerned residents when they are published.
2. A2,B2,C1. Noise preferential routes should be included and introduced at all airports. We are happy to see (103) effective wide ranging local engagement, included at design stage as well as in stage 3.
3. A1,B1,C1.
4. A2,B2 3C (141) makes no provision for those not computer literate to consult on any change. Not everyone has internet access or the skills to use it. No provision for blind/disabled, (a legal requirement under disability law) (171) Note postal responses acceptable for those who do not have internet, but where can they get a hard copy of the form, or the proposal, so we question the availability of information of what the proposed. Again disadvantaging the disabled, who are just as affected by aircraft noise/pollution as the able bodied.
5. A1,B3,C2. (183) Again no process for those without internet to access the progress of the proposal. (185/6) Noted and very necessary. (187) as 183.
6. A3,B2,C2. (200/1) In all level 1 cases the CAA should hold a Public Evidence Session. (208) Notice of P.E.S. given on online portal is not sufficient, public notices should be placed in Local papers and all residents groups should be advised.(208) In para.: "prior to session" change bullet point 2 from may to must, and change" lay persons guide and/or graphic version of explanation" to and (deleting the or).
7. A1,B1,C1.

8. A1,B1,C1.
9. Don't know
10. Don't know
11. Blank
12. No. All responses designated by the sponsor as "not impacting on the final proposals" as well as those in the sub heading "those that have not impacted on the final proposal" should be vetted by the CAA.
13. No. We greatly welcome the proposal to include an assessment of project noise and health impacts, including sleep deprivation. However, we do not believe that these should be 'traded off' against each other, or against asserted economic benefits (as per Appendix B). Where a proposal would result in significant sleep deprivation or other negative health impacts, or a significant increase in noise impact, we do not believe it should be proceeded with. As the consultation document notes at B45 the Government's noise policy is "to limit, and where possible, reduce the number of people significantly affected by aircraft noise." We welcome the noise measurements outlined in Appendix B, particularly the fact that measurements/projections down to 51 dBA LAeq 16h will be required, and that noise-sensitive buildings such as schools must be included. However, with regard to B74 - B76, we believe it is vital that the impact upon tranquility to be considered is extended to include impact upon Quiet Areas designated under the EU's Environmental Noise Directive. These areas have been specifically designated to be places of tranquility which should provide respite from urban noise. Appendix E Table 2 mentions compensation for those experiencing 63DB LAeq or more, from a revised procedure, we think the CAA/Government should adopt the lower 54DB LAeq threshold as the one where "serious community annoyance" is experienced, but in all cases where noise levels of 57LAeq are experienced, insulation should be provided.
14. How the proposed change has been tested. E.g.: has it been flown in a full flight simulator, and what was the success rate?
15. A2,B2,C2. (280) "The CAA will investigate urgently". This statement should be clarified with a definition of 'urgency' which ensures that any response to an urgent situation will be dealt with in a timely way. For example, where temporary airspace is created for a weekend event and there are numerous complaints on a Saturday, it would be important that the CAA could respond immediately rather on Monday after the event has taken place.

16. A3,B3,C3. (289) CAA should satisfy itself that all communities and their representatives have been made aware of the trial before approval for it is given. (290)Bullet point 2, after CAA add "on a daily basis.(291) delete "urgently " which is a rather vague statement, and add " within 24 hours". (293) Tier 1B should not be allowed as a follow on to 1C.
17. Blank.
18. Stage 1. Changes to airspace below 7000' have a far greater impact to those affected than airways changes, E.g.: changing an approach from an NDB to an RNAV can change the inbound course by up to 20 degrees, inflicting noise on a different set of residents to previous. We are particularly concerned by the proposal not to consider airports with less than 50000 movements a year as this would include George Best Belfast City Airport which is classed by the European Commission as one of just four 'city airports'. Although it has less than 50,000 annual ATMs, it still had 4,977 people living inside its 57 dB LAeq16 contour and 15,930 living inside its 54 dB LAeq 16 contour in 2016¹. These 57 dB LAeq figures are greater than those for either Gatwick (3,700) or Stansted (1,900)², and show that noise issues can be highly relevant at airports which are neither " Designated " nor have more than 50,000 ATMs per year.
19. Same answer as 18.
20. Include enforceable noise preferential routes at all airports(In many cases this may just be fly straight ahead, but in others it would lay down a framework for minimising noise to those most affected).
21. A3, B3, C3. We disagree with a "light touch approach" which gives decision making to a local authority. This is because local authorities may lack the expertise to make such decisions and may, therefore, be inclined to be guided by the relevant airport in reaching such decisions. In addition, there is scope for conflict of interest to arise; for example, where a local authority owns the airport in question or where the airport is a significant source of rates for a local authority. Moreover, while we greatly welcome the proposed establishment of ICCAN, we believe it is essential that it is provided with enforcement powers.
22. Yes. 1. A clear statement that the CAA will do this. 2. Details of how it will do it. 3. What means of pressure can it apply to an airport to ensure the CAA guidance is followed.
23. All proposed changes (even short term) are published in the local press, by email to all concerned individuals/organisations who have made the CAA aware of their noise concerns.

¹ Belfast City Airport , Airborne Aircraft Noise Contours, 2016

² Airports' Commission Discussion Paper 05, Aviation Noise, Table 2.1 (Appendix 1)

24. Yes. This is a vague statement. You need to outline how you propose to interact with those affected by the proposed change.

Contact details:

Liz Fawcett, Dr

Chair, BCAW Steering Group

(details below not for publication, except website address)

[REDACTED]

[REDACTED]

[REDACTED]

Website: www.belfastcityairportwatch.co.uk



BLETCHINGLEY PARISH COUNCIL

Mrs K Wantling – Clerk to the Parish Council
20 Lambert Cottages, Rabies Heath Road
Bletchingley, Surrey RH1 4PN
Tel: 01883 742 922 Email: info@bletchingley.org.uk
Website: www.bletchingley.org.uk

29 June 2017

By E-mail: airspace.policy@caa.co.uk

Civil Aviation Authority
Airport House
Gatwick Airport South
West Sussex
RH6 0YR

Dear Sir/Madam

Bletchingley Parish Council Response to The CAA Consultation on Draft Airspace Design Guidance CAP 1520

Bletchingley Civil Parish lies 6 miles to the North East of Gatwick Airport. The population of the Civil Parish was 2,973 in 2011. Whilst the village is bisected by the A25 the village is a settlement within the green belt for planning purposes. To the north and south of the A25 the village is very rural in character and includes part of an Area of Outstanding Natural Beauty, an Area of Great Landscape Value, Sites of ancient woodland and Sites of Special Scientific Interest.

Whilst the centre of the village does not lie directly underneath a Noise Preferential Route the NPR for flight path Route 3 from Gatwick Airport lies immediately to the South of the centre. Whilst the village experiences disturbance from aircraft noise generally, the worst noise events occur when planes take off to the East and thereafter turn north and then west to reach their final destinations. If at that point that planes have reached a height of over 3,000 feet, they are no longer required to fly within the NPR and are (we are told) frequently directed to fly further north by Air Traffic Control, notwithstanding they are then directed to fly on a more southerly route. A particularly noisy offender is Virgin Airlines' four engine plane B744.

This latest consultation appears to have been rushed out, without anyone who has knowledge of the other recent consultations having looked at it and pointed out what appears to be one or more glaring errors.

As an example paragraph 80 states that the Government will transfer responsibility for deciding Noise Preferential Routes to the airport concerned. In fact, in the Airspace Consultation to which we responded in May, the question was asked whether we would agree that such transfer should take place. We responded in the negative on the basis that this would deprive communities of their ability to lobby their MP in relation to a new/change to an NPR.

Taking a cynical approach this suggests that notwithstanding consultees' responses, decisions have already been made and any consultation is merely paying lip service to the need for consultation (as set out at length in Appendix C). In a similar vein it assumes (paragraph 50) that the Independent Commission on Civil Aviation Noise will be set up as per the Airspace Consultation document.

Yours faithfully

Kim Wantling

Kim Wantling
Parish Clerk

From: Mrs Brice [mailto:]
Sent: 29 June 2017 16:32
To: Airspace Policy <Airspace.Policy@caa.co.uk>
Subject: Draft Airspace Design Guidance

Dear Sir/Madam

I refer to the above mentioned consultation and write to you as the Secretary of Bristol Airport Consultative Committee.

Please note that some members of Bristol ACC have expressed the view that the proposed system is too complex, that the consultation documents are difficult to understand and that there should be involvement with the Department for Communities and Local Government because of potential changes to planning law.

I trust that you will take these comments into account.

Thank you

Mrs V Brice
Secretary - Bristol ACC

David Milford
Economic Regulation Manager
British Airways plc
Waterside (HEA1)
Harmondsworth
Middlesex
UB7 0GB

30th June 2017

Sent by email to airspace.policy@caa.co.uk

Re. Draft airspace design guidance (CAP 1520)

Dear Sir/Madam,

British Airways (BA) welcomes the opportunity to respond to the CAA's draft airspace design guidance as outlined in CAP 1520. We note that this follows on from the CAA's previous consultations on the airspace design guidance (CAP 1389 and CAP 1465) and the recent Government consultation on reforming policy on the design and use of UK airspace. As the CAP 1520 consultation and the Government's airspace policy consultation have largely run concurrently this response reflects the points already made to the Government policy consultation. Our responses are linked to the relevant questions contained in CAP 1520.

Question 1 – General

1. BA is strongly of the view that the modernisation of UK airspace is fundamental to reducing current delay levels and protecting against future delays, but also ensuring that airlines can continue to provide consumers with safe, efficient connections to destinations across the world and to deliver the economic benefits that air transport offers. The draft airspace change process needs to effectively and efficiently enable this airspace modernisation.
2. The development of an efficient and effective airspace design guidance process is critical to delivering modernisation. Specifically, the guidance will need to facilitate the urgent completion of the London Airspace Management Programme (LAMP), for lower-level airspace across the London Terminal Manoeuvring Area (LTMA), which has already been delayed from 2019 to 2023. BA has been clear that LAMP must be completed by 2024 at the latest and the draft airspace design guidance must be capable of delivering this.
3. Having reviewed the proposals, BA does not agree with the proposed tier structure for airspace changes. The proposed Tier 2 and Tier 3 categories do not refer to airspace change, as outlined in Tier 1, but rather operational working practices, such as vectoring within airspace, and providing information on air traffic flows respectively, and so should not be considered as airspace changes in their own right. Instead they should be separate from the CAP 1520 guidance and should potentially be subject to separate consultation that more appropriately sets out the specific policy guidance required for them. This would allow the CAP 1520 guidance to be formally introduced without making it subject to delay due to any changes or ongoing

consultation on the proposed Tier 2 and 3 categories which we believe the DfT may look to undertake.

4. Furthermore, despite the focus on noise impacts within the draft airspace change process ultimately it must adopt the Balanced Approach to noise impacts, which is supported by the Government, and must also take into account the impacts of airspace changes on air quality, fuel efficiency, and CO2 emissions as well.

Questions 2 to 8 – Tier 1a consultation

5. **Timescales** - BA is very concerned by the proposed length of the overall timeline for a Tier 1a consultation which is shown at to last up to 109 weeks from Stage 1 DEFINE through to Stage 6 IMPLEMENT. Noting that the proposed timeline incorporates allowances between gateways for change sponsors to undertake work it would be useful to explicitly show those allowances. The CAA should review the proposed timelines to reduce the overall process wherever possible and hold the process to a reduced timeline, whilst providing for the necessary level of options and consultation engagement for all stakeholders. For example, the CAA proposes 35 weeks for consultation of which only 12 weeks are set aside for the consultation itself, implying preparation is around 12 weeks and review another 12 weeks. The CAA must explain why such a lengthy period is required for preparation. Similarly, we note that a full 26 weeks is required for a decision which, while responses must of course be scrutinised, appears excessive. In particular it is not clear whether the stage timelines shown are a maximum allowance? We are concerned that starting any airspace change process with an expectation that it will take a minimum of two years to implement undermines the importance and urgency of the change as a whole.
6. **Prioritisation** - BA understands that the CAA currently has over 100 airspace change proposals on its books. Given this volume of change to be actioned, using the CAP 1520 guidance, it will undoubtedly become necessary to prioritise the finite resource at the CAA. Logically, this prioritisation should ensure that airspace change where the greatest operational and environmental benefit will be reaped should be actioned first; consequently, delivery of LAMP2 must be at the top of any priorities list with airspace change at Heathrow and Gatwick second due to the volumes of impacted traffic.
7. **Gateways** - We support the proposed gateways concept however we are concerned that this may not adequately support the development of a final design. The gateway process should allow for draft design to be effectively assessed, tested and refined at an early stage without impacting the eventual CAA decision. In the case of runway capacity the National Policy Statement process provides for a draft design and capability specification to be designated in the early stages and this model could be transposed to the airspace design process. This would strengthen the proposed gateway process and minimise challenge and the need for re-work at a later date, which could form a key element in managing the overall timescales for the airspace change process.
8. **Large-scale airspace change delivery** - A key issue for BA is whether the proposed airspace design guidance is capable of delivering the large-scale airspace modernisation that is required to deliver LAMP2. The draft airspace guidance needs to be flexible enough to deliver both changes of the smallest and the largest scale with the scope and complexity associated. CAP

1520 must ultimately be able to deliver LAMP2 and runway expansion and have the flexibility to do this either independently - in case runway expansion is delayed - or together.

9. **Multiple consultations** – The largest-scale airspace changes may require more than one round of consultation. Notwithstanding our concerns on the overall timelines for Tier 1a changes the provision for this within the draft guidance should more clearly acknowledge this. In terms of the gateway process however we feel that the revised process should give the necessary assurance that changes have met the process requirements following each stage of consultation. The gateway process should therefore represent a pass/fail test where is passed successfully the progress to that point cannot be challenged at a later date by CAA.
10. **Airspace Change Portal** – On the specific proposals for stakeholder consultation responses to be uploaded to the portal in real-time, as opposed to publishing all responses following the consultation period, BA supports the FASIIIG industry group position that this would be risky. It is very likely to create “an industry” in managing the portal as well as leading to airspace change sponsors having to manage ongoing stakeholder emotion and media engagement throughout what is an already challenging process. BA is particularly concerned that live publication will ultimately lead to increased manpower costs for both airspace change sponsors and the CAA which will ultimately flow through to airlines and consumers. We would strongly urge the CAA to re-consider this element of the draft guidance.
11. **Re-consultation** – The guidance states that if a design is amended following a consultation and a significant number of new stakeholders are impacted then another consultation will be required. It is unclear what would constitute “significant” and this should be defined as this is very likely to happen.

Question 9 – Engagement

12. Airspace change sponsors must ensure that airlines are effectively engaged throughout the change process. Airlines will be the primary airspace users and their ability to operate the airspace as designed is key to the success of the airspace change. This engagement may extend to sponsors working with airlines during the airspace change process to help engagement with other stakeholders understanding of what is and is not feasible from an operational airline perspective.

Question 10 - Third-party facilitation

13. Whilst the principle of a third-party facilitator maybe merited at stages of the process it maybe that this role could be performed by the CAA itself where required. There should be consideration of whether the CAA could perform this function if a facilitator is required.

Question 14 – Safety information

14. As the CAA itself is the safety regulator BA would support a process where the CAA publishes a plain English summary of the effects that an airspace change proposal would have on safety levels. Safety information is highly technical and complex and could well be misconstrued in the context of wider stakeholder engagement. The airspace change process and the maintenance of an effective safety culture is of paramount importance and we believe it would be better for the

outcome of safety engagement between NATS, other airspace change sponsors, and industry stakeholders to be summarised by the regulator.

Question 17 – Spaceflights

15. BA believes that it will be necessary for there to be consultation where spaceflights are taking place in segregated airspace. That consultation will need to balance the needs of the commercial civil aviation sector versus the developing spaceflight sector.


Questions 18 to 24 – Tier 2 and Tier 3 changes

16. As previously indicated BA does not believe that the three-tier airspace change structure and terminology as proposed is suitable either for industry or for community stakeholders. Whilst most of the specific policy proposals contained within the proposed Tier 2 and Tier 3 categories are welcome there is an implicit risk in describing them as ‘airspace changes’ when they are not. Rather they relate more to engagement and information provision. Categorising them as ‘airspace changes’ could inadvertently lead to increased expectations among communities that they ought to be fully consulted and can lobby and change ATC practices and airline traffic patterns.
17. As we understand that the Department for Transport maybe considering revisions to the proposed tier structure our subsequent comments therefore need to be seen in the light of any future revision to the proposed airspace change tier structure including Tier 2 and 3.
18. **Tier 2 change stages** – BA believes that an appropriate model for airspace change sponsors would be to DEFINE the proposal, ENGAGE stakeholders on the nature of the proposal and timescales, IMPLEMENT the proposal and then REVIEW to understand the impacts once it has been used. Due to the scope of this tier we do not believe a full consultation is necessarily appropriate.
19. Whilst changes to ATC practices and changes to the use of existing airspace structures can result in shifts in air traffic flows airspace policy needs to distinguish between where engagement with communities is required rather than full consultation. It also needs to acknowledge that there is a level of permitted use of airspace structures within the tolerances that they were designed with. BA is concerned that whilst community engagement and information can, and should, be improved the policy should not impose a consultation and regulatory burden on existing processes that are used to effectively manage UK airspace on a day-to-day basis. Such an outcome would not be acceptable to the industry and consumers.
20. **Tier 2 scaled levels** – BA does not believe that it would be appropriate to scale Tier 2 as Tier 1 is scaled. A Tier 2 proposal should either qualify or not based on it being likely to alter traffic patterns below 7,000 feet over a populated area. We do not believe further scaled levels would add anything to the process.
21. **Tier 3 policy** – BA notes the statement in the associated CAP 1523 document that “the CAA would not have a role in approving Tier 3 changes”. BA rejects the notion that any of the policy relating to Tier 3 constitutes an airspace change so there is therefore no change to approve.

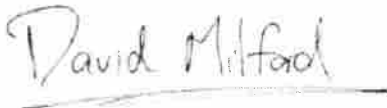
Airlines are permitted to make use of existing airspace structures to best serve the commercial demands of the UK aviation market. We advocate that the aims of the proposed Tier 3 policy would be best served by engaging with communities and other stakeholders by providing retrospective information on changes to the routings flown by airlines to and from UK airports.

22. **Tier 3 guidance compliance** - There should be a defined process for the CAA to get views on why guidance is not being followed or to substantiate why trust has broken down and whether this is correct. This would require evaluation of both how industry and stakeholders are approaching this issue. Following that process then CAA can make an informed decision on whether or not to publicly draw attention to this.
23. **Tier 3 dialogue** – BA does not agree with the concept of mitigation for changes in traffic patterns within existing airspace. Airlines are permitted to use existing airspace structures as required and this is not subject to consultation. There is clearly a role for providing information about changes in use over time to aid engagement and understanding about existing airspace use but it is not, and should not become a consultative process.

Finally BA has noted a number of issues relating to the draft environmental requirements outlined in CAP 1521. These are summarised in an attached appendix and BA would welcome the opportunity to discuss these further with the CAA.

If you have any queries on this response please contact me at 

Yours sincerely,



David Milford
Economic Regulation Manager
On behalf of British Airways plc

Appendix – CAP 1521 draft environmental requirements

- A. BA has concerns that the environmental assessment requirements could become extremely burdensome and cause delay to the process of airspace modernisation. For example, requirements to provide 10 year forecasts¹ with associated traffic distributions, aircraft lateral profile distributions and vertical profile distributions could present a large burden.
- B. In addition, we are concerned that noise modelling is being stretched to a point where the results may be unreliable and metrics such as overflight may create a biased and exaggerated picture of noise that draws attention away from populations that are significantly affected by noise.
- C. Modelling of noise at the levels suggested (such as 51 Leq) requires considerably more refined input data than has previously been needed. At these levels of noise, there is more uncertainty in the results of contours, with increased potential for misrepresentation of effects or differences between options.
- D. We are concerned about the practicality of and need for the overflight concept. The Nx contour metric is designed to recognise overflight as a supplementary metric to Leq contours (where Nx contours are considered necessary) and should be sufficient to represent overflight. There is already a proposal to assess noise affected populations, and therefore the assessment of population ‘overflowed’ as described² could have the effect of implying that large areas of population are affected by aircraft noise, when these areas are outside the normal noise assessment areas defined by Leq or Nx contours and the populations are exposed to levels of noise that are not considered to be adverse. Another consequence of this approach is that populations affected by noise at higher levels will be counted the same as those in much lower noise areas, potentially biasing the results away from those most significantly affected (as acknowledged³).
- E. Overflight would require information about aircraft operations up to 7000 feet – in areas that are far away from recognised noise exposure and adding further uncertainty in the modelled results. For example, in real operation, some aircraft will reach 7000 feet very close to the airport, whilst others that may have been constrained to 6000 feet by ATC, may not reach 7000 feet until they are tens of kilometres away from the airport.
- F. Given the highly specialised nature of noise contour modelling, the majority of noise assessment work is likely to be done by the CAA ERCD and this could create further backlog in the system if numerous proposals are running concurrently. This could be further exacerbated if for some reason the CAA ERCD is not considered to be the appropriate entity to perform the noise modelling task. It may be necessary for the CAA ERCD to establish a prioritisation process to manage multiple proposals and focus on the most urgent changes.
- G. BA would be happy to explore these concerns further with the CAA if needed, potentially following the Government’s response to the recent UK Airspace Policy consultation.

¹ CAP 1521 para 10

² CAP 1521 para 41

³ CAP 1521 para 42



Edinburgh Airport response to the CAA Consultation on Draft Airspace Design Guidance

Introduction

1. Edinburgh Airport is Scotland's busiest airport and currently 5th largest in the UK, handling 11.1 million passengers in 2015.
2. The airspace above Edinburgh is a vital part of our infrastructure, connecting Scotland to the world and delivering economic and social benefits that together contributes £1bn every year to the Scottish economy, supporting 23 000 jobs. We recognise that aviation has an impact on the global and local environment and we are committed to playing our role in addressing these issues, including the concerns of local communities.
3. As a member of Sustainable Aviation, over the last 10 years we have worked collaboratively with Sustainable aviation which has delivered a reduction of over 20 million tonnes of CO₂ and the reduced noise contour areas around major UK airports, used by the Government to define community annoyance, by 14 per cent.
4. We believe that there is a need to modernise airspace across the whole of the UK to handle the forecast levels of traffic without significant delays. Modernised airspace will enable us to further improve continuous climbs and descents, reduce holding, and implement multiple routes which can help minimise noise and meet environmental targets.
5. This is particularly acute for Edinburgh Airport which is on a trajectory of significant growth and experiencing congestion and less than optimal performance.
6. Edinburgh Airport is committed to working with and educating stakeholders on the need for airspace modernisation and engaging with local communities to find mutually agreed and beneficial solutions to reduce the impact of its operations.
7. We believe that the current CAP 725 offers no protection to airports and is too heavily weighted to the technicalities of change and its consideration of community impact does not reflect the reality for airports.
8. This drives behaviour from the CAA and NATs which we believe exposes airports unnecessarily to significant reputational damage, hampers the introduction of change and increases costs exponentially.
9. Edinburgh Airport welcomes the opportunity to respond to the latest CAA Consultation on draft airspace design guidance. Broadly we believe that the new guidance is clear and we are largely supportive of the proposals, however our response also highlights a number of concerns, which are outlined below.

General Observations

10. Definite, long-term and stable criteria to guide airspace change decision-making is critical. The current airspace change process tends to take a long time and the industry now needs a reliable policy framework which delivers greater clarity when planning for changes and which removed uncertainty for local residents and communities. We share the concern of



other airports that although the new change process and guidance makes some improvements, particularly around transparency and community engagement, the process is still likely to take too long.

11. In our response to the CAA Airspace Change Process consultation in June 2016, our we stressed that in most cases airspace changes are planned and implemented to bring about a range of benefits, including environmental, safety and economic benefits. The process, then, has to be efficient so that the benefits can be realised quickly. Clarity is vital in this regard both in terms of process, but also in terms of expected outcome.
12. We have made a similar point in our response to the DfT's consultation on Airspace Modernisation. There is a concern that without greater clarity, there will be a heightened risk of disagreement and challenges between airports and communities during an airspace change process. The CAA must therefore ensure that guidance, while providing some freedom to allow for local circumstance, can be clearly followed and the CAA must play a role in ensuring that a change process, once the gateway steps have been followed, will not be delayed due to any ambiguity in either process or policy.

Tier 1a

13. It is not clear within the guidance exactly how an initial proposal will be reviewed to decide which process is to be followed. There is a need for more clarity as to how the CAA will decide what Stages or processes will be required in different circumstances. The process of going through an airspace change is already too long, so it is important to avoid creating an environment in which the CAA feels the need to insist on the whole process being followed for fear of public challenge.
14. The CAA draft guidance requires evidence of a two-way conversation to ensure the sponsor has adequately engaged stakeholders. The guidance describes the necessary evidence as "detail of what sponsors have been told by their audiences; how they responded to this feedback; and how it has affected the proposals they are bringing forward." As an organisation going through such an exercise, we would remind the CAA of the cost both in financial and resource terms that this requires. We support the guidance but ask that the CAA does not underestimate this task, particularly in areas of contention.
15. At various points in the process, the CAA suggests the use of a third-party facilitator. We have used third party assessment and scrutiny and have found this valuable in building trust and rigour into the process. We believe that a facilitator could prove useful in some circumstances, but again the CAA should be aware of the costs of this.
16. We, like other airports, welcome the categorization of consultation responses to differentiate between responses that have the potential to impact on the proposal because they include new information that could potentially lead to an adaptation in a lead design option, and those responses that do not offer new information. The airspace change process is already a costly and time-consuming process, and so any categorization exercise which can build efficiency into the process should be welcomed.



17. We have concerns around the creation of a portal for the live publication of responses to airspace change consultation. Although we are supportive of efforts to enhance transparency and to keep interested parties informed, the current proposals carry a number of significant risks for airports. Firstly, publication of all airspace change correspondence without the accompanying presentations or context, risks generating a large amount of uninformed public reaction which will have to be dealt with. Contributions are invariably negative and may skew further responses or affect the debate. This commentary presents a very real risk it will be picked up by media, resulting in reputational risk for sponsors, CAA and Government. Furthermore, rather than aid transparency regarding the process of making airspace changes, we believe the portal proposal may add significant confusion, mask the real issues for those most acutely affected and reduce the clarity around how airspace decisions are made.

Tier 1b & Tier 1c

18. We are content with the guidance here and find it clear and understandable.

Tier 2: Permanent and planned redistribution

19. The Government proposals describe a Tier 2 change as one which is likely to alter traffic patterns below 7,000 feet over a populated area and which therefore could have a potential noise impact for those on the ground. The key requirement is that the air navigation service provider must demonstrate that it has assessed the noise impact of the proposed change and engaged with affected communities as appropriate. The CAA asks which stages of the Tier 1a airspace change process are necessary for a proposal categorized as a Tier 2 change.
20. Tier 2 changes are not the same as airspace changes and should not follow the same proposed process as for Tier 1. Where changes are made above a certain level within controlled airspace that the ANSP has responsibility for, no consultation or notification should be required other than notification of a change. Within Class G uncontrolled airspace, other airspace users should be notified through NATMAC.

Tier 3: Other changes to air operations affecting noise impacts

21. It is difficult to provide detailed comment without a clearer definition of a tier 3 airspace change.
22. We agree with other airports in that we see value in providing transparency around tier 3 usage as a means of building trust with communities. Like them, we believe that reviewing existing communication channels between the industry and communities affected, and improving these where necessary, is the key to success for tier 3 airspace usage. Delivering this could be possible through direct discussions and there may not be a need for formal policies, particularly where these may become overly rigid and not fit for purpose.
23. For airports, there is also a challenge in knowing when airspace tier 3 usage has occurred as most changes are outside the control of an airport and so can only report the facts, normally after the change has occurred. Airports and airlines would also need time to understand the type of information to be provided, and how best to provide it.



24. There could be potential long term reputational harm from the CAA publicly drawing attention to any breakdown of trust between an airport and stakeholders. An Independent Commission on Civil Aviation Noise (ICCAN) could play an advisory role in improving communication and trust with communities before such a situation might arise.

For further information, please contact Edinburgh Airport

