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Civil Aviation Authority  
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Dear Madam/Sir

AEF comment on the CAA's consultation on a draft procedure for reviewing the classification of airspace (CAP1934)

With reference to the above, we write to raise concerns on behalf of some of our members about your proposals to consider, review and amend proposals for the reclassification of airspace. Since the introduction of CAP1616, the CAA has been keen to engender trust between itself and the communities impacted by aviation operations by enhancing community engagement in airspace change decisions and ensuring that decisions are strongly evidenced-based. Our members feel strongly that the proposed process for reviewing and reclassifying airspace risks undermining your efforts in this regard.

A particular concern that has been raised with us is with the "Consider Stage". You state that this first stage of the new process will involve high level questions, but not any analysis of airspace volumes. Like our members, we are not clear about the reasons for this and wonder how the CAA can consider the need for reclassifications of airspace without first scrutinising evidence, especially as changes to aviation activities and airspace volumes will determine whether there is any significant environmental impact, either positive or negative. As our members have pointed out, some evidence has already been submitted to the review of airspace that might be reclassified, as summarised in CAP1935. It would seem appropriate to review evidence at the early stage of the process to gain an informed view of where reclassification of airspace might achieve the benefits you refer to in your list of high-level considerations.

Those high-level considerations include whether the CAA knows "of airspace safety, efficiency, environmental or access benefits that a review might help to define and deliver", but also "whether

the CAA anticipates having sufficient staff resource (including the necessary skillset) to carry out a review, and to what extent”. We understand that the proposed new role places an additional burden on the CAA. However, we agree with our members that this should not override the need for a thorough assessment of whether improved safety or environmental benefits might be achieved. As you say in paragraph 1.12 of CAP1934, the 2019 Air Navigation Directions were intended to “strengthen how airspace is managed”. If you consider that a change to airspace classification could deliver environmental benefits, we feel that you should seek the resources necessary to carry out a full review.

We note that you also cite insufficient resources as one reason why consultations to reclassify airspace will be confined to airspace users (though you might occasionally open a consultation out more widely in limited circumstances). Another reason you give for not consulting with communities is that you “do not anticipate that this procedure will be used for any change that causes measurable environmental impacts, such as changes to departure and arrival routes at aerodromes.” Elaborating on this point you say that uncontrolled airspace is not measurable because you would not be able to assess the frequency of general aviation aircraft, where they would be, or how high they would be. Owing to this you say that you “are unlikely to be able to model noise or other environmental impacts.” However, at paragraph 6.7, you state that, in order for the CAA to be consistent with the UK’s legal and policy framework, you must be compliant with “relevant best practice published by the Independent Commission for Civil Aviation Noise (ICCAN), to the extent that this is applicable to the impacts anticipated”. We agree with our members that it should be possible to anticipate and model the impacts of declassifying airspace, and that it is reasonable for communities to understand the extent to which they are likely to be impacted by a change in aircraft activity, altitude or the number of flights.

Elsewhere in the document, there is a lack of clarity - some of our members feel – with regard to the CAA’s role and the role of the airspace controlling authority. For example, you state that the review stage of the new procedure “involves the CAA itself designing and proposing amendments to airspace.” (Summary p. 15). You also state that input from the air navigation service provider (ANSP) “is essential, because only the airspace controlling authority will have the local operational knowledge needed.” You go on to say that the ANSP will “prepare the operational procedures and safety case, with our assistance.” It is difficult for our members to untangle this relationship, and your statements that the ANSP will “own the safety of the airspace” while the CAA owns the risk of “identifying volumes of airspace and amending the classification correctly [6.39]” do little to assist.

AEF is aware that the Secretary of State (SoS) is keen to ensure a fairer use of airspace, but we have misgiving about the ways in which new process is being pushed through. We were especially disappointed to see that the SoS informed the CAA that the environmental objectives set out in the 2017 Air Navigation Guidance (ANG) should not apply to the airspace reclassification procedure. The SoS did so in a letter that amended the ANG without any consultation with airspace users or with members of the public. However, we were reassured that the CAA will seek to adhere to the principles of the environment directives set out in the ANG regardless (as stated at para 2.13). We recognise that in doing this, some of the pressure placed on the CAA to develop an entirely new and additional airspace change process is removed. However, given the CAA’s references to resource

constraints in CAP1934, we remain concerned that consideration of the associated environmental impacts could be marginalised.

With this in mind, we suggest removing the Consider stage from the process entirely for the reasons set out above. We also suggest that the process for reclassification of airspace should be incorporated into CAP1616, in a way similar to the PPR process, with ANSP requests acting as a trigger, and ICCAN advising on best practice. Communities should be given opportunities to engage effectively in the process, noting that the PPR process only provided for a minimum level of engagement with community representatives. We appreciate that this would increase costs, but we feel strongly that considerations of costs should not outweigh community trust.

Yours faithfully,

Deborah Lovatt  
Outreach Manager

