

**CAA consultation on proposals for  
a revised airspace change process  
(CAP 1389)**

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

Some personal information has been redacted by the CAA

Aberdeen International Airport Consultative Committee

Airport Operators Association

British Gliding Association

East Hampshire Association of Parish and Town Councils

East Midlands Airport Independent Consultative Committee

Edinburgh Airport

David Fenwick

Future Airspace Strategy Industry Implementation Group

Future Airspace Strategy VFR Implementation Group

General Aviation Alliance

Alan Haughton

High Weald Councils Aviation Action Group

Lasham Gliding Society

London (Heathrow) Airline Consultative Committee

London Luton Airport

London Southend Airport

Ministry of Defence

NATS

Stephen Turner Acoustics

Strategic Aviation Special Interest Group

Teddington Action Group

Aberdeen  
International  
Airport  
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3 June 2016

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## **CONSULTATION ON PROPOSALS FOR A REVISED AIRSPACE CHANGE PROCESS CAP 1389**

### **SUBMISSION ON BEHALF OF THE ABERDEEN INTERNATIONAL AIRPORT CONSULTATIVE COMMITTEE**

The Aberdeen International Airport Consultative Committee is the committee established under UK civil aviation legislation to enable the operator of Aberdeen International Airport to consult with a range of stakeholders on issues relating to the operation and development of the airport. The Committee, which was established in 1953, has some twenty members, including four Aberdeen City and three Aberdeenshire Councillors, a representative of each of the two community councils whose areas are most affected by the operation of the airport, representatives of economic development and trade bodies, including the Aberdeen and Grampian Chamber of Commerce, Scottish Council Development and Industry and Association of British Travel Agents/Scottish Passenger Agents' Association, and those associated with aviation, including NATS Aberdeen, the Airport Operators' Committee and the UK Helicopter Operators' Association. The Committee is independent of the airport management and has no executive powers. It meets under the chairmanship of Dr Peter Smart, who is independent of all stakeholder interests. It is advised by the Managing Director of the airport.

The Committee meets quarterly and has a record of responding to government and similar consultations on issues within its competence. We are therefore pleased to make this

submission in response to the present consultation on proposals for a revised airspace change process, CAP 1389.

We seek to agree submissions by consensus, since the members of the Committee represent a diverse range of organisations, and we are apolitical in our responses. We ensure that we only respond to questions that we believe are within the remit and competence of the Committee. In the case of the current consultation we have therefore restricted our responses to such issues; where we do not feel technically or professionally competent to express a view, we have said so.

In formulating our response, we have relied for technical support on the General Manager of NATS Aberdeen and the representative of the UK Helicopter Operators' Association, both of whom are members of the Committee, on the Managing Director of Aberdeen International Airport and on one or two members of the Committee who hold general aviation pilots' licenses and who are, therefore, personally familiar with air space management.

We have as a Committee had previous experience of responding to the specific consultation on reclassification of airspace to the north and north east of Aberdeen International Airport, Replacement of Class F Airspace in UK FIRs, ACP 14-05, so have some understanding of the process involved.

We believe that airport consultative committees are well-placed to be a 'statutory consultee', since they represent a wide cross-section of local stakeholders offering diverse views on issues relating to airspace management and changes. We would suggest that the approved version of the process to replace CAP 725 should include a specific recommendation that ACCs must be included in the list of consultees, to be involved at the design and consultation phases of the process.

Dr Peter Smart, Chairman

On behalf of the Aberdeen International Airport Consultative Committee





**Airport Operators Association response to the CAA Consultation on proposals  
for a revised airspace change process**

**Introduction**

1. The Airport Operators Association (AOA) is the trade association for UK airports, representing the interests of UK airports, and the principal body engaging with the UK Government and regulatory authorities on airport matters. It 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 that is cleaner, quieter and smarter.
2. Airspace is a vital part of the UK's infrastructure, handling two million flights a year, connecting the UK to the world and delivering economic and social benefits that together contribute £52bn every year to the UK economy. 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 key player in Sustainable Aviation, over the last 10 years we have worked collaboratively with Sustainable aviation to deliver 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. 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. Airspace is a key part of the UK's national infrastructure, there is an urgent need to modernise airspace across the whole of the UK to handle the forecast levels of traffic without significant delays. 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.

**Overview**

5. The AOA welcomes the opportunity to respond to the consultation on the CAA's proposed changes to the airspace change decision-making process and, broadly speaking, is supportive of the changes proposed.
6. The AOA is supportive of any proposal which will assist towards delivering the necessary development of UK airspace. We support the principle of reforming the process for airspace change to help enhance the current process, create greater transparency as well as certainty for all users. It is also important to ensure that any reform should not act as a deterrent to potential change sponsors which need to seek changes to airspace in order to, among other considerations, meet national and international obligations. Similarly, meeting safety, environmental and capacity requirements for all stakeholders is essential and changes must be

in line with requirements to enable the full potential of modern aircraft to optimise performance.

7. The AOA would like to stress that in most cases airspace changes are planned and implemented in order to bring about a range of benefits. Delivering an effective airspace infrastructure brings various benefits, including environmental, safety and economic benefits. Therefore, the airspace change process should be an efficient one to enable necessary and beneficial change.
8. The need to address mitigating factors and the risk of legal action by communities and environmental groups is fully understood by the AOA. Implementing clear and unambiguous stepped processes, which seek to address and improve the airspace change process are to be welcomed provided there is sufficient clarity in terms of the processes which must be followed. The AOA also calls on the CAA to consider carefully the impact in terms of costs and delay, which legal action would be likely to have on change sponsors in cases where legal action does still take place. These costs and delays would then be in addition to an already costly and lengthy process.

#### Airspace Change Process

9. The Airspace Change Process is a key component and enabler for airports in delivering efficiencies in safety, environment and capacity and the AOA believes it is vital for the interests of all parties for the CAA to deliver a clear, stable policy and guidance on airspace change which remains flexible to the local needs of individual airports and communities.
10. The CAA is proposing improving the effectiveness of the airspace change process by introducing additional stages of scrutiny and validation. This includes new stage by stage sign-offs by the CAA at particular 'gateways' in the process. It is intended that this will help address some community concerns around transparency and should also allow sponsors to see more clearly what is expected from them. By validating and approving relevant documents at four gateways during the process before the sponsor can progress to the next stage, providing assurance to all parties of the CAA's satisfaction at key stages during the course of the process that relevant requirements and guidance were being adhered to, the process is intended to reduce some of the current uncertainty for change sponsors.
11. The AOA is concerned that although the new proposed process of stage by stage sign-offs at particular 'gateways' may make legal challenges less likely and deliver a degree of clarity for change sponsors, the new process will take longer and at increased cost for the change sponsor. Furthermore, the new process brings no guarantee or certainty as to the final outcome of the decision. The AOA calls on the CAA to carefully consider means by which to either bring about more certainty with regard to the final outcome of a decision, or alternatively to give greater consideration to the obligations being placed on change sponsors in terms of the time and cost required to bring about a successful airspace change process application.
12. UK airports recognise that it is vitally important to engage with communities in the airspace change, and we welcome proposals for changes to the airspace change process which will ensure airports and communities engage closely at every step of the airspace change process. The UK aviation industry already consults widely on airspace change proposals. However, there



is often a perception from local communities that consultation means that something 'bad' is likely to happen. Whilst the UK aviation industry accepts that change proposers need to take on the task of making consultation clear, transparent and relevant, setting out the positive and possible negative impacts, we call on the Government and the CAA to work with us to ensure the process is clear, and balanced effectively to take account of all stakeholder needs and concerns.

13. We recognise that as an industry we need to engage with local communities to explain our proposals and to help communities understand some of the local-level benefits. We are committed to listening, engaging and consulting communities and we accept that taking local concerns into account may sometimes result in airspace designs and operations being slightly less fuel efficient. However, while change can prove challenging, we need to balance the various benefits and drawbacks. With this in mind, whilst we aspire to reduce the overall impact of change, we need to be open to the fact that changing the location of aircraft may increase the impact for some areas. The AOA is calling on the Government and the Civil Aviation Authority to deliver clear, stable policy and guidance on airspace change, which remains flexible to the local needs of individual airports and communities.

#### Process Gateways

14. The AOA believes the CAA, when meeting with the change sponsor, must be clear at each gateway in what ways the change sponsor has successfully achieved criteria, including where the change sponsor goes beyond what is required, and the CAA must also set out where requirements have not been adequately met.
15. Airspace change processes are rarely similar and often differ from other cases in a number of ways (complexity, size, benefits etc). Therefore, it is important that the outline of expectation and requirement should meet the needs for all sponsors equitably. To this end, the AOA believes that Step 1A needs to have the clearest guidance. While the onus is still on the sponsor, more detailed guidance at this stage may help to prevent and deter delay. If there is clarity of requirement at this stage, the AOA believes this will improve the process.
16. As a change sponsor moves through the process and through each "Gateway", the AOA is concerned that passing each step does not offer any guarantees, making the name "Gateways" somewhat misleading. Without each gateway offering a degree of certainty as to the overall outcome, sponsors cannot manage risk given that there is no improved certainty or confidence for final and overall approval.
17. As to whether the sponsor should engage local stakeholders to agree design principles for the airspace change, the AOA believes it is vital for change sponsors to engage with local stakeholders throughout the process. However, consideration must also be given to the complexity of airspace change design and as to which stakeholders are knowledgeable. There needs to be greater clarity and explanations as to how stakeholders' competence will be evaluated and also in what ways they will be expected to add value to the process. Again, the greater the degree of clarity, the less likely there is to be added costs and delays.

18. While providing data to local stakeholders is important, there is a need to be clear as to which data will be provided and which will not be. The AOA believes it is important to avoid the risk of creating distrust. It must be clear which type of data will be provided and a clear understanding must exist whereby only high level data is likely to be shared.
19. Where a change sponsor uses an independent third party facilitator, there is some potential for it to be regarded by local stakeholders as being more fair, open and trustworthy. However, whether a third party facilitator will add value to the process is not guaranteed. Furthermore, the use of a third party facilitator does not remove the possibility of stakeholders deliberately attempting to delay each step. The appraisal objective should include a system, that prevents unnecessary delay where due consideration has been applied to the effective communication of consultation documents, data and information.
20. The AOA believes for Stage 3 of the Airspace Change process, the change sponsor and stakeholders must be in a position where they can “demonstrate all reasonable actions have been taken” and sign off on this. Again, said actions can be hard to measure and so stakeholders must not be able to unduly delay the process at this stage where reasonable action has clearly been carried out.
21. The AOA is, in principle, supportive of the introduction of a new Public Evidence Session where it can improve the airspace change process. Public Evidence Sessions are to be welcomed where they achieve greater transparency and trust and where they have clear expectations. Such Public Evidence Sessions would not be a formal legal process, and it is important to ensure there are safeguards to ensure that such sessions would not grow in size, burden or significance to the overall process.

#### The need for Modernised Airspace

22. There is an urgent need to modernise airspace across the whole of the UK and with no improvement, flight delays are likely to soar to 50 times what they are today, creating unnecessary additional noise and CO2 emissions as well as costing airlines over £1 billion per year, impacting the environment, local communities and the wider UK economy.
23. As the Department for Transport (DfT) moves forward to review its policy on noise and airspace, the AOA calls on the CAA to deliver a clear, stable balanced policy and guidance that recognises the needs of all stakeholders, propose and deliver mechanisms for establishing the will of local stakeholders prior to formal consultation so that changes close to airports are progressed by collective agreement, and in so doing help to reduce the political short-termism that has delayed airspace modernisation thus far.

***For further information, please contact AOA Policy Manager Peter O'Broin on 020 7799 3171 or [peterobroin@aoa.org.uk](mailto:peterobroin@aoa.org.uk)***





## Metson Trevor

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**From:** Airspace Policy  
**Sent:** 13 June 2016 10:43  
**To:** Metson Trevor  
**Cc:** Walker James  
**Subject:** FW: CAP 1389 - consultation on proposals to improve the Airspace Change Process - BGA response

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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**From:** Pete Stratten [<mailto:pete@gliding.co.uk>]  
**Sent:** 13 June 2016 10:34  
**To:** Airspace Policy; ATOL Consultation  
**Subject:** CAP 1389 - consultation on proposals to improve the Airspace Change Process - BGA response

The British Gliding Association strongly supports the need to modify the airspace change process. Our detailed responses to the CAP 1389 consultation questions are included within the GA Alliance response submitted by Geoff Weighell and support the following principles;

### Avoiding the need for an ACP

Before starting the ACP process the potential sponsor should engage with all aviation stakeholders to review the need for any ACP and look for possible alternative options which may avoid an ACP by adopting different practices or an alternative solution. CAA should act as the facilitator for this process.

### Starting the ACP correctly

It is crucial that the initial stages of any application are carried out correctly, thoroughly and honestly. If not, correction at a later date will cause unwarranted delay and unnecessary work and cost for both the sponsor and consultees. The CAA must monitor the initial stages and be robust in their assessment prior to agreeing that a Gateway has been achieved.

### Consultation fit for purpose

Whilst many ACPs are sponsored by commercial interests with financial resource consultees are largely individuals or membership organisations with limited time and resource. Consultation documents should be presented so that they can be read and understood by the target audience. An appropriate CAA Gateway review prior to formal consultation should ensure that documents meet this requirement.

### Efficient use of time and effort

There should be a principle that the ACP process is to be made as simple and straightforward as possible. Proper consideration of options prior to the formal ACP process and eventual production of easy to understand documents will reduce confusion, conflict and delay.

### Prioritisation of CAA resource

We understand that the CAA has limited resources however it should be possible to assess each application on its complexity and prioritise the more simple applications so that they can be progressed speedily through the CAA stages to avoid any unnecessary delay that may occur if just treated as first come first served.

Please do get in touch if you have any questions.

Regards

Pete

Pete Stratten  
Chief Executive Officer

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## Metson Trevor

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**From:** Susan Halstead  
**Sent:** 14 June 2016 18:33  
**To:** Metson Trevor  
**Subject:** CAA Consultation on proposals for a revised airspace change process

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Sir,

I write on behalf of the East Hampshire Association of Parish and Town Councils, an organisation which represents all local councils within East Hampshire. Throughout the past year the organisation has been involved in lengthy discussions arising from the TAG Farnborough consultation, which as far as we know has yet to be determined.

Our attention was first drawn to the TAG proposals by Lasham Gliding Society, but on investigation it became apparent that these proposals could also have significant implications for residents in many of our communities across the north of East Hampshire District. It became clear that the existing process, particularly the technical documentation, is not sufficiently accessible or transparent to the public at large. The revised process must rectify this serious omission. Whenever future consultations on proposed airspace changes take place all stakeholders, including all potentially affected communities, must automatically be notified directly and provided with clear essential information.

In relation to the unresolved TAG proposal we understand that FASVIG has produced a report with a view to the CAA achieving a mediated outcome amongst aviation stakeholders. Whilst it is disappointing that this only focuses on the technical issues of the ACP, I also understand that FASVIG has recommended that TAG withdraw the ACP so a revised version could be reviewed and discussed, and I hope that process will give us the opportunity to consider and comment on any potential impact for our local communities.

At our meeting last week it was agreed that we should urge the CAA to stop the current TAG proposal and ask for it to be re-run in a far more open, transparent way which can involve all stakeholders, including local communities.

Regards,  
Cllr Sue Halstead  
Vice Chairman,  
EHAPTC



**EAST MIDLANDS AIRPORT  
INDEPENDENT CONSULTATIVE COMMITTEE**

**Independent Chairman  
East Midlands Airport  
Castle Donington  
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**6 June 2016**

**Email: [airspace.policy@caa.co.uk](mailto:airspace.policy@caa.co.uk)**

**For the attention of: Trevor Metson, Policy Programme Team**

**East Midlands Airport Independent Consultative Committee  
Monitoring, Environment, Noise and Track Monitoring (MENT) Sub Committee  
CAA CONSULTATION – PROPOSALS FOR A REVISED AIRSPACE CHANGE PROCESS**

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Thank you for the comprehensive details presented to the MENT meeting held at East Midlands Airport on Friday 3 June 2016. MENT members appreciated the details provided by yourself and Jim Walker.

The opportunity and deadline for comments on HOW DECISIONS ABOUT THE UK'S AIRSPACE ARE MADE were noted and it was agreed that the following comments be submitted.

MENT members fully support the principles of greater transparency and improving public understanding of airspace changes, and in these respects support the proposed procedural changes. There are concerns, however, on how the CAA will communicate with the general public and how the information will be made available. In addition, assurance is sought that the whole process will be made comprehensible to the general public.

Recommendations for communication and consultation include:

- Website and portal – how will attention be drawn to the website
- Identification of interest groups and focus groups
- Advertisements in the press and which press – to include Free local newspapers and magazines and TV advertisements
- Clear, concise and complete English
- Social media, Facebook, Twitter etc
- Letters to county and local councils
- Notices in libraries
- Notices in airports
- Airlines

Members felt that communications with the public must be designed to avoid internal aviation jargon and concepts alien to the public. For instance the initial step talks of airspace design principles: members felt this may be a somewhat arcane concept to the general public, and may give little understanding of the impact on their community. For many people, the only meaningful concept will be the number and timing (day/night/early morning) of aircraft over their home and locality. We would urge therefore, that consultations within the new procedures be carefully worded to recognise that the majority of the general public do not have specialist aviation knowledge or understanding.

The MENT Committee as part of the East Midlands ICC would very much welcome continued involvement and information in the consultation process going forward.

Thank you again for the information provided.

**Chairman**

On behalf of MENT – EMA ICC

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# Response to the CAA Consultation on proposals for a revised airspace change process

**Gordon Robertson**  
Director of Communications

14 June 2016

## Introduction

1. Edinburgh Airport is Scotland's busiest airport and currently 5<sup>th</sup> 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.

## Overview

9. Edinburgh Airport welcomes the opportunity to respond to the consultation on the CAA's proposed changes to the airspace change process and is supportive of the changes proposed.
10. Having been on the 'front line' with an airspace trial in 2015 and currently running a full airspace change project, Edinburgh Airport is well placed to comment on the proposals, particularly those that recognise that airports and their surrounding communities need a framework that satisfies the needs of both parties and allows better decision making.
11. We support any proposal that assists towards delivering the necessary development of UK airspace. We support the principle of reforming the process for airspace change to help enhance the current process, create greater transparency as well as certainty for all users.
12. Airports will wish to change airspace for a variety of reasons. We believe strongly that any reform should not be a barrier to airports meeting directives from the various national and international bodies that regulate aviation. Similarly, safety, environmental and capacity requirements for partners and stakeholders are essential as we keep pace with higher performance aircraft and navigation technology.
13. Edinburgh Airport believes that airspace changes are planned and implemented in order to bring about a range of benefits. Delivering an effective airspace infrastructure brings various benefits from economic

and social impacts to operational performance. The process therefore has to be as efficient and as focused as possible as that those benefits can be maximised.

14. Those benefits can be counterbalanced by the impact of airport operations on local communities and different priorities from environmental groups. Edinburgh Airport is currently engaged in putting the case for change to these groups and understands the need to address mitigating factors and the very real threat of legal challenge. A lack of clarity around roles, responsibilities and process can prove troublesome here.
15. Edinburgh Airport therefore welcomes the implementation of a clear and unambiguous stepped process, which we believe improves the process and provides the clarity that airports, communities and other stakeholders require.

### **Airspace Change Process**

16. The Airspace Change Process is a key component and enabler for airports in delivering efficiencies in safety, environment and capacity and Edinburgh Airport believes it is vital for the interests of all parties for the CAA to deliver a clear, stable policy and guidance on airspace change which remains flexible to the local needs of individual airports and communities.
17. The CAA is proposing improving the effectiveness of the airspace change process by introducing additional stages of scrutiny and validation. This includes new stage by stage sign-offs by the CAA at particular 'gateways' in the process. It is intended that this will help address some community concerns around transparency and should also allow sponsors to see more clearly what is expected from them. By validating and approving relevant documents at four gateways during the process before the sponsor can progress to the next stage, providing assurance to all parties of the CAA's satisfaction at key stages during the course of the process that relevant requirements and guidance were being adhered to, the process is intended to reduce some of the current uncertainty for airports.
18. Edinburgh Airport welcomes the new proposed process of stage by stage sign-offs at particular 'gateways' as it delivers a degree of clarity for all involved. However, the new process will take longer and at increased cost for the airport. Edinburgh Airports understands that as the regulator, the CAA cannot guarantee a positive decision at the end of the process. That said, Edinburgh Airport asks that this is given due consideration by the CAA to cost and timescale as they should neither be punitive nor prohibitive where airports enter into the process in good faith.
19. Edinburgh Airport, like many of our colleagues across the UK understands the importance of meaningful engagement with communities both in terms of the airspace change process, but also as a matter of normal 'business as usual'. We are firm in our belief that all proposals for changes to the airspace change process which will ensure airports and communities engage closely at every step of the airspace change process should be welcomed and can only benefit both parties.
20. The UK aviation industry already consults widely on airspace change proposals. In our experience, this consultation does not meet the standards of other industries and is not best in class. Edinburgh Airport, through its own difficult experiences, is changing that in Edinburgh, but believes that the aviation industry, from airports to regulators to NATs needs to raise its game.
21. Communities don't believe us and believe the consultation we do is a sham. This crisis in trust must be tackled head on and we believe that the changes to the process will deliver on this somewhat, but can only augment existing community engagement.
22. Edinburgh Airport believes that the UK aviation industry is cognisant of and ready for this challenge and asks the CAA to ensure the framework for change reflects this and allows airports to be clear,

transparent and engaging with a process that engenders trust, information sharing and constructive dialogue. This support is essential.

23. Change is seen as a technical exercise – not as an important conversation with communities and other stakeholders. Balance needs to be brought to this and Edinburgh Airport sees this change to the ACP process as the beginning of a welcome cultural change in the CAA and NATS.

## Process Gateways

24. Edinburgh Airport urges that the CAA, when meeting with airports, must be clear at each gateway in what ways the airport has successfully achieved criteria, including where the airport goes beyond what is required, as well as being very clear where it has not made the required standard.
25. Equally – the process must reflect that no airspace change projects is the same and therefore provide initial guidance to airports at the outset is vital so that resources and time are not wasted.
26. As an airport moves through the process and through each “Gateway”, Edinburgh Airport asks that each part of the process is closed, thereby giving clarity and assisting airports in managing risk on the final approval. For example, if a Gateway was missed, the airport would not be sent back to the beginning of the process.
27. Edinburgh Airport also believes that each segment should be assigned a target timeframe for reviews and approvals. This would yet again add clarity and understanding and also keep momentum and perhaps mitigate against the process being bogged down unnecessarily.
28. Edinburgh Airport believes that this would also offer clarity to stakeholders in terms of the process and the progress or otherwise.
29. Edinburgh Airport welcomes the facility to involve local communities and stakeholders in the agreement of design principles for the airspace change. Indeed, this is a dialogue that has to continue throughout the process.
30. Edinburgh Airport has found that this is a vital but challenging activity. Airspace design is complex as are the measurements of its impacts, particularly noise. Finding parameters and agreed data sets is a difficult process. Therefore, there needs to be clarity and explanation on how best stakeholders’ opinions can add value and avoid this part of the process causing antagonism and further mistrust.
31. In engaging with communities on noise and tracking data, Edinburgh Airport has come to understand how important this is to ongoing relations and the airspace change process. A clear and unambiguous benchmark is required to allow meaningful discussion. In particular, airports must be able to balance reasonable requests with unreasonable requests that require more resource and offer no real value to the discussion.
32. These guidelines should be clear on what will be and importantly, what will not be shared. Edinburgh Airport’s suggestion is that it would be mainly high level data that would be shared.
33. Edinburgh Airport is currently engaging independent third party scrutiny and we believe that this a useful way of building trust and rigour. In order to get the best way of doing this, we benchmarked against other industries to find a model that suited our situation. We understand that this will not assuage all trust issues and the fact that these individuals must be remunerated can cause some to question their independence.
34. Edinburgh Airport would welcome guidance from the CAA on what it considers the best practice in this area and that this would provide necessary support and clarity.



35. Edinburgh Airport agrees with the AOA in its belief that for Stage 3 of the Airspace Change process, the change sponsor and stakeholders must be in a position where they can “demonstrate all reasonable actions have been taken” and sign off on this. These actions can be hard to measure and so stakeholders must not be able to unduly delay the process at this stage where reasonable action has clearly been carried out.
36. Edinburgh Airport is supportive of the introduction of a new Public Evidence Session where they achieve greater transparency and trust and where they have clear expectations. Such Public Evidence Sessions would not be a formal legal process, and it is important to ensure there are safeguards to ensure that such sessions would not grow in size, burden or significance to the overall process. Again, this would benefit from clarity on what is and what is not in scope.

### **The need for Modernised Airspace**

37. We share the AoA’s view that there is an urgent need to modernise airspace across the whole of the UK and with no improvement, flight delays are likely to soar to 50 times what they are today, creating unnecessary additional noise and CO2 emissions as well as costing airlines over £1 billion per year, impacting the environment, local communities and the wider UK economy.
38. As the Department for Transport (DfT) moves forward to review its policy on noise and airspace, Edinburgh Airport ask the CAA to deliver a clear, stable balanced policy and guidance that recognises the needs of all stakeholders, propose and deliver mechanisms for establishing the will of local stakeholders prior to formal consultation so that changes close to airports are progressed by collective agreement, and in so doing help to reduce the political short-termism that has delayed airspace modernisation thus far.
39. Further, we would hope that this starts the required culture change in the aviation industry where it will deploy best practice in engagement, put equal weight on technical solutions and community engagement and support airports in the extremely difficult job of balancing the maximisation of operational needs against the minimisation of community impacts.

Ends.





2 June 2016

Dear Sir

**CONSULTATION ON HOW DECISIONS ABOUT THE UK'S AIRSPACE  
STRUCTURE ARE MADE**

This letter is a response to the CAA's consultation process on the above.

The most fundamental issue is the over-complicated governance arrangements relating to air traffic planning and management arising, in large part, from the number of organisations involved and their different remits - the Department of Transport, the CAA, NATS and even the airports themselves who initiate the scheduling of aircraft. This leads to a lack of transparency and, in consequence, causes a barrier to public engagement, particularly local communities, prior to important decisions being taken that can seriously affect their **quality of life**. The consequential detrimental impact on public consultation is considerable and is well illustrated by the statements you make in your **eight-page** fold-out leaflet about the issues the consultation is not about because they are outside the CAA's remit. In practice this often means that basic and fundamental decisions about numbers of flights, scheduling and flight paths are made before any public consultation and also leads to incomplete and deficient controls. An example of the latter is the limited empowerment of NATS to direct **aircraft** on flight paths and aircraft height: NATS can only advise because it is ultimately the pilots decision as the latter is responsible for aircraft safety. Certainly at Gatwick this is often abused by pilots leading to aircraft approaching far below the minimum height limit.

This lack of transparency relating to governance arrangements and the impact on **effective** consultation is, I believe, within the remit of the current review. Community groups and members of the public should be consulted at all stages on all issues relating to **airports** and the use of airspace and there should be one unitary authority that coordinates this.

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The original report by Helios highlighted the fact that the CAA have been playing 'judge and jury' with airspace changes, with a potential conflict of interest - taking economic and **safety** as priority and **giving** little weight to the detrimental impact on local communities and giving **little opportunity** for community engagement.

---

Putting to one side the issue of a unitary authority I have four main points to make.

Firstly, if a change in airspace is submitted to the CAA by an airport or air traffic **control** body, the CAA should conduct its own consultation with all local authorities and communities potentially affected and should also announce each individual **consultation** process nationally with a minimum prescribed time, of say six months, for views to be submitted. It should then publish the results of the consultation and the CAAs response.

Secondly, the remit of the CAA should be clarified and more specific mentioned made about considerations relating to the environmental impact of aircraft on local communities. **There** is

little about what this means in practice - this should be defined in greater detail - and also an indication of the weight that should be given to such environmental issues, including noise as well as other issues relating to pollution.

Thirdly, there should be a recommended list of relevant and measurable performance indicators on the CAAs performance in responding to environmental issues - relevant to those that have the misfortune to live under or near a flight-path - this involves effective monitoring and the results of the monitoring should be published annually. Measurable performance indicators should include the numbers of people affected by aircraft noise, aircraft movements by time of day (& night) and proportion of aircraft who fly under a minimum prescribed height for different ranges of set miles from the runway by time of day and night and, similarly, the proportions and numbers that stray from the designated flight path. These consolidated reports relating to the environmental impact of passenger aircraft - which will include information submitted by the airports, NATs and other organisations as appropriate - should be submitted to a consultative committee which includes representatives from the relevant communities. Going back to what I wrote at the beginning of this letter, this will provide the transparency and an effective democratic process that is currently missing.

Fourthly, an effect planning appeal mechanism should be put in place. Those living close or under flight paths or proposed flight paths are currently faced with a costly Judicial Review as the only route to appeal against airspace changes.

A copy of this letter goes to Greg Clarke, MP for Tunbridge Wells.

Yours Sincerely



DAVID A H FENWICK

Resident of Tunbridge Wells & Founder of Gatwick Area Nighflight Nightmare (GANN).





## Metson Trevor

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**From:** Walker James  
**Sent:** 15 June 2016 14:35  
**To:** Metson Trevor  
**Subject:** FW: FASIIG Response to CAA Consultation on revised airspace change process

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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**From:** SHAND, Andy [<mailto:andy.shand@nats.co.uk>] **On Behalf Of** FAS  
**Sent:** 15 June 2016 14:06  
**To:** PerataSmith Barbara  
**Cc:** Lindsey Stuart; Roberts Phil; [paul.tate](#); Chris Barnes  
**Subject:** FASIIG Response to CAA Consultation on revised airspace change process

Dear Barbara

Whilst you may have already received a response from a number of the Future Airspace Strategy Industry Implementation Group (FASIIG) members please also find below my response to the CAA consultation on the revised airspace change process in my capacity as FASIIG co-chair. Please note that MoD have responded separately and are not covered by this response.

### **Greater CAA involvement through the development process**

FASIIG welcome the addition of gateways where CAA will formally assess the process to date. This could reduce the risk that sponsors carry when CAA assessments are made only at the end of the ACP process. However, it needs to be made clearer - if there is still the risk that during the last CAA decision gate that CAA can still go back to gates they previously agreed to. This should not be the case, unless there is a fundamental change or factual error, FASIIG members need to be certain that the passing of a gate cannot normally be changed by the CAA. Additionally, owing to the gate system, there would not seem to be the same requirement for a further 16 weeks (or longer) by the CAA to reach its decision - the process should be shorter as it would already have 'agreed' to significant parts of the ACP.

### **"Third Party" Involvement in the Regulatory Process**

The proposal considers third party facilitation, moderation and oversight of various elements of the change process. Our position is that the CAA **should** be the **independent** presence in the process. It is **recognised** that not all stakeholders currently see the CAA as independent; however the whole point of the new guidance is to assert this independence. Third parties may introduce their own bias, or short term political influence into a process that should be balanced and focussed on the long term.

### **Gateway and Decision timescales**

The proposed new process will inevitably take longer and as such the effect of any further delays will be amplified. Clarity on the CAA's maximum turnaround time for all gateways is critical for planning. In this context the CAA's failure to suggest any maximum time limit to the decision making steps is a serious oversight. Time afforded to the CAA, as decision maker, should mirror the planning system where failure to determine even major applications within 16 weeks is de-facto grounds for appeal.

### **Appeals process**

FASIIG supports the CAA's proposal to not introduce an appeal process as it would be of limited added value given other safety nets built into the process. It also would have practical consequences to timescales that would make scheduling implementations impossible without impacting other improvement projects and service delivery.

### **Stakeholder Obligations**

FASIIIG proposes an additional CAA role in Stage 3: the CAA is expected to ensure that the information put into the public domain by the sponsor is based on robust evidence, is clear and factually correct – they should also ensure that the same standards are applied to information introduced by stakeholders.

It is not practical for the CAA to review all material in the public arena. However, where it is brought to their attention that either sponsors or stakeholders are publically presenting incorrect, misleading or ambiguous information, then the CAA should have moderating role. This should include a commitment to clarify their independent view on the information in question.

### **CAA Resourcing**

Without formal coordination, it is reasonable to expect that many UK airports will seek to delay investment in the PBN changes required by European Implementing Rule's (IR) until the latest possible point. This is because in many cases PBN will not offer the sponsors any immediate commercial benefit.

It would appear from the proposal that the CAA expects the demand for change to rise and plateau over the coming years as a result of PBN IR. However the above scenario would not present a plateau as such - rather a sharp peak around 2022. It is not clear how this peak could be processed by the CAA.

There may also be a peak of change more immediately as sponsors seek to complete changes that have been initiated on the extant process, prior to new guidance being issued.

In both cases, a lack of CAA resources to manage peaks would likely result in prioritisation of changes, effectively imposing a schedule where some are dealt with first and others are delayed. Rather than being reactive and applying a first come first served basis, we would seek clarity from the CAA on how such scheduling conflicts are to be actively managed to the benefit of industry as a whole.

In addition, in the longer term we would urge CAA to consider devolving more responsibility related to procedure design to industry with a regulatory focus on the quality approval of the procedure design organisation rather than approval of individual designs.

### **Funding**

The CAA recovers a significant amount of money from airlines for its activities in relation to air navigation services generally, and airspace regulation specifically, whether directly through the UK Unit Rate or indirectly through CAA fees. FASIIIG supports that the appropriate mechanism for the CAA to recover its airspace change costs is to continue to use the UK Unit Rate and would expect that the CAA finds significant efficiencies in its own operation to minimise pass cost pass through and address any changes to cost base in RP3.

In the short term the CAA can either finance additional cost through its own reserves or borrowing. Not only is the CAA likely to be able to find more favourable borrowing rates than private entities (which will already be bearing their side of the increased process costs), as a UK Government regulator it could also seek to recover these borrowing costs through the FAS Facilitation Fund.

### **Process Flexibility to deal with Large scale, Complex and Contentious Network Changes**

The proposed process appears relatively rigid; however, it is vital that the regulatory process is flexible enough to work for proposals which may differ widely in scope and complexity. For example changes may range from local route changes sponsored by individual airports, to those involving multiple ANSPs in complex/contentious TMA environments.

The latter require process flexibility to accommodate phased implementations, modular ACPs with different elements sponsored by different organisations, and use of the “design envelope consultation” methodology (previously referred to as swathe consultation).

FASIIIG members have also asked for more clarity on replication. Where a proposed route 'replicates' an existing SID, STAR, ILS, etc., the ACP requirements should be very light touch. There should also be case where there are no significant changes the same should apply – with a clear definition and examples to show what is regarded as significant.

### **Practical Implications and Examples**

The proposed process has positive principles, but lacks detail as to what it would mean in reality for detailed sponsor requirements, costs and timescales. To resolve this we strongly recommended that the CAA engage with sponsors directly to work through practical examples to illustrate how the requirements and timescales would have



differed if running with the new process. These examples should range for local 'replication' to large scale network changes.

These practical examples should be part of the guidance document set so there is complete transparency and minimal risk of misinterpretation by either sponsors or stakeholders.

Best regards

**NATS**

**Andy Shand**

NATS General Manager Customer Affairs  
Airlines & Business Aviation  
& Co-chair UK FAS Industry Implementation Group

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# **Future Airspace Strategy VFR Implementation Group**

[www.fasvig.org](http://www.fasvig.org)

Title:	FASVIG Response to CAP 1389
Subject	CAA CAP 1389 - Consultation on proposals for a revised airspace change process
Document Number:	MAS06-0001
Version:	1.0
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FASVIG Project:	MAS06 - CAP 725 Process
Author:	Geoff Weighell (MAS06 Project Leader)
Publication Date:	14 <sup>th</sup> June 2016



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## Summary

CAP 1389 is a lengthy and complex consultation document that discusses the CAA responses to the Helios study, commissioned in 2015, into the existing Airspace Change Process (ACP) and sets out proposals for change influenced by the findings of that study.

The Helios study highlighted a significant distrust of the current process principally by stakeholders who were not ACP Sponsors or the CAA.

Particular areas of distrust include:

- Sponsor's consultations being written to mislead
- Final airspace change proposals not being available to consultees for further comment
- Perceived misrepresentation of responses from consultees
- Uncertainty of CAA involvement and influence on proposals
- Proper consideration of consultee responses in the CAA decision making process

CAP 1389 sets out to propose options to address these concerns as well as making the process of application clearer, systematic, repeatable and transparent. It also recognises that guidance for applicants will help to guide their progress resulting in more complete and robust applications. This should help reduce distrust as well as improving the quality of applications.

We also make the following points:

Avoiding the need for an ACP as the first step. Before starting the ACP process the potential sponsor should engage with all aviation stakeholders to review the need for any ACP and look for possible alternative options which may avoid an ACP by adopting different practices or an alternative solution. CAA should act as the facilitator for this process.

Starting the ACP. It is crucial that the initial stages of any application are carried out correctly, thoroughly and honestly. If not, correction at a later date will cause unwarranted delay and unnecessary work and cost for both the sponsor and consultees. The CAA must monitor the initial stages and be robust in their assessment prior to agreeing that a Gateway has been achieved.

Consultation documents. Whilst many ACPs are sponsored by commercial interests with financial resource consultees are largely individuals or membership organisations with limited time and resource. Consultation

documents should be presented so that they can be read and understood by the target audience. The CAA Gateway review prior to formal consultation should ensure that documents meet this requirement.

Time and Effort. There should be a principle that the ACP process is to be made as simple and straightforward as possible. Proper consideration of options prior to the formal ACP process and eventual production of easy to understand documents will reduce confusion, conflict and delay.

Prioritisation. We understand that the CAA has limited resources however it should be possible to assess each application on its complexity and prioritise the simpler applications so that they can be progressed speedily through the CAA stages to avoid any unnecessary delay that may occur if just treated as first come first served.

The FASVIG largely supports the proposals discussed in CAP 1389 and has commented further in its detailed response.

## Discussion

### The proposed stages of the process and Gateways

The proposal breaks down the current stages of the process and introduces "gateways", points of validation. The stages contain more detailed guidance for applicants which if followed should help them to scope, plan, consult and submit applications in a consistent and transparent way. Although the overall stages are not dissimilar to the current process the increased guidance is welcome.

The gateways are introduced throughout the process as points of validation so that an application will not progress to further stages and later be discovered to be missing necessary information or steps, forcing remedial action on behalf of the sponsor.

**The FASVIG supports the plans for the stage reform, more detailed applicant guidance and gateways as proposed.**

---

**Stage Specific Questions****Stage 1 Specific Questions****Question 1: Will the new process gateways improve the airspace change process?**

Yes

- a) By validating sponsor actions throughout the process to ensure that best practice has been followed to ensure a fair reflection of sponsor and consultee views and opinion.

**Question 2: Should the sponsor engage local stakeholders to agree design principles for the airspace change?**

Yes

- a) It is unusual for an ACP to go unchallenged and so early engagement with affected parties is essential to develop a cooperative relationship from the outset rather than a combative relationship later in the process.
- b) The previous process made this engagement optional and sponsors of complex ACPs generally avoided it. Although ANSPs and commercial organisations may argue against this change it is vital for the development of effective airspace and to meet the vision of the FAS. Whilst local engagement with residents may satisfy this task from an environmental aspect, the nature of aviation means that other airspace users who will have a contribution to make are likely to be based further afield. Engagement via the GA members of NATMAC would resolve that. It is also our experience that sponsors tend to choose local aviation individuals who are supportive of their plan and do not involve a wider cross section.

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**Question 3: What types of data would you find it useful for the sponsor to provide when engaging local stakeholders about design principles? How should this data be presented?**

- a) Data, or information, should honestly reflect the plans of the sponsor giving reasoning behind the proposal and alternative options. Some sponsors of past and current proposals almost ignore the effect of their proposals on other airspace users and ground based stakeholders. This generates a basic mistrust from the outset and leads to an adversarial relationship developing.
- b) Data, information, should be presented in a way that it can be clearly understood by the audience that it is presented to taking into account their knowledge and understanding of aviation and relevant matters, such as environmental impact.

**Question 4: In addition to specific detail, what general background information would you find it useful for the sponsor to provide as context for its proposals?**

- a) Data, or information, should honestly reflect the plans of the sponsor giving reasoning behind the proposal and alternative options. Some sponsors of past and current proposals almost ignore the effect of their proposals on other airspace users and ground based stakeholders. This generates a basic mistrust from the outset and leads to an adversarial relationship developing.
- b) Data, information, should be presented in a way that it can be clearly understood by the audience that it is presented to taking into account their knowledge and understanding of aviation and relevant matters, such as environmental impact.

**Question 5: Overall, will Stage 1 improve the airspace change process?**

Yes

- a) Early stakeholder engagement can only improve the process. It is possible that some sponsors will endeavour to avoid this requirement by paying lip service to it. It will be important for the regulator to audit compliance with this before the process moves on.



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## Stage 2 Specific Questions

### **Question 6: Will introducing the options appraisal we propose improve the airspace change process?**

Possibly.

- a) The "options appraisal" is the sponsors "justification" for the preferred option and should/could demonstrate that due consideration has been given to alternative options. Although this will inevitably involve more work to develop, as each option will require research and assessment, it should ensure that the sponsor has arrived at their preferred option following a thorough review of alternatives and that they can justify this option as best all-around to other stakeholders.

### **Question 7: Overall, will Stage 2 improve the airspace change process?**

Possibly.

- a) By setting out more detail to follow in the stage and requiring sponsor consideration and justification throughout the stage.

## Stage 3 Specific Questions

### **Question 8: Would an independent third-party facilitator make a sponsor's consultation more effective?**

Don't know

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**If so, should a facilitator be a mandatory requirement for certain types of airspace change? Please give your reasons and any other views (including benefits and disbenefits) on facilitators.**

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Unlikely.

- a) In some cases an independent facilitator might help regulate the process of discussion between the sponsor and consultee although the use of an open online portal, as proposed, will discourage inaccurate comment or extreme views as all material will be open to the public for scrutiny.

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**Question 9: Should the CAA publish all consultation responses in full, except to moderate them for unacceptable content?**

Yes

- a) The opinion of other stakeholders can inform and guide others in their response.
- b) Issues of significant importance to specific groups of stakeholders will be openly displayed demonstrating transparency in the process.

**Question 10: Should the CAA publish airspace change consultation responses as they are submitted, rather than at the end of the consultation period?**

Yes

- a) The opinion of other stakeholders can inform and guide others in their response.

**Question 11: Should consultation responses be made solely through the online portal?**

No

- a) Not everyone has the ability to access the internet so this would be unfair on some individuals.
- b) The portal may not accept certain information formats and so could restrict the consultees' response options.

**Question 12: Do you think that the consultation process proposed in Stage 3 achieves the right balance between fairness, transparency and proportionality?**

Yes

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**Question 13: Overall, will Stage 3 improve the airspace change process?**

Potentially

- a) CAA scrutiny of consultation documents prior to consultation should ensure that they are clear, complete and appropriate for the audience.
- b) The publication of responses to the consultation and reaction by the sponsor should ensure a greater degree of transparency in the process.

**Stage 4 Specific Questions****Question 14: Should sponsors be required to adhere to a standard template for their airspace change submissions?**

Yes

- a) This will make it more straightforward for all concerned to read and understand proposals.
- b) The proposal is for a scalable process so although there is a standard template simpler proposals may not be significantly disadvantaged by following the prescribed format.

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**Question 15: Is it reasonable for the CAA to publish a redacted version of the submission, with commercially sensitive details removed, as soon as we receive it, before we have assessed and decided upon it?**

Yes

- a) Currently only the first draft proposal is consulted upon. There can be significant changes between the first draft and the final submission and so consultees should have access to the final submission and be given the opportunity to respond where they consider there have been changes that they have not had the opportunity to comment on previously.

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**Question 16: Overall, will Stage 4 improve the airspace change process?**

Possibly

- a) The Stage 4 proposals should give greater transparency to the process of consideration of responses and amendments to option design.

**Stage 5 Specific Questions****Question 17: Will introduction of a new Public Evidence Session improve the airspace change process?**

Possibly

- a) It will give the opportunity for points to be made and clarified in person, which some individuals may find less difficult than in writing.
- b) There is a possibility that unless well controlled such events could turn into an unproductive moaning session.

**Question 18: Is Step 5B (CAA decision) a clear and transparent way of making an airspace change decision?**

Possibly

- a) There seems to be no change in the decision making process itself, although the publishing of all material relevant to the decision is welcome.
- b) The decision itself will be made as the result of balancing the arguments for and against a proposal. It is important that the evidence and information presented is a true reflection of reality and that due weight is given to all factors, not just driven by commercial pressures. Recreational aviation, peace and tranquillity, air quality etc. are all important to those who might be affected negatively by a change and their concerns should be considered as at least as important as those who will directly benefit from change. There needs to be a balance of interests.
- c) The suggestion of an Oversight Committee would in our opinion add a level of "pressure to get it right" but could also delay decisions

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**Question 19: Overall, will Stage 5 improve the airspace change process?**

Possibly

- a) If transparency influences discussion and decision making.

**Question 20: What are your views on our proposal not to introduce an appeal against process irregularities into the airspace change process?**

- a) If due process is followed then there is no reason not to have an appeal process available.
- b) Including an appeals process against process irregularities should be seen as essential to the sought after improvements in transparency that this process needs. The alternative, a Judicial Review, is expensive and time consuming; in reality a non-starter for most groups and individuals.

### Stage 7 Specific Questions

**Question 21: What types of data would you find it useful for the sponsor to provide, and in what form, when seeking feedback for its post-implementation review?**

- a) Information on actual movements through the airspace shown in comparison to that indicated as expected in the ACP.
- b) Information on improvement of flight efficiency if that was a reason for the ACP.
- c) Reaction to the operation of the new / revised airspace from all the consultees who originally commented on the ACP to include:
- Their view of the actual impact of the change compared to what they believed may happen and what they were told would happen.
  - Any changes in aviation behaviour as the result of the airspace change. For example rerouting to avoid the airspace.
  - Any knock-on effects of the airspace change such as the creation of choke points or increased local noise.

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**Additional comment:**

- a) It is important that the PIR is carried out as soon as the period of 12 months has passed, and undue delay is avoided. The airspace sponsor should be in a position to present the required data to the CAA soon after the 12 month period has closed, as they will be aware of the requirement and can be preparing the response. The response should be with the CAA within 3 months of the PIR starting.
- b) The proposal should be more prescriptive about time limits to address PIR findings to avoid unsatisfactory situations continuing.

**Question 22: Overall, will Stage 7 improve the airspace change process?**

- a) A PIR is important as it has the potential to withdraw airspace and so should ensure that sponsors make initial applications that are responsible and proportionate to need. However, the PIR process must be robust and not seen to be a box ticking exercise.

**Question 23: Overall, will the airspace change process proposed in Chapter 4 achieve the right balance between fairness, transparency and proportionality?**

Yes

## **Chapter Specific Questions**

### **Chapter 4 Specific Questions**

#### **Question 24: Should the CAA set up an Oversight Committee?**

No

- a) The CAA should have sufficient expertise in the ACP review team to address all aspects of the proposal without an additional team to repeat the work, particularly if the Oversight Committee includes CAA staff as suggested. The CAA team can call on additional assistance if particular expertise is needed without having to have a formal committee on standby.
- b) If an appeal process is included in the ACP and all documentation and responses are available to view on the online portal there should be no need for an Oversight Committee to improve transparency of process.

#### **Question 25: Are there any other areas where the CAA should provide guidance?**

Yes

- a) FASVIG is presently drafting a document setting out VFR Significant Areas (VSA) and we would expect this information document to be called up by the process to inform potential sponsors of the likely usage of certain areas by VFR operators. By this means they will have specific contacts relevant to their area of interest and an immediate outline of the present activity. FASVIG intends to propose that this document forms the basis for a CAP and we suggest that it is referenced in the change process as a requirement in much the same way that question 2 requires for local groups.

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**Chapter 5 Specific Questions**

**Question 26: Does Table 5.1 give sufficient clarity and detail of how the process will be scaled?**

Yes

- a) There is enough detail.

**Question 27: Do you have (i) any views on the way the Levels are categorised in Table 5.1, (ii) alternative suggestions as to how we might categorise different airspace changes, or (iii) other views about the proposed scaling of the process generally?**

No

**Question 28: Do you agree that the number of airspace change proposals put forward to the CAA is likely to increase in the future?**

Yes

- a) There is a general belief that commercial aviation activity will increase and more regional airports will emerge. Each of these will seek airspace to provide a known traffic environment ostensibly for the purpose of flight safety but equally, in the view of many, for the sponsors' economic benefit.
- b) Direct routing of flights for economic benefit may in some cases require additional airspace to provide a known traffic environment for flight safety.
- c) The planned expansion of airport activity at places like London Oxford and Farnborough is already seeing airspace proposals being developed to facilitate business interests. This is likely to continue.

**Chapter 6 Specific Questions**

**Question 29: Do you have any views about the CAA's interpretation of section 70 of the Transport Act 2000, as set out in Chapter 6?**

No



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**Chapter 7 Specific Questions**

**Question 30: Do you have a preference for either of the long-term options for recovering the CAA's airspace change costs that are set out in Chapter 7?**

**Please give your reasons and any other views on how the CAA recovers its airspace change costs.**

- a) The beneficiary should pay is a good rule of thumb. Controlled airspace is primarily established for, and used by, commercial traffic and in some cases the military, e.g. Brize Norton CTR. The beneficiaries in the case of commercial activity are the airports that provide operating facilities for the commercial activity and the en route service providers.
- b) It is not unreasonable to expect these business to contribute towards the cost of management of the airspace that they benefit from through annual charges. The businesses can recover their costs from the aircraft using the facilities or services through operating fees and en route charges.
- c) The direct costs of any specific ACP and follow up PIR should be paid for by the sponsor except in the example detailed in the answer to Question 31 below.

**Question 31: In the short term the CAA will still have to set up a new statutory charge. On which entity would it be most appropriate to levy this charge? Please give your reasons.**

- a) For the establishment or alteration of existing airspace or procedures that does not constitute a reduction of airspace the charge should be levied on the ACP Sponsor who will ultimately benefit from the change.
- b) Where an ACP is made for the release of airspace that can be shown to be not used, or under used in comparison to the proposal under which it was originally granted, and the application is **uncontested** there should be no charge. If the airspace sponsor contests the application the airspace sponsor should pay the charges not the change sponsor. This will encourage the release of airspace that is not used, such as some parts of the Glasgow airspace currently under a PIR.

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**Chapter 8 Specific Questions**

**Question 32: Are our proposed transition arrangements between the old process and the new process reasonable?**

Yes

**Question 33: Are our timescales for introducing the new process reasonable?**

Yes

a) And we agree with the transition proposals for ACPs in progress.

## Appendix Specific Questions

### Appendix B Specific Questions

#### **Question 34: Do you agree with the concept of an online portal?**

Yes

- a) It allows all stakeholders access to documents and provides a greater degree of transparency.

#### **Question 35: Should the online portal contain any functionality beyond what we describe, or documentation other than that shown in Table B1?**

No comment

#### **Question 36: What are your views on locating the sponsor's consultation on a CAA portal where the sponsor administers the documentation and responses?**

- a) The CAA should host the portal but both the sponsor and CAA should have the ability to lodge documents.

#### **Question 37: Is it essential that the online portal is a single website or could different websites (CAA, sponsor, consultation portal) be used for different aspects of the process?**

Yes

- a) For ease of use the portal should be a one-stop-shop with all the information stored in one place. This is how local authority planning portals operate.

**Question 38: Do you have any views on the CAA's analysis of the three options for an online portal, bearing in mind that the CAA will need to recover its costs through charges on those it regulates?**

Yes

- a) There is no point in having a compromise for the design and operation of the portal. It should do what is needed for the best storage and presentation of documents from the start. If that involves a higher start-up cost so be it.
- b) As all CAS is for the benefit of the commercial (or military) entity the costs of this should come from en route charges via the FAS facilitation fund.

#### Appendix D Specific Questions

**Question 39: Is our assessment of the effects of the new process in Table D1 reasonable?**

Left blank

**Please provide evidence of what you believe the effect will be on you, your organisation or on other stakeholders involved in the airspace change process, including estimates of the monetary costs and benefits where possible.**

**Question 40: We are interested in your views on the additional costs in terms of time and resources that the proposed process will create for all parties. We are particularly interested in estimates of the monetary costs and benefits to sponsors of previous airspace changes and how these would have been affected by the CAA's proposed new process.**

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## About FASVIG

Established in January 2014, the Future Airspace Strategy VFR Implementation Group (FASVIG) is a joint undertaking between Sports and Recreational Aviation and Military Aviation stakeholders, CAA, NATS, business aviation and other aviation industry stakeholders, which aims to improve the efficiency and effectiveness of VFR operations in the UKFIR. FASVIG is part of the CAA Future Airspace Strategy (FAS).

## The FASVIG Vision

The FASVIG Vision is to provide safe, efficient airspace, that has the capacity to meet reasonable demand, balances the needs of all users and mitigates the impact of aviation on the environment. The FAS captures the benefits of modernising the airspace system in the areas of safety, capacity, environment and cost. In a written statement to Parliament on 6 Nov 13 the Minister for Transport said: General Aviation can and should contribute to the UK's economic success, whilst providing a safe environment for participants and the public. The Government's aim is therefore to make the UK the best country in the world for general aviation. The objective of FASVIG is "to provide a sustainable future for VFR operations".

## VFR Implementation Programme & Deployment Plan

FASVIG aims to work in partnership towards developing a jointly agreed implementation plan which will address technology, procedures, airspace changes and associated policy framework to deliver the improvements to safety, capacity, environmental performance and airspace efficiency of VFR operations required by the FAS. The FASVIG aims to deliver a set of tangible benefits within the 2016-2020 timescale or earlier where possible. The FASVIG will provide governance, direction and resources to sub groups which will be undertaking significant workstreams.



# GENERAL AVIATION ALLIANCE

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Partnership in Aviation

President: Air Chief Marshal Sir John Allison KCB, CBE, FRAeS RAF(rtd)

Vice President: The Lord Rotherwick

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Date 15 June 2016

Mr. Trevor Metson  
Principal - Policy Development  
Policy Programmes Team  
Civil Aviation Authority  
CAA House, 45-59 Kingsway,  
London  
WC2B 6TE

## GAA Response to CAA Consultation CAP 1389

Dear Mr Metson,

Please find attached to this document a response to the CAA Consultation CAP 1389 on behalf of the General Aviation Alliance.

Please confirm receipt of this response to the author.

Yours sincerely



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Geoff Weighell

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For the General Aviation Alliance

Please address any email reply to the author at: [geoff.weighell@bmaa.org](mailto:geoff.weighell@bmaa.org)

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British Balloon and Airship Club  
British Gliding Association  
British Hang Gliding and Paragliding Association  
British Microlight Aircraft Association

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British Parachute Association  
Royal Aero Club of the United Kingdom  
Helicopter Club of Great Britain  
Light Aircraft Association  
European Association of Instrument Rated Pilots

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## CAP 1389 General Aviation Alliance Response

### Introduction

The GA Alliance (<http://www.gaalliance.org.uk/>) is a group of associations representing, as far as possible, UK General Aviation (GA) and particularly Sports and Recreational Aviation (SRA) interests. The Alliance coordinates some 72,000 subscription-paying members of these bodies. These members represent the owners/operators of around 60% of the UK registered aircraft fleet, rising to over 70% when unregulated aircraft are included. Its members are:

BBAC - British Balloon and Airship Club  
BGA - British Gliding Association  
BHPA - British Hang Gliding and Para Gliding Association  
BMAA-British Microlight Aircraft Association  
BPA - British Parachute Association  
HCGB - Helicopter Club of Great Britain  
LAA - Light Aircraft Association  
PPL/IR Europe - European Association of Instrument Rated Private Pilots  
Royal Aero Club of the United Kingdom

The objective of the GA Alliance is to co-operate and engage with government departments and other relevant organisations on regulatory and directly-related matters, to support and progress the activities of SRA.

### Summary

CAP 1389 is a lengthy and complex consultation document that discusses the CAA responses to the Helios study, commissioned in 2015, into the existing Airspace Change Process (ACP) and sets out proposals for change influenced by the findings of that study.

The Helios study highlighted a significant distrust of the current process principally by stakeholders who were not ACP Sponsors or the CAA. Particular areas of distrust include:

- Sponsor's consultations being written to mislead
- Final airspace change proposals not being available to consultees for further comment
- Perceived misrepresentation of responses from consultees
- Uncertainty of CAA involvement and influence on proposals
- Proper consideration of consultee responses in the CAA decision making process

CAP 1389 sets out to propose options to address these concerns as well as making the process of application clearer, systematic, repeatable and transparent. It also recognises that guidance for applicants will help to guide their progress resulting in more complete and robust applications. This should help reduce distrust as well as improving the quality of applications.

We also make the following points:

Avoiding the need for an ACP as the first step. Before starting the ACP process the potential sponsor should clearly state their objectives and then engage with all aviation stakeholders to review the need for an ACP. The sponsor, in conjunction with other interested parties, should look for possible



## **CAP 1389 General Aviation Alliance Response**

alternative options which may avoid an ACP by adopting different practices or an alternative solution, to achieve the objectives. An ACP should not be considered as the only solution to a sponsor's concerns but, because of its effect on other parties and interests, as a last resort. CAA should act as the facilitator for this process.

Starting the ACP. It is crucial that the initial stages of any application are carried out correctly, thoroughly and honestly. If not, correction at a later date will cause unwarranted delay and unnecessary work and cost for both the sponsor and consultees. The CAA must monitor the initial stages and be robust in their assessment prior to agreeing that a Gateway has been achieved.

Consultation documents. Whilst many ACPs are sponsored by commercial interests with financial resource consultees are largely individuals or membership organisations with limited time and resource. Consultation documents should be presented so that they can be read and understood by the target audience. The CAA Gateway review prior to formal consultation should ensure that documents meet this requirement.

Time and Effort. There should be a principle that the ACP process is to be made as simple and straightforward as possible. Proper consideration of options prior to the formal ACP process and eventual production of easy to understand documents will reduce confusion, conflict and delay.

Prioritisation. We understand that the CAA has limited resources however it should be possible to assess each application on its complexity and prioritise the simpler applications so that they can be progressed speedily through the CAA stages to avoid any unnecessary delay that may occur if just treated as first come first served.

The GAA largely supports the proposals discussed in CAP 1389 and has commented further in its detailed response.

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### **Discussion**

#### **The proposed stages of the process and Gateways**

The proposal breaks down the current stages of the process and introduces "gateways", points of validation. The stages contain more detailed guidance for applicants which if followed should help them to scope, plan, consult and submit applications in a consistent and transparent way. Although the overall stages are not dissimilar to the current process the increased guidance is welcome.

The gateways are introduced throughout the process as points of validation so that an application will not progress to further stages and later be discovered to be missing necessary information or steps, forcing remedial action on behalf of the sponsor.

**The GAA supports the plans for the stage reform, more detailed applicant guidance and gateways as proposed.**

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Stage 1 Specific Questions

**Question 1: Will the new process gateways improve the airspace change process?**

Yes

- a) By validating sponsor actions throughout the process to ensure that best practice has been followed to ensure a fair reflection of sponsor and consultee views and opinion.
- b) It is important that the gateways are more than just a bureaucratic check that procedural points have been followed. At each stage the overall merit of the proposal should be challenged to ensure that the design objectives are likely to be achieved and the process terminated if this is not the case. Without a robust check of ongoing merit there is likely to be major waste of time, money and volunteer effort from proposer, consultees and regulator alike.

**Question 2: Should the sponsor engage local stakeholders to agree design principles for the airspace change?**

Yes

- a) Design *principles* are secondary to design *objectives*. This is a critical distinction. There is little merit in spending time and effort on process or principles unless there is absolute clarity on what the proposer is intending to achieve. In the past sponsors have all too often decided on their preferred solution to a perceived problem and spent the rest of the time trying to bulldoze that "solution" (created in isolation and often in genuine ignorance of the interests and behaviour of other airspace users) through the process. We believe that sponsors should approach other airspace users with the perceived problem, not with a pet solution. This would allow co-operative problem solving which might well deliver faster, cheaper, better solutions to the original problem. As a minimum it would deliver a common understanding of desired outcomes against which any changes could be assessed; a major improvement on today's situation.
- b) It is unusual for an ACP to go unchallenged and so early engagement with affected parties is essential to develop a cooperative relationship from the outset rather than a combative relationship later in the process.

**Question 3: What types of data would you find it useful for the sponsor to provide when engaging local stakeholders about design principles? How should this data be presented?**

- a) Again it is critical that the focus is on design objectives rather than design principles.
- b) Data, or information, should honestly reflect the plans of the sponsor giving reasoning behind the proposal and alternative options. Some sponsors of past and current proposals almost ignore the effect of their proposals on other airspace users and ground based

## CAP 1389 General Aviation Alliance Response

stakeholders. This generates a basic mistrust from the outset and leads to an adversarial relationship developing.

- c) Data, information, should be presented in a way that it can be clearly understood by the audience that it is presented to taking into account their knowledge and understanding of aviation and relevant matters, such as environmental impact.

**Question 4: In addition to specific detail, what general background information would you find it useful for the sponsor to provide as context for its proposals?**

- a) Data, or information, should honestly reflect the plans of the sponsor giving reasoning behind the proposal and alternative options. Some sponsors of past and current proposals almost ignore the effect of their proposals on other airspace users and ground based stakeholders. This generates a basic mistrust from the outset and leads to an adversarial relationship developing.
- b) Data, information, should be presented in a way that it can be clearly understood by the audience that it is presented to taking into account their knowledge and understanding of aviation and relevant matters, such as environmental impact.

**Question 5: Overall, will Stage 1 improve the airspace change process?**

Yes

- a) Early stakeholder engagement can only improve the process.

### Stage 2 Specific Questions

**Question 6: Will introducing the options appraisal we propose improve the airspace change process?**

Yes or Possibly

- a) The “options appraisal” is the sponsors “justification” for the preferred option and should/could demonstrate that due consideration has been given to alternative options. Although this will inevitably involve more work to develop, as each option will require research and assessment, it should ensure that the sponsor has arrived at their preferred option following a thorough review of alternatives and that they can justify this option as best all-around to other stakeholders.

**Question 7: Overall, will Stage 2 improve the airspace change process?**

Yes or Possibly

- a) By setting out more detail to follow in the stage and requiring sponsor consideration and justification throughout the stage.

**Stage 3 Specific Questions**

**Question 8: Would an independent third-party facilitator make a sponsor's consultation more effective?**

Don't know or unlikely

**If so, should a facilitator be a mandatory requirement for certain types of airspace change? Please give your reasons and any other views (including benefits and disbenefits) on facilitators.**

- a) In some cases an independent facilitator might help regulate the process of discussion between the sponsor and consultee although the use of an open online portal, as proposed, will discourage inaccurate comment or extreme views as all material will be open to the public for scrutiny.
- b) If a facilitator is used as part of the consultation process it is important that the facilitator is totally independent and not part of the sponsor's campaign assets.

**Question 9: Should the CAA publish all consultation responses in full, except to moderate them for unacceptable content?**

Yes

- a) The opinion of other stakeholders can inform and guide others in their response.
- b) Issues of significant importance to specific groups of stakeholders will be openly displayed demonstrating transparency in the process.

**Question 10: Should the CAA publish airspace change consultation responses as they are submitted, rather than at the end of the consultation period?**

Yes and no

- a) The opinion of other stakeholders can inform and guide others in their response. However the publication of others' opinions (which may potentially be totally incorrect) has the potential to totally mislead or confuse the formal process of consultation – which should be based on consultees giving their views on fixed and clear proposals.

**Question 11: Should consultation responses be made solely through the online portal?**

No

- a) Not everyone has the ability to access the internet so this would be unfair on some individuals.
- b) The portal may not accept certain information formats and so could restrict the consultees' response options.

**Question 12: Do you think that the consultation process proposed in Stage 3 achieves the right balance between fairness, transparency and proportionality?**

No

- a) The system as proposed in this document allows\requires the sponsor to summarize feedback to the consultation and provide this to the regulator. This allows the sponsor to gloss over important feedback which does not support their desired outcome. It is akin to asking counsel for the defence to summarize the prosecution's case directly to the judge. Either a truly independent party or the regulator must summarize the feedback received.
- b) Feedback summaries often use pie charts etc. as a way of implying that certain proposals are broadly acceptable. It is however vital that all parties understand that the ACP process is not a referendum where decisions are governed by majority opinion. Even if 99% of respondents agree to some aspect of a proposal it is possible that one individual responder discovers a fatal flaw in the argument unseen by others. Clearly the minority view in such a situation must be properly considered and may rightly dominate the final decision.

**Question 13: Overall, will Stage 3 improve the airspace change process?**

Potentially

- a) CAA scrutiny of consultation documents prior to consultation should ensure that they are clear, complete and appropriate for the audience.
- b) The publication of responses to the consultation and reaction by the sponsor should ensure a greater degree of transparency in the process.

**Stage 4 Specific Questions**

**Question 14: Should sponsors be required to adhere to a standard template for their airspace change submissions?**

Yes

- a) This will make it more straightforward for all concerned to read and understand proposals.
- b) The proposal is for a scalable process so although there is a standard template simpler proposals may not be significantly disadvantaged by following the prescribed format.

**Question 15: Is it reasonable for the CAA to publish a redacted version of the submission, with commercially sensitive details removed, as soon as we receive it, before we have assessed and decided upon it?**

Yes

## **CAP 1389 General Aviation Alliance Response**

- a) Currently only the first draft proposal is consulted upon. There can be significant changes between the first draft and the final submission and so consultees should have access to the final submission and be given the opportunity to respond where they consider there have been changes that they have not had the opportunity to comment on previously.

### **Question 16: Overall, will Stage 4 improve the airspace change process?**

Possibly

- a) The Stage 4 proposals should give greater transparency to the process of consideration of responses and amendments to option design.

### **Stage 5 Specific Questions**

### **Question 17: Will introduction of a new Public Evidence Session improve the airspace change process?**

Possibly

- a) It will give the opportunity for points to be made and clarified in person, which some individuals may find less difficult than in writing.
- b) There is a possibility that unless well controlled such events could turn into an unproductive moaning session.

### **Question 18: Is Step 5B (CAA decision) a clear and transparent way of making an airspace change decision?**

Possibly

- a) There seems to be no change in the decision making process itself, although the publishing of all material relevant to the decision is welcome.
- b) The decision itself will be made as the result of balancing the arguments for and against a proposal. It is important that the evidence and information presented is a true reflection of reality and that due weight is given to all factors, not just driven by commercial pressures. Recreational aviation, peace and tranquillity, air quality etc. are all important to those who might be affected negatively by a change and their concerns should be considered as at least as important as those who will directly benefit from change. There needs to be a balance of interests.
- c) The suggestion of an Oversight Committee would in our opinion add a level of “pressure to get it right” but could also delay decisions

## **CAP 1389 General Aviation Alliance Response**

### **Question 19: Overall, will Stage 5 improve the airspace change process?**

Possibly

- a) If transparency influences discussion and decision making.

### **Question 20: What are your views on our proposal not to introduce an appeal against process irregularities into the airspace change process?**

- a) We do believe that there should be an appeal process. If due process is followed, then there is no reason not to have an appeal process available.
- b) Including an appeals process against process irregularities should be seen as essential to the sought after improvements in transparency that this process needs. The alternative, a Judicial Review, is expensive and time consuming; in reality a non-starter for most groups and individuals.

### **Stage 7 Specific Questions**

### **Question 21: What types of data would you find it useful for the sponsor to provide, and in what form, when seeking feedback for its post-implementation review?**

- a) Information on actual movements through the airspace shown in comparison to that indicated as expected in the ACP.
- b) Information on improvement of flight efficiency if that was a reason for the ACP.
- c) Reaction to the operation of the new / revised airspace from all the consultees who originally commented on the ACP to include:
  - Their view of the actual impact of the change compared to what they believed may happen and what they were told would happen.
  - Any changes in aviation behaviour as the result of the airspace change. For example rerouting to avoid the airspace.
  - Any knock-on effects of the airspace change such as the creation of choke points or increased local noise.

### **Additional comment:**

- a) It is important that the PIR is carried out as soon as the period of 12 months has passed, and undue delay is avoided. The airspace sponsor should be in a position to present the required data to the CAA soon after the 12 month period has closed, as they will be aware of the requirement and can be preparing the response. The response should be with the CAA within 3 months of the PIR starting.
- b) The proposal should be more prescriptive about time limits to address PIR findings to avoid unsatisfactory situations continuing.

**Question 22: Overall, will Stage 7 improve the airspace change process?**

- a) A PIR is important as it has the potential to withdraw airspace and so should ensure that sponsors make initial applications that are responsible and proportionate to need. However the PIR process must be robust and not seen to be a box ticking exercise.

**Question 23: Overall, will the airspace change process proposed in Chapter 4 achieve the right balance between fairness, transparency and proportionality?**

Yes

**Chapter 4 Specific Questions**

**Question 24: Should the CAA set up an Oversight Committee?**

No

- a) The CAA should have sufficient expertise in the ACP review team to address all aspects of the proposal without an additional team to repeat the work, particularly if the Oversight Committee includes CAA staff as suggested. The CAA team can call on additional assistance if particular expertise is needed without having to have a formal committee on standby.
- b) If an appeal process is included in the ACP and all documentation and responses are available to view on the online portal there should be no need for an Oversight Committee to improve transparency of process.

**Question 25: Are there any other areas where the CAA should provide guidance?**

Don't know

**Chapter 5 Specific Questions**

**Question 26: Does Table 5.1 give sufficient clarity and detail of how the process will be scaled?**

Yes

- a) There is enough detail.

**Question 27: Do you have (i) any views on the way the Levels are categorised in Table 5.1, (ii) alternative suggestions as to how we might categorise different airspace changes, or (iii) other views about the proposed scaling of the process generally?**

No



**Question 28: Do you agree that the number of airspace change proposals put forward to the CAA is likely to increase in the future?**

Yes

- a) There is a general belief that commercial aviation activity will increase and more regional airports will emerge. Each of these will seek airspace to provide a known traffic environment ostensibly for the purpose of flight safety but equally, in the view of many, for the sponsors' economic benefit.
- b) Direct routing of flights for economic benefit may in some cases require additional airspace to provide a known traffic environment for flight safety.
- c) The planned expansion of airport activity at places like London Oxford and Farnborough is already seeing airspace proposals being developed to facilitate business interests. This is likely to continue.

#### **Chapter 6 Specific Questions**

**Question 29: Do you have any views about the CAA's interpretation of section 70 of the Transport Act 2000, as set out in Chapter 6?**

No

#### **Chapter 7 Specific Questions**

**Question 30: Do you have a preference for either of the long-term options for recovering the CAA's airspace change costs that are set out in Chapter 7?**

**Please give your reasons and any other views on how the CAA recovers its airspace change costs.**

- a) The beneficiary should pay is a good rule of thumb. Controlled airspace is primarily established for, and used by, commercial traffic and in some cases the military, e.g. Brize Norton CTR. The beneficiaries in the case of commercial activity are the airports that provide operating facilities for the commercial activity and the en route service providers.
- b) It is not unreasonable to expect these business to contribute towards the cost of management of the airspace that they benefit from through annual charges. The businesses can recover their costs from the aircraft using the facilities or services through operating fees and en route charges.
- c) The direct costs of any specific ACP and follow up PIR should be paid for by the sponsor except in the example detailed in the answer to Question 31 below.

**Question 31: In the short term the CAA will still have to set up a new statutory charge. On which entity would it be most appropriate to levy this charge? Please give your reasons.**

- a) The charge should be levied on the ACP Sponsor who will ultimately benefit from the change except where the ACP is made for the release of airspace that can be shown to be not used, or under used in comparison to the proposal under which it was originally granted, in which case the charge should be levied on the airspace controlling beneficiary if they are not the

sponsor of the ACP. This will encourage the release of airspace that is not used, such as some parts of the Glasgow airspace currently under a PIR.

### **Chapter 8 Specific Questions**

**Question 32: Are our proposed transition arrangements between the old process and the new process reasonable?**

Yes

**Question 33: Are our timescales for introducing the new process reasonable?**

Yes

- a) And we agree with the transition proposals for ACPs in progress.

### **Appendix B Specific Questions**

**Question 34: Do you agree with the concept of an online portal?**

Yes

- a) It allows all stakeholders access to documents and provides a greater degree of transparency.

**Question 35: Should the online portal contain any functionality beyond what we describe, or documentation other than that shown in Table B1?**

- a) The functionality of the portal should be under constant review and potential changes / upgrades should be expected as part of the development plan.

**Question 36: What are your views on locating the sponsor's consultation on a CAA portal where the sponsor administers the documentation and responses?**

- a) The CAA should host the portal but both the sponsor and CAA should have the ability to lodge documents.

**Question 37: Is it essential that the online portal is a single website or could different websites (CAA, sponsor, consultation portal) be used for different aspects of the process?**

Yes

- a) For ease of use the portal should be a one-stop-shop with all the information stored in one place. This is how local authority planning portals operate.

**Question 38: Do you have any views on the CAA's analysis of the three options for an online portal, bearing in mind that the CAA will need to recover its costs through charges on those it regulates?**

## CAP 1389 General Aviation Alliance Response

Yes

- a) There is no point in having a compromise for the design and operation of the portal. It should do what is needed for the best storage and presentation of documents from the start. If that involves a higher start-up cost so be it.

### Appendix D Specific Questions

**Question 39: Is our assessment of the effects of the new process in Table D1 reasonable?**

Don't know

**Please provide evidence of what you believe the effect will be on you, your organisation or on other stakeholders involved in the airspace change process, including estimates of the monetary costs and benefits where possible.**

**Question 40: We are interested in your views on the additional costs in terms of time and resources that the proposed process will create for all parties. We are particularly interested in estimates of the monetary costs and benefits to sponsors of previous airspace changes and how these would have been affected by the CAA's proposed new process.**

If the proposed process is carried through diligently at each stage, following early engagement and due consideration having been given to design objectives and alternative options, it is possible that consultees' concerns will have been addressed at that early stage reducing the amount of resource required at the final consultation stage. This is a potential benefit provided by the revised ACP process.

