

# ACP Clarification Questions

Stage: CAA Decide

ACP number: RCL-2024-001

ACP title: MLLR

| Submission Document Name, Page/Para     | Question/Issue   | Tech/Consult/ Env/Econ/ ATM/IFP/ General | Date     | Response   |
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| Engagement Response Document, para 3.6  | Para 3.6 states that first-tier stakeholders were the major airports...along with their ANSPs. Appendix A lists NATS as ANSP specifically for Manchester Airport. Clarification requested with regards to Liverpool Airport. | Consult.                                 | 25.09.24 | <p>Sponsor response:</p> <p>Liverpool Airport perform their ATC task in-house. This is clarified in the submission document and they are referred to as ATCSL (or possibly just as Liverpool interchangeably). In essence ATCSL and Liverpool Airport are one and the same.</p>  |
| Engagement Response Document, para 3.23 | Para 3.23 states that tier 3 includes individual members of the GA community. None are listed in Appendix A, but the majority of the respondents were GA. Please clarify how they were targeted.                             | Consult.                                 | 25.09.24 | <p>Sponsor response:</p> <p>In response to the query regarding paragraph 3.23 and the engagement of individual members of the General Aviation (GA) community, we would like to clarify that while it would not be feasible or proportionate to contact each individual member of the GA community directly, significant steps were taken to ensure broad awareness and participation.</p> <p>To maximise engagement from GA members, we utilised multiple channels, including GA-specific trade media outlets such as Flyer (a full list of media outlets can be found in Appendix A). Additionally, we leveraged the CAA's Skywise alert system, which, at the time of sending notifications, had 12,931 subscribers under the "Airspace" category, the vast majority of whom belong to the GA community.</p> <p>Moreover, the CAA also maintains a targeted mailing list with 1,261 subscribers who have opted to receive more detailed communications regarding airspace</p> |

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|  |  |          |          | <p>matters, such as the MLLR change. This list includes key representatives from GA stakeholder organisations, many of whom disseminate relevant information to their wider memberships. Finally, we engaged directly with GA stakeholders who had participated in our earlier Call for Evidence in early 2023, making specific reference to the MLLR.</p> <p>It is worth noting that our Skywise alert system and Airspace mailing list include representatives from key GA organisations such as the Aircraft Owners and Pilots Association, the GA Alliance, the British Hang Gliding and Paragliding Association, the Light Aircraft Association, and the British Helicopter Association. By reaching out through these channels, we ensured that our communications were disseminated widely within the GA community, allowing these influential bodies to inform their memberships and provide collective feedback on the proposals.</p> <p>These efforts ensured a comprehensive outreach to the GA community while maintaining a proportionate approach. This is supported by the strong response from GA stakeholders.</p> |
| Public engagement document, para 7.6                   | Provision was made for receipt of postal responses. Were any received? If so, how many and were they uploaded to the online consultation platform?   | Consult. | 25.09.24 | Sponsor response:<br>None were received.  |
| Engagement Strategy/Engagement Response document App A | In the strategy, tier 2 stakeholders were to include GA representatives. In Appendix A these are referenced as included in the airspace mailing list. Which GA representatives were targeted and how were they identified? | Consult. | 25.09.24 | Sponsor response:<br><br>When the stakeholder engagement strategy was initially drafted at the beginning of the project, it was anticipated that Tier 2 stakeholders would include representatives from the General Aviation (GA) community. However, as the project progressed and became operational, we reassessed our approach to ensure it remained effective and proportionate. It was determined that we could obtain the relevant input from GA stakeholders at that specific point in time through engagement with smaller local airports and some of their key users, who are integral members of the GA community.   |

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|                                     |  |          |          | <p>All strategies are designed to be flexible to achieve their end goals, and accordingly, our efforts to hear from individual GA members were incorporated into the Tier 3 approach. The methods by which we targeted GA stakeholders in Tier 3 are detailed in the previous clarification provided.</p> <p>We firmly believe that our approach has adhered to the Gunning Principles in relation to targeting the GA community. We ensured that our engagement was conducted when proposals were still at a formative stage, allowing stakeholders to influence the outcome effectively. Stakeholders were provided with ample information to understand the proposals and offer informed feedback. We allowed sufficient time for stakeholders to consider the information and respond thoughtfully. All feedback received was conscientiously considered, and we demonstrated how stakeholders' input influenced the final proposals. Additionally, we have received valuable feedback from GA stakeholders through the North West Local Airspace Infringement Team (LAIT) and our previous engagements, such as the Call for Evidence conducted earlier in 2023. These engagements have been instrumental in ensuring that the views and concerns of the GA community were thoroughly considered throughout the project.</p> |
| Engagement Response document App A  | Were any NATMAC organisations (other than the MoD and NATS) targeted?                            | Consult. | 25.09.24 | <p>Sponsor response:</p> <p>The MLLR and its changes were briefed at NATMAC meetings on 12 October 2023 and in April 2024. We will be providing a further update at the next NATMAC set for October 2024.</p>   |
| CAP 1991/Public engagement document | Please provide explanation for conducting targeted engagement rather than targeted consultation. | Consult. | 25.09.24 | <p>Sponsor response:</p> <p>In response to the query about conducting targeted engagement rather than a targeted consultation, we would like to clarify our approach. Following advice from OGC and Airspace Regulation (AR), it was felt that using the term "engagement" would be more appropriate than "consultation." While consultation is a</p>   |

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|   |   |             |  | <p>specific activity under the broader umbrella of engagement, OGC explained that, in this situation, the two can often mean the same thing. We agreed with AR ahead of launching the public engagement exercise that using "engagement" would be more suitable. This decision was made to avoid raising unrealistic expectations among stakeholders that a full statutory consultation was required, which is not mandated under CAP1991 requirements.</p> <p>We believe that this is more about "branding" than the mechanics of our engagement process. While adhering strictly to CAP1991 requirements, we have made concerted efforts to go above and beyond to ensure the development of an optimal solution. Throughout the project, we held multiple in-person meetings with both Tier 1 and Tier 2 stakeholders. These face-to-face interactions allowed us to collaboratively build our proposals iteratively and gather direct feedback beyond written responses.</p> <p>We organized an 11-week public engagement exercise for all stakeholders, exceeding the usual expectations for a change with the anticipated impacts of the amendment. When necessary, we extended the engagement window to provide stakeholders with additional time to review and comment on proposals, ensuring a comprehensive and inclusive process. Our efforts also focused on stakeholders with lower response rates, such as local communities directly affected by the changes, to ensure their voices were heard and considered.</p> <p>Furthermore, we hosted a public information drop-in session where members of the public could freely come and speak to the project team to learn more about the proposed changes. These initiatives demonstrate our commitment to thorough engagement and reflect our dedication to upholding the principles of effective stakeholder communication.</p> |
| <p>Amend Submission<br/>Para 4.3 Para 7.8</p> | <p>These paragraphs state that flying over the Irish Sea or over high ground to the east increases risk to GA traffic. In the Safety Case para 2.2, it states that these actions,</p> | <p>Tech</p> |  | <p>No technical analysis but flying over water poses increased risk due to the lack of places to land in an emergency, likewise flying over high ground forces</p>   |

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|                                    | may increase risk to light GA aircraft; what analysis was done to determine that flying over the Irish Sea or over high ground increases risk or not?  |      |  | aircraft into an uncomfortable position where they can only fly in a very narrow window that is above the ground and beneath the CAS above which causes funnelling, a known factor in increasing MAC risk, in addition to this due to the topography of the Pennines there are reduced safe landing sites available for aircraft in an emergency. This was one of the reasons the MLLR was introduced in the first place. These risks were also captured within CAP 2564 as part of our review work.  |
| Amend Submission<br>Para 3.6       | This states that the workloads of ATC units adjacent to the existing MLLR are already at substantial levels and that an increase in unplanned flight requests would raise controller workload significantly; was there any consideration of increasing the number of controllers to meet demand?   | Tech |  | This is out of scope of an airspace classification review and change under CAP1991. Also, our review found that no service was being given to the aerodrome traffic of Manchester Airport for which this class D airspace exists. As such there is no requirement for the airspace to remain Class D. Therefore, additional controllers to maintain this anomaly would not have been appropriate even if it was within scope.   |
| Amend Submission<br>Para 5.5       | This states that the exemptions to the restrictions will be done via NATS NSF application procedure; what about ACOMS? The SUA policy states that any change to an RA should be done through ACOMS as the RA is legally binding?<br>Additional Question – Did the consultation feed-back suggest to what extent non-standard flight applications will occur? | Tech |  | Manchester and NATS NSF are intended to be utilised by airspace users who wish to use the airspace but cannot, or will not, adhere to the restrictions which permit flight within the RA. This is not intended to “change” the RA. The SUA policy only refers to changes to the RA not exemptions (SUA policy, section E para 3.2)<br><br>No feedback was received in relation to the expected number of applications however NATS Manchester reported that they have received zero requests to provide an ATC service in exemption to the current ruleset. |
| Amend Submission<br>Para 6.3, 7.13 | How does selecting the wrong sqk result in an airspace infringement?   | Tech |  | Current MLLR procedures require pilots to comply with a ruleset in lieu of a verbal clearance to enter its class D airspace. Compliance constitutes a clearance therefore non-compliance means no clearance. An aircraft entering the MLLR without the correct squawk is NOT complying with the ruleset and therefore has no clearance into the airspace and is by definition an airspace infringement.   |
| Amend Submission<br>Para 7.8 C     | Other airspace structures can sit in Class G airspace, which can be infringed; given that the proposal for an RA   | Tech |  | Aircraft cannot “infringe” Class G airspace as no clearance is required to enter it. The MLLR required ruleset adherence to constitute a clearance due to its   |

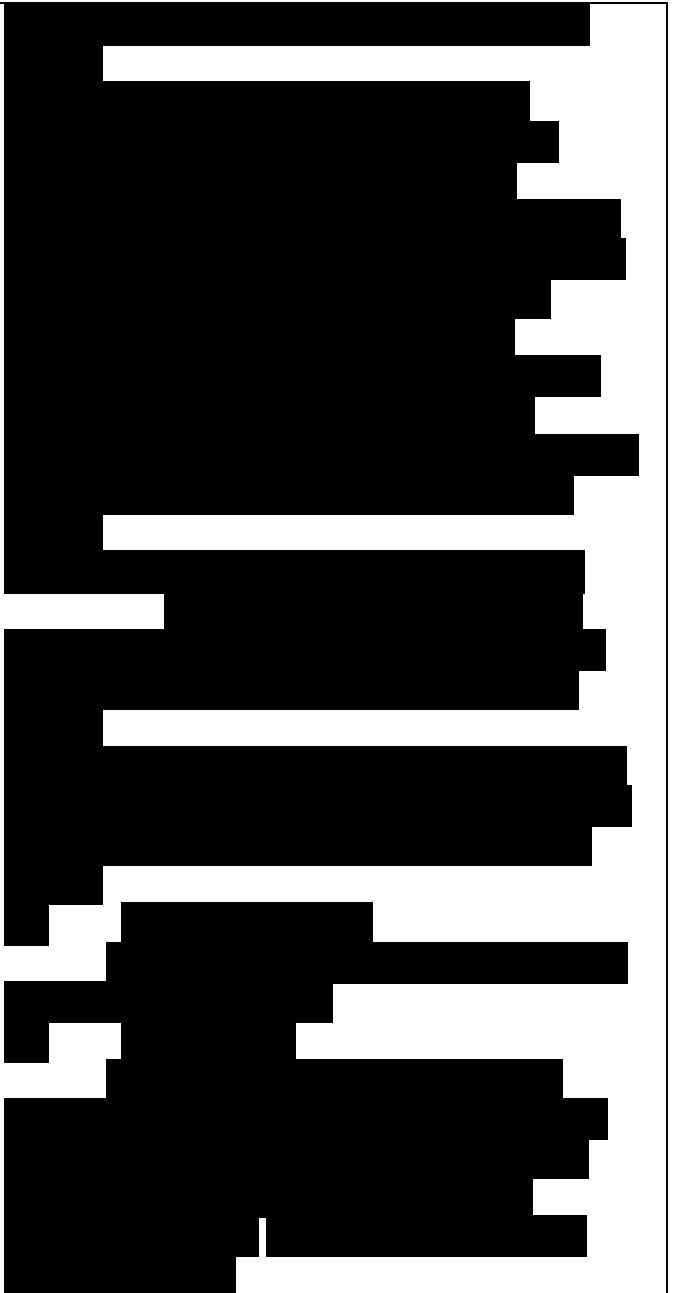
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|                                      | creates a structure, albeit class G, could an infringement of the RA still occur?           |      |  | <p>class D status hence it was possible to infringe by non-adherence.</p> <p>The RA will be a structure within Class G and any entrance to it without adhering to the restrictions is a non-compliance with an SI. This is then dealt with as an ABANL. Any filed ABANL or MOR reports are to be dealt with in line with SARG enforcement policy CAP1074.</p>  |
| Amend Submission<br>Para 4.13, 7.8 D | Does the proposal meet any other objectives of the AMS other than equitable access?         | Tech |  | <p>The proposal meets several other objectives of the AMS, beyond equitable access. Primarily it enhances aviation safety, which is the key driver of this amendment. By amending the airspace and implementing appropriate restrictions, we aim to reduce MAC risk, airspace infringement and allow more option to land safely in an emergency. This improves overall safety for airspace users and communities below.</p> <p>Additionally, the amendment simplifies the existing airspace, making more straightforward for airspace users to understand. Simplifying the airspace reduces complexity, decreases pilot workload, and minimised the likelihood of errors or misunderstandings.</p> <p>The proposal also plays a role in improving environmental sustainability by allowing airspace users a route between Liverpool and Manchester Airports CAS. This avoids the need for longer routes around the CAS, thereby decreasing fuel consumption and associated emissions.</p> <p>Furthermore, the proposal enhances the efficient use of airspace by more effectively accommodating the varying needs of different airspace users. By amending the airspace, we improve operational efficiency and capacity, ensuring that the airspace infrastructure meets current and future demands.</p> |
| Amend Submission<br>Para 7.10        | Which ATC unit will monitor compliance and report observed breaches? How will this be done? | Tech |  | <p>Any ATC unit can file an MOR or ABANL on observed non-compliance, but this is primarily expected to come from Manchester ATC.</p>   |

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| <p>Amend Submission<br/>Para 7.13</p>          | <p>What is meant by standard class G operations? Is this the clear of cloud and insight of the ground, if so, should it be explicit?</p>   | <p>Tech</p> | <p>Yes, the paragraph states the increased visibility over standard class G operations gives pilots the extra time to improve their situational awareness</p>  |
| <p>Amend Submission<br/>Para 9.3</p>           | <p>This suggests that 'all' airspace users will have equitable access; given the RA and its intent to maintain a high standard of safety through restrictions, how will 'all' airspace users have access?</p>  | <p>Tech</p> | <p>In response to the concern about how "all" airspace users will have equitable access given the Restricted Airspace (RA) and its intent to maintain high safety standards through restrictions, we refer to paragraph 25 of CAP1991 for guidance on the definition of equitable access:</p> <p><i>"The CAA understands 'equitable' to mean that needs are fairly accounted for, not that each user has the same and equal amount of airspace. The needs of different types of airspace user could vary considerably."</i></p> <p>Using this definition, we believe that the proposed volume of restricted airspace is proportionate and maintains a fair balance between safety and access. Users who are unable to comply with the specific restrictions within the RA still have the option to operate in neighbouring volumes of Class D airspace, as they currently do. This approach ensures that while we uphold the highest safety standards within the RA, we also fairly account for the varying needs of different airspace users.</p> |
| <p>Amend Submission<br/>Para 7.10 and 10.2</p> | <p>Para 7.10 suggests that Manchester ATC will monitor for enforcement purposes, yet para 10.2 suggest that they won't be monitoring it and as a result workload will be reduced; how will the rules of the RA be enforced if no one is monitoring it?</p> | <p>Tech</p> | <p>7.10 says ATC will monitor, not specifically Manchester, although they are named as the SUA authority in para 5.4. Being an SUA authority does not impose upon Manchester a requirement or duty to monitor the RA as part of their day-to-day ATC task, this is an administrative role as defined in the SUA policy. Currently Manchester has responsibility for the airspace and the risk within it. This monitoring, and also handling of pilot calls to request information or upgraded service within it, creates additional workload which will no longer be present in the future solution.</p> <p>However, it has been agreed that a breach of speed would be visible to ATC units operating in the area and that any observed instances will be reported using the MOR scheme. Speed and visibility restrictions are not usually policed in class G airspace and as stated</p>  |

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|                                   |   |                   | <p>in the document in paragraph 7.11, form part of SERA.5001 and SERA.6001 where pilots are entrusted to comply of their own volition. This trust is extended to adherence of the RA conditions to permit flight and hence the proposal is for the RA not to be subject to the oversight activities detailed in CAP 740.</p>   |
| <p>[REDACTED]</p>                 | <p>[REDACTED]</p>   | <p>[REDACTED]</p> | <p>[REDACTED]</p>  |
| <p>Appendix M, DAATM response</p> | <p>In feedback, the MoD via DAATM opposed the speed restriction proposal and stated that without dispensation for military aircraft to cross at above 140kts with a service, or for fast jet aircraft to cross flying at 250kts below 10,000 ft, they would have to remain clear of the expanded MLLR and seek crossing of congested airspace potentially closer to Manchester or Liverpool, potentially causing higher workloads for both crews and controllers. Has there been any supplementary engagement with DAATM on this? If yes, please can the engagement evidence be provided.</p> | <p>Consult.</p>   | <p>DAATM was involved in the formative stages of this project during our review of the MLLR (<a href="#">CAP2564</a>) as a key stakeholder. Feedback provided suggested it understood the need to keep fast jet traffic out of the new airspace, as they currently operate outside of it today. DAATM also offered to remove the airspace from the Military Low Flying Handbook, acknowledging the changes.</p> <p>While noted and considered DAATMs response to our engagement exercise, we did not engage further with them at that point because the 140kts is a cornerstone our safety case to enable the change. We have thoroughly considered and responded to all suggestions of raising or removing the speed restriction, but maintaining the restriction is essential for achieving the desired safety outcomes.</p> <p>It is important to note that the solution we are proposing does not alter how the military interacts with this volume of airspace compared to the current situation. Military aircraft will continue to operate as</p> |





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|  | <p><i>encounter occurring where limited recovery is available due to low altitude. Pilots should be aware of wake turbulence at all times and as per all Class G airspace in the UK.</i> Despite a Chinook weighing much less than 40,000kg, can you confirm that the weight category selection as also to ensure that the condition's were kept simple and understandable, and that coupled with the speed restriction it is highly unlikely that an aircraft just under 40,000kg would use the RA structure?</p> |  | <p>engagement sessions this was amended to "small". This change was in specific relation to the use of the current MLLR by military Chinook helicopters and one of our objectives being to maintain or improve current equitable access levels. Upon receiving advice regarding the phraseology in the UK with relation to wake turbulence (only being used for arrival and departure separations) it was decided to refer to the weight restriction associated with "small", which is 40,000kg. It is acknowledged that Chinooks do not require the full 40,000kg restriction (due to a MCTOM of 22,860kg), however, it was decided that in order to achieve the design (and AMS) objective of airspace simplification, we would avoid introducing a different (chinook related) MCTOM cut off between "light" and "small", and that the specified equivalence of 40,000kg would be maintained.</p> <p>We did not want to create a situation where pilots knew their aircraft was "small" but may be unsure against a different specified weight. This could have inadvertently led to an ABANL and would be in contradiction of our design objectives.</p> <p>In addition to this, it was considered impossible for some, and highly unlikely for other, larger aircraft included below the MCTOM restriction (such as DH8 Q400, ATR72 etc), to be able to operate within the proposal due to the associated IAS speed restriction of 140kts as these aircraft cannot cruise at this low speed. This thereby ensures the proposed airspace is only used by smaller, typically GA, aircraft. This lowers MAC and infringement risk by not having to avoid larger aircraft by bigger margins, as well as reducing the likelihood of a wake turbulence encounter.</p> |
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