Independent review of the Civil Aviation Authority's Airspace Change Process

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Document information

	Independent review of the Civil Aviation Authority's Airspace Change Process
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Executive summary

Helios has been contracted by the CAA to undertake an independent review of its airspace change (AC) decision-making process. This report presents the results of that review along with recommendations for a revised AC process.

We would like to thank all those individuals and organisations who have given their time freely to provide valuable input to this review. With so many stakeholders, there will always be conflicting views on the best process for airspace change. Nevertheless, the recommendations presented here, we believe, balance the needs of the different stakeholders and we have discussed this balance for the key changes that we have proposed. Most importantly, we believe the recommendations will deliver a process that can be applied consistently, efficiently and transparently with decisions based on evidence and clear judgements.

Our work has involved a review of policy, guidance and historic airspace decision documentation, interviews with CAA and external stakeholders, an informal survey to test hypotheses for change and workshops with change sponsors and industry representatives, general and recreational aviation representatives and communities.

We found some very good work put into Airspace Change Proposals (ACPs) from the CAA, change sponsors and consultees, however the current process is under strain and could be improved. We have identified a number of particular observations on the process and also some factors that sit outside it, as discussed below:

- There is a lack of transparency in the process, particularly regarding the CAA's activities. The lack of transparency has created suspicion amongst some stakeholders who are not confident their interests are well represented and it inadequately reflects the work that the CAA already undertakes. This is the single most important observation, as the lack of visibility hinders trust and effective relationships.

- The consultation process is viewed with great suspicion by some consultees who perceive the change sponsor as "judge and jury" in dealing with the consultation responses. There is a potential conflict of interest here that the CAA needs to ensure is seen to be managed.

- The regulation of airspace changes is a different type of regulation to many other CAA tasks. Most CAA regulatory activities focus on economic or safety matters. These generally (but not exclusively) involve large organisations and members of the public are not usually significantly involved in providing submissions to regulatory decisions. The revised AC process will require greater engagement of the CAA with stakeholders and communities.

- The time to undertake an AC can be long and uncertain, with the more complex changes taking several years. For sponsors, this increases the risk and cost of airspace changes. For consultees it increases the uncertainty around change.

- Some elements of Civil Aviation Publication (CAP) 725, Guidance on the Application of the Airspace Change Process, are not sufficiently precise for the needs of the AC process. This can lead to consistency variations in the approaches to ACPs, which is not desirable. Additional requirements documents and guidance material are needed to make the process clearer and more consistent.

- Our view is that there is insufficient information on the Government's strategic priorities for airspace policy, for example the relative priorities of economic activities vs noise vs environment vs non-commercial aviation activities. The primary noise metrics in the

process are now widely challenged and, for example, do not provide a good measure of respite.
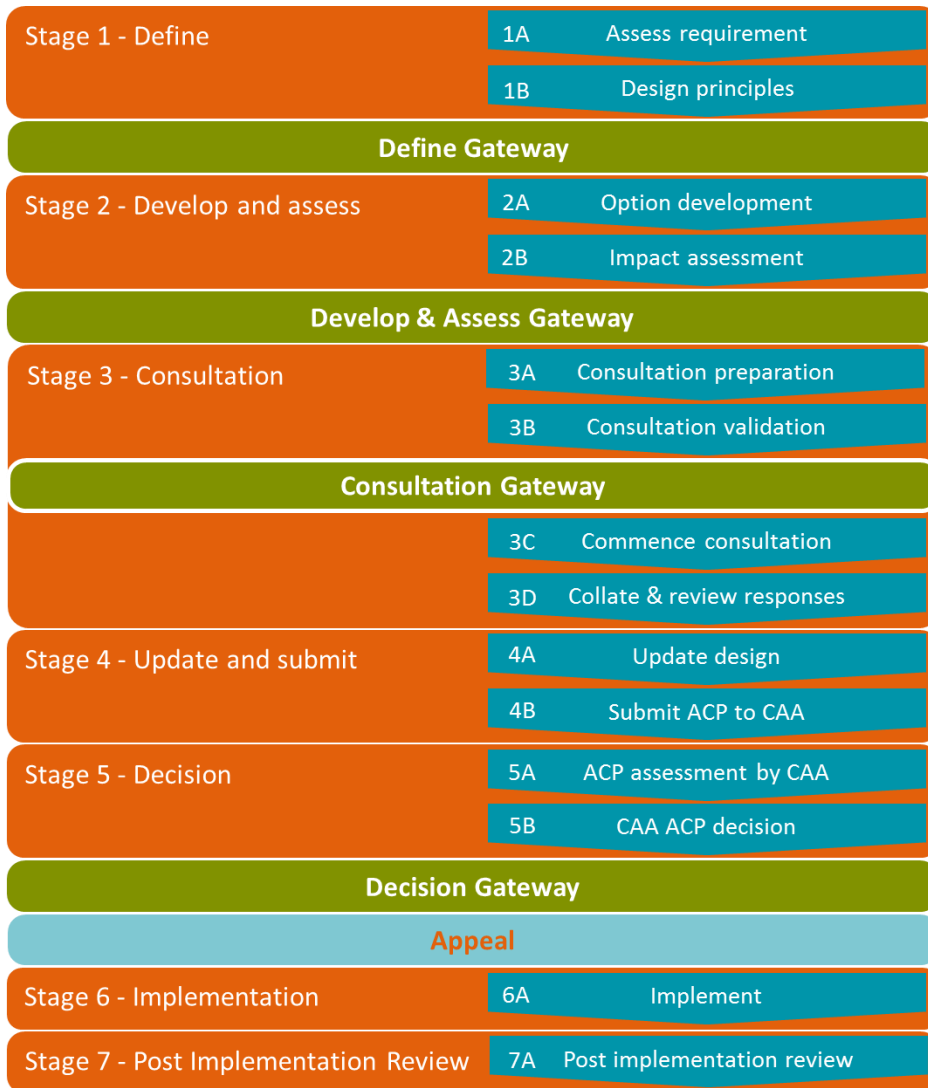
- Stakeholders view the AC process as part of the wider relationship between the aviation industry and themselves. Stakeholders, particularly communities, do not necessarily make the distinction between regulations, the AC process, the remit of the CAA, and why some changes in aircraft operations are outside the AC process. Factors external to the AC process can therefore reduce confidence in the AC process. We identified the following external factors as relevant:

    - the fact that aircraft paths can be significantly altered outwith the AC process;
    - the lack of an independent team to investigate noise complaints;
    - the treatment of airspace trials;
    - the approach to other irritants, such as the "A320 whine";
    - the lack of an aviation noise strategy; and
    - the compensation framework.

- Unlike other planning processes, there is no appeal mechanism available aside from a Judicial Review; which is expensive and therefore not available to all stakeholders.

As a result of the above observations, the following key changes are proposed to the AC process:

- Greater transparency and a principle applied that all documents should be public except where sensitive information must be redacted. Whilst some material may have to be redacted (eg for national security reasons) it is particularly important that information used to justify an AC decision is made public if at all possible.

- An update of CAP 724, Airspace Charter, and a re-write of CAP 725 will be necessary to set out and support the revised process. We have identified 15 additional guidance and requirements documents that we believe sit best as annexes to the re-written CAP 725 and an ACP submission template:

    i. Airspace change requirements assessment
    ii. Airspace change grading matrix
    iii. Assessment meeting requirements
    iv. Guidance on the identification and agreement of airspace design principles
    v. ACP design good practice examples
    vi. Airspace change impact assessment requirements and guidance
    vii. Consultation requirements
    viii. Consultation validation requirements
    ix. Guide for airspace change consultees
    x. Guide to the classification of consultation responses
    xi. Secondary consultation principles
    xii. ACP submission guidance
    xiii. ACP assessment requirements and guidance
    xiv. ACP decision making guide
    xv. Guidance on the formation and accountabilities of an Oversight Committee

- Additional stages in the process are proposed that include an assessment of the requirement for airspace change, establishment of agreed design principles and an impact assessment of proposed changes.

- An incremental process is defined, meaning that some activities will require approval before the process continues. For example, the CAA must approve consultation material before the consultation starts. We have defined four 'gateways' where approval is required.

- The involvement of an ACP Oversight Committee is proposed for the most significant changes. This will introduce additional people, from the CAA and external stakeholders, into the process. An Oversight Committee would be established at the Group Director, Safety and Airspace Regulation's (GDSAR) decision with a membership appropriate to the ACP under consideration.

- A much more tightly controlled consultation process with the CAA undertaking a more hands-on role. The CAA's role includes gathering the consultation responses and reviewing the sponsors actions with them at the time of the consultation.

- The introduction of an appeal mechanism, within clear boundaries and striking a balance between the right to appeal and the impact on the duration of the AC process. We recommend that the appeal should be heard by members of the CAA board, probably Non-Executive Directors who are appointed by the Secretary of State for Transport. The appeal process should be managed by a lawyer.

- An AC portal is proposed to hold information on the status of all ongoing ACs and their documentation, and for collecting consultation responses.

We have proposed a revised AC process reflecting these changes and other smaller ones. Our aim is to allow all stakeholders to have confidence in the way that AC decisions are reached whilst maintaining a workable process that will not cause well managed and well justified ACPs to stall. The process is outlined in Figure 1 below and is fully described in Section 4. The process maintains seven stages to be compliant with expected forthcoming European Aviation Safety Agency (EASA) requirements but it introduces a number of sub-stages.

Stage 1 - Define	1A	Assess requirement	
	1B	Design principles	
Define Gateway			
Stage 2 - Develop and assess	2A	Option development	
	2B	Impact assessment	
Develop & Assess Gateway			
Stage 3 - Consultation	3A	Consultation preparation	
	3B	Consultation validation	
Consultation Gateway			
	3C	Commence consultation	
	3D	Collate & review responses	
Stage 4 - Update and submit	4A	Update design	
	4B	Submit ACP to CAA	
Stage 5 - Decision	5A	ACP assessment by CAA	
	5B	CAA ACP decision	
Decision Gateway			
Appeal			
Stage 6 - Implementation	6A	Implement	
Stage 7 - Post Implementation Review	7A	Post implementation review	

Figure 1 – Overview of the proposed airspace change process

The CAA will need sufficient resources to undertake the increase in activities described in the revised process and to ensure they can be completed in appropriate timescales. It may also need to use external resources to advise on best practice in some areas.

Finally, we recommend that a review of the revised process be conducted at appropriate points in the future when some of the quicker changes have been implemented and once the full process has been applied to a number of different ACPs.

HELIOS

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Acronyms

AAA	Airspace ATM and Aerodromes
AC	Airspace change
ACP	Airspace change proposal
ANSP	Air Navigation Service Provider
ATM	Air Traffic Management
CAA	Civil Aviation Authority
CBA	Cost Benefit Analysis
CAP	Civil Aviation Publication
DfT	Department for Transport
EASA	European Aviation Safety Agency
ERCD	Environmental Research and Consultancy Department (part of the CAA)
FAS	Future Airspace Strategy
GA	General Aviation
GDSAR	Group Director, Safety & Airspace Regulation
IANA	Independent Aviation Noise Authority
MoD	Ministry of Defence
NATS	NATS Ltd, formerly known as National Air Traffic Services
NERL	NATS En-Route Plc, sole provider of civilian en-route air traffic control in the UK
NSL	NATS Services Ltd, provides air traffic services at airports and other services in the free market in the UK and overseas
PBN	Performance Based Navigation
PIR	Post Implementation Review
RMZ	Radio Mandatory Zone
RNAV	Area Navigation
SID	Standard Instrument Departure
TMZ	Transponder Mandatory Zone
WebTAG	Web-based Transport Appraisal Guidance

1 Introduction

The CAA contracted Helios to undertake an independent review of the airspace change (AC) decision-making process. This report presents the results of that review along with recommendations for enhancing and strengthening the AC process.

1.1 Background

Airspace changes range from modest amendments to upper airspace routes that affect only a small number of stakeholders, through to major changes in low-level airspace that impact a large number of people.

The process by which these changes are made is defined by the CAA in documents CAP 724 (Airspace Charter) and CAP 725 (Guidance on the Application of the Airspace Change Process). This report assumes that the reader is familiar with these documents.

Recent airspace decisions, airspace trials and changes to operational procedures have led to particular scrutiny of the process and the CAA has therefore contracted this independent review.

The CAA is keen to ensure that the process is, and is seen to be:

- fair;

- proportionate to the different kinds of ACs that are proposed;

- meeting the modern standards for regulator decision making; and

- consistent with its legal duties.

1.2 Objectives

The CAA appointed Helios as an independent reviewer:

- to assess the CAA's current AC process;

- to elicit, from external stakeholders, their views on the strengths and weaknesses of the current process;

- to identify hypotheses as to how the process could be strengthened to address material weaknesses;

- to test some of the initial hypotheses about how the process could be improved; and

- to present recommendations for strengthening the current process.

1.3 Scope

The scope of our review is the AC process as defined in Appendix F of the CAP 724 and the guidance provided in CAP 725.

We have considered the Government's policy framework within which the process exists where it has an impact on the effectiveness of the process. The functions given to the CAA by the Government are laid down in legislation and the CAA is not accountable for them.

Our scope did not include:

- the processes for the temporary change of airspace;

- the release of controlled and segregated airspace, or

- airspace trials.

1.4 Approach

Our initial approach to this review comprised three stages of work:

1) desktop review of documents;

2) interviews with internal CAA and external stakeholders;

3) workshops with key stakeholder groups.

A fourth phase, a survey, was introduced during the review to gather informal feedback on our observations and hypotheses as an input to the workshops.

Desktop review

During the desktop review, we reviewed a number of documents, as detailed in Annex A Table 1. The review considered policy documents, CAA guidance, a number of ACPs and a collection of airspace change related papers.

Stakeholder interviews

We conducted eight interviews with CAA staff members involved with AC and 15 interviews or meetings with external stakeholders. The external stakeholders included:

- change sponsors;

- general aviation representatives;

- individuals from communities affected by airspace changes, airspace trials or operational air traffic management changes;

- environmental campaign groups; and

- the Department for Transport (DfT).

The full list of interviewees is given in Annex B. Table 3.

From the desktop review and stakeholder interviews, we gathered a range of opinions on all aspects related to the AC process. These are summarised in Figure 2.

Figure 2 – Initial stakeholder opinions on the current AC process

Government, Policy & Guidance
- → Lack of strategic case for future airspace strategy
- → Role of the Secretary of State unclear
- → Legislation, directions and guidance lacking in strategic definition

Process
- → Definition of the scope of an airspace change is not appropriate
- → No opportunity to appeal the process
- → CAA unable to sponsor ACPs
- → Cost and risk may deter Sponsors
- → Stakeholders should be invited to participate in the PIR
- → No objective for Sponsors to minimise airspace

Role of the CAA
- → Not sufficiently well defined
- → CAA not sufficiently independent
- → Lack of challenge by the CAA
- → Too much challenge by the CAA
- → Insufficient supervision of Sponsors
- → Too involved in the process, prior to the ACP submission

Guidance
- → Language of CAP 725 is to passive
- → Key terms & phrases lack clarity e.g. effective, significant
- → Sponsors requirements inadequately defined
- → Lack of need to provide objective evidence
- → No guidance on when to consult communities

Decision making
- → Lack of clarity around criteria
- → Criteria are fundamentally wrong
- → Lack of objective evidence to justify decision
- → Noise assessment inadequate to reflect true impact
- → Economic benefit not included
- → No cost benefit analysis

Trust
- → Lack of transparency throughout process
- → Sponsors can't be trusted
- → Sponsor sole focus is commercial success at any cost
- → CAA too close to Sponsors to trust

Engagement & Consultations
- → No meaningful engagement
- → Consultation by the Sponsor is inappropriate
- → Consultation too late in the process
- → Too little consultation
- → Too much consultation
- → No structure to identify consultees
- → Consultation material inappropriate
- → Sponsor decides how to respond to consultation responses
- → Lack of access to CAA for stakeholders

Survey

Following the desktop review and stakeholder interviews, we introduced a survey into our review. The survey was not a formal consultation exercise but had two purposes:

- The primary purpose was to gather a view on the different observations we had drawn from the individual interviews and documentation review as well as seeing which of our early hypotheses for change different stakeholder groups felt were important.

- The secondary purpose was to allow a greater number of stakeholders to participate than would be possible within the three planned stakeholder workshops and for these views to feed into the workshops.

The survey was open for just over four weeks prior to the workshops. This was during the summer holiday period, so not all stakeholders that wanted to were able to participate. Nevertheless, it yielded useful insights, which were used to structure discussions at the three workshops. Annex B presents the output from the survey.

Workshops

Three separate workshops were conducted, one for change sponsors and industry representatives, one for general aviation and the final one for communities. Each workshop followed the same structure using the output from the survey to guide the day and the discussion. The workshops were limited to a maximum of twenty participants to ensure that the sessions did not become too large to prevent constructive questioning and discussion.

Annex B lists the organisations and communities present at the workshops, along with our summary of key points made by the participants.

1.5   Overview

This report sets out our assessment of the current AC process, key changes proposed and describes a revised process to address current shortcomings. The structure of the report is as follows:

- Section 2 sets out the key observations with the current process which we drew from the document review, interviews with members of the CAA, interviews with stakeholders, the survey and the stakeholder workshops.

- Section 3 outlines the key changes we are recommending.

- Section 4 provides an outline of a substantially revised AC process to address the shortcomings identified.

- Section 5 provides details of the requirements, guidance and output documents that are required for the revised process.

- Section 6 summarises the recommendations.

- Annex A presents the findings from our document review of policy, guidance and previous ACPs.

- Annex B summarises the feedback received from stakeholders on the current AC process taken from interviews, the survey and the workshop discussions. We have presented key messages from the face-to-face engagements with the survey results.

1.6   Acknowledgements

We would like to thank all those individuals and organisations who have given their time freely to provide valuable input to this review. With so many stakeholders, there will always be conflicting views on the best process for airspace change. Nevertheless, we believe that the recommendations we make in this report will balance the needs of the different stakeholders without prioritising any one-stakeholder group. Most importantly, we believe they will deliver a consistent, efficient and transparent process with decisions based on evidence and clear judgements.

2 Observations on the existing process

2.1 Overview

This section presents our primary observations from the engagement with stakeholders. Figure 2 summarises the initial stakeholder opinions we heard and similar opinions were expressed through the survey and the workshops. Our observations are presented under several headings but in practice, they are inter-related and overlapping. The key changes to the revised process, presented in Section 4, arise from these observations.

We had an opportunity to look at the whole AC process and talk with a wide number of stakeholders. We have seen some very good work and significant effort put into ACPs by the CAA, change sponsors and consultees. Nevertheless, the current process is under strain and some significant improvements, to address the following observations, will benefit all stakeholders.

2.2 Lack of transparency

There is a lack of transparency in the process, particularly regarding the CAA's activities. The lack of transparency has created suspicion amongst some stakeholders who are not confident their interests are represented well, and it inadequately reflects the work that the CAA already undertakes.

For example, we found that some stakeholders were not aware of the CAA's environmental, consultation and operational assessments of ACPs since previously these were not published. However, a number have been made public as a result of requests through the Freedom of Information Act or Environmental Information Regulations and recent changes in CAA publication practices.

The CAA meets with and challenges sponsors as part of the AC process. This is a valuable activity but is not necessarily public which can give the impression that the CAA is distant to the process.

The justification for airspace changes is not always clear in the eyes of communities and general aviation groups. For example, some stakeholders feel that the need to improve safety is used as a cover for increasing capacity. A lack of transparency of the identified need for an ACP undermines a communities trust in the work and communications of the change sponsor.

2.3 Consultation

The main issue to be addressed with ACP consultations is that they are viewed with great suspicion by some parties as the change sponsor is viewed by some consultees as "judge and jury" in dealing with the consultation responses. There is a potential conflict of interest here that the CAA needs to ensure is seen to be managed.

If consultation is to be directed through local community representatives, elected or unelected, there needs to be an assurance mechanism that the consultation communication flows down and that response comments flow back up.

Badly managed consultations, eg with consultation documents needing to be amended and re-issued, not only increases the cost and timescales for the sponsor but it also creates ill will from consultees.

2.4 Public expectations of the role of the CAA

Whilst expectations of the CAA are not directly part of the AC process, they influence its effectiveness since a mismatch in expectations and actions results in lower confidence in and greater challenge to the process.

The regulation of airspace changes is a different type of regulation to many other CAA tasks. CAA regulatory activities generally, but not exclusively, involve large organisations and members of the public are not usually significantly involved in providing submissions to regulatory decisions.

As a regulator, the CAA usually maintains distance from the organisations that it is regulating. This prevents 'regulatory capture' and is particularly important in matters of safety. However, in the case of airspace change proposals, the CAA's limited engagement and visibility during the consultation process is perceived by communities and general aviation as being distant from the process and is interpreted as not bringing change sponsors to account.

The CAA currently operates the UK civil aircraft noise contour model (ANCON), on behalf of the Government. The CAA uses ANCON on behalf of sponsors to undertake noise analysis for some ACPs and therefore the CAA in evaluating an ACP from that sponsor effectively assesses its own noise analysis. The CAA recognises that there could be a perceived lack of independence in this arrangement and manages this by ensuring the noise analysis is developed independently to those conducting the evaluation. This observation was not a core concern for AC stakeholders but it is something we recommend the CAA continues to monitor and take any necessary steps to retain independence.

With the growth of social media and easy access to information provided by the internet there is an expectation of greater sharing of information and more engagement. Our impression is that the AC processes are not keeping up with modern technology.

The CAA also needs to manage carefully its messaging to all stakeholders. The CAA's public statements on all aspects of ACPs will be scrutinised by all stakeholders from different perspectives. They need to be clear and consistent.

2.5 Costs and timescales of ACPs

The time to undertake an AC can be long and uncertain, with those in lower airspace taking several years. We reviewed some of the more complex ACPs and determined following duration between the framework briefing and the ACP decision:

- Gatwick replication of existing Standard Instrument Departures (SIDs) with Area Navigation (RNAV): 1 year 9 months (11/11 to 08/13)

- Southend re-introduction of controlled airspace: 2 years 3 months (11/12 to 01/15)

- NATS / Irish Aviation Authority Irish Sea ACP: 1 year 10 months (01/11 to 10/12)

Sponsors and the CAA have both identified that preparatory discussions and investigations commence prior to the framework briefing, and the implementation takes a minimum of 3 months after the decision.

In some cases, the extensive time taken is due to problems in the process (eg disagreements on the consultation material that lead to multiple revisions) and the burden on sponsors is considerable and growing. Additionally some ACPs become highly controversial which tends to increase the complexity of the stakeholder engagement and

extend the overall timescales. For sponsors, this increases the risk and cost of airspace changes. For consultees it increases the uncertainty around change. Some airspace changes have turned into long-running disputes between the airport and stakeholders.

The requirements of each stage need to be clearly defined to ensure the process is efficient and this is addressed in the following section.

2.6 Insufficient guidance on the AC process

Changes to airspace need to consider a balance of interests set out in Section 70 of the 2000 Transport Act and require comprehensive direction on the process and on the decision-making criteria. A lack of specific guidance in some areas creates variation in the approaches to ACPs which hampers them. For example, although sponsors receive guidance on consultation requirements at the framework briefing, variation in the contents of consultation documents may be interpreted as a deliberate attempt to hide or obfuscate information and leads to the need for clarifications which extends the process.

Some aspects of CAP 725 are not sufficiently precise for the needs of the AC process. Whilst the flexibility may have some practical benefits in relation to the scalability of the process to be proportional with the scale of impacts that are generated by a particular ACP, it does not assist in providing a clear, consistent and repeatable AC process. Some specific areas of the AC process that need additional guidance are:

- Circumstances when controlled airspace is an appropriate solution to consider and when it may be more appropriate to consider alternatives such as Transponder Mandatory Zones (TMZ) or Radio Mandatory Zones (RMZ).

- The conditions in which considering an airspace change to improve safety beyond the existing tolerably safe level is reasonable and appropriate.

- The scope of consultation. For example, which groups of stakeholders should be contacted for different types of an ACP? This may include, for example, a definition of when a proposed route is 'overhead' an area. In addition, the development of the consultation strategy and plan for ACPs seeking to replicate existing routes should follow the same process as other ACPs.

- The contents of the consultation documentation. CAP 725 refers change sponsors to the Cabinet Office's Code of Practise on Consultation. Whilst this is valuable, it does not address the specific requirements of communicating airspace and aviation information and therefore is insufficient to ensure consistent consultation documents between different ACPs.

- The use of flight trials as part of an AC process to validate the projected impacts of airspace changes.

- How trade-offs are made in decisions. The treatment of conflicting priorities between different stakeholder groups needs to be more clearly articulated. This requires additional policy clarity from Government.

- The noise metrics to be produced for consultation, particularly to assess the impact of operational concepts such as respite. The current guidance in this area has many optional metrics, but fewer more focussed ones would be more valuable.

- The purpose of consultation.

All of the above areas of guidance need to be consistent with Government policies and guidance.

2.7 Insufficient information on the "strategic priorities"

The Government's legislation, directions and guidance do not provide sufficient strategic direction for the CAA to define clear, consistent and robust operational policies.

One example where more guidance is required is the balance of noise "concentration" and "respite". The 2014 Environmental Guidance reinforces the long held Governmental position of concentrating traffic on the least number of routes as possible, but it also allows ACs to consider the introduction of "respite". There is a degree of confusion within change sponsors and communities as to which guidance they should be prioritising.

A second example relates to airspace changes that are intended to enable economic growth (eg reduce delays and increase capacity at airports). This benefit is not explicitly mentioned as a consideration for the CAA in the Transport Act Section 70 (2) (even though other considerations such as the environment are). It leads some stakeholders to argue that economic gain is insufficient as a reason to justify change.

The General Aviation (GA) community has expectation that the volume of controlled airspace should be managed more tightly over the UK. The GA representatives we spoke to had the view that airspace should be managed as a national resource, with the CAA able to introduce airspace changes that would be for the wider benefit but would otherwise not be funded by any one stakeholder. This is would require the Government to amend legislation to define an additional function for the CAA.

It is important that the Department for Transport (DfT) define these aspects of policy in greater clarity.

The Future Airspace Strategy (FAS) provides another example of challenges in this area. The CAA has developed FAS as part of its responsibility defined in CAP 724 for the "Preparation and maintenance of a co-ordinated strategy and plan for the use of UK airspace and for air navigation". The DfT describes the process as, "the CAA has been leading work, with support from the Department for Transport"[1]. However, the DfT should not only be a contributor but should also; be clear that it supports the strategy; assist in make the national case for FAS; and instruct the CAA to implement it. Otherwise, the CAA is accused of being conflicted in deciding on airspace changes that are justified as part of the implementation of its own strategy.

Overall, airspace needs to be considered as part of critical national infrastructure, as are primary airports, and it needs to be promoted by Government in the same way. It would be beneficial, for example, if airspace featured in the Government's National Infrastructure plan, as does airport infrastructure.

2.8 Factors outside of the AC process

There are activities and policies that are not part of the AC process but affect the wider context within which ACP changes are viewed. External stakeholders view the AC process as part of the wider relationship between the aviation industry and themselves. Stakeholders, particularly communities, do not necessarily make the distinction between regulation; the AC process; the remit of the CAA; and why some changes in *how* or *where* an aircraft operates sit outside the ACP process. The factors external to the AC process can therefore reduce confidence in the integrity of the AC process or in the CAA.

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[1] "Guidance to the Civil Aviation Authority on Environmental Objectives Relating to the Exercise of its Air Navigation Functions", Department for Transport, January 2014, Page 6.

The following list summarises the concerns raised to us in consultation:

- The fact that aircraft paths can be significantly altered outwith the AC process (eg when vectoring patterns change) resulting in changes in the noise footprint. Since the AC process is intended to take into account the impacts on local communities in respect to noise, alongside other stakeholders as part of Section 70's "other interested parties", it reduces confidence in this process if material changes are made outwith the AC process.

- The lack of an independent team to investigate noise complaints. Individual airports are required to address local noise complaints but some community representatives see them as lacking independence in this matter.

- The treatment of airspace trials which may also need to be changed in a similar way to the AC process.

- The approach to other irritants, such as the "A320 whine", which is seen by some communities as part of the bigger picture on noise and requiring a wider approach to managing all aspects of aviation noise.

- The lack of an aviation noise strategy. CAP 1165 (Managing Aviation Noise) sets out options but does not give a strategy.

- The compensation framework may be insufficient for the introduction of concentrated routes. The Airports Commission proposed a noise levy for the recommended option.

The above issues are outside of the strict scope of the AC process and, in some cases, outside of the CAA's remit. Therefore, they are not addressed by the revised AC process recommended in this report. Nevertheless, we recommend that the CAA engages with the Government to see if they can be addressed. Some of these issues could also be addressed by, or in conjunction with, the Independent Aviation Noise Authority (IANA) and this is another area where the CAA will need to engage with the Government.

2.9 Appeal

There is no appeal mechanism described within the current process. This is inconsistent with other processes that can significantly affect the public, such as the planning system for the development of land and buildings.

At present, the only way to appeal is through a Judicial Review in the courts; this is expensive and therefore only open to some stakeholders.

3 Key changes proposed

3.1 Introduction

The key changes we recommend to the AC process are presented in this section. The new process incorporates these and other changes and is described in Section 4.

Overall, it is noteworthy that the CAA will need to be more "hands-on" than at present in the AC process and this will require a conscious change in approach and resources dedicated to implementing the new process effectively.

3.2 Additional guidance and requirements

The revised process will require a number of new or updated documents. Some of these documents will set out specific requirements for the process and others will provide guidance.

The revised process must apply to all ACPs but, due to the very different scale and complexity of different ACs, there must be flexibility in how the revised process is applied. This does not mean that a change sponsor can choose which elements of the process they follow but rather that the scale of consultation for an AC at 24,000ft can be significantly less than a change to a departure route at 4,000ft. This is an example where the CAA should provide guidance on how the process applies to different changes.

CAP 725 will have to be updated and in doing so, the language should be made more directive and the process requirements more specific. This will benefit all parties by reducing uncertainty about what is expected.

Consultation documents are critical because they contain the main information by which consultees will learn of proposed changes. They must not be, or perceived to be, biased. This guidance needs to be very specific, eg describing precise map formats to show proposed new routes and the specific noise metrics to be provided.

Conducting live flight trials[2], to validate the procedure design or the impact of a change, is not part of the AC process. However, we recommend they should be used where the actual ground track of the route that will be flown is uncertain or cannot be suitably validated via flight simulators or desktop techniques. This is required if the consulted route may be different from the flown route for a significant number of aircraft, which can occur when there are large turns in a route.

Where we identify a need for additional guidance or requirement documents within the revised process a short explanation is included within the description and further details are provided in Section 5.

As noted in Section 2, there are some areas where more Government guidance and directions would be beneficial. These are outside of the scope of the changes to the AC revised process.

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[2] Flight trials and flight validation are different. For further details on flight validations please see the CAA's policy 'Validation of Instrument Flight Procedures' at
https://www.caa.co.uk/application.aspx?catid=33&pagetype=65&appid=11&mode=detail&id=4484

For further information on flight trials please see CAA's policy 'Policy for the Conduct of Operational Airspace Trials' https://www.caa.co.uk/application.aspx?catid=33&pagetype=65&appid=11&mode=detail&id=6779

3.3 An incremental process

Change sponsors feel the current process contains significant timescale risk for them in that there is insufficient direction, reviews and approvals throughout the process. A large number of other stakeholders see the process lacking in transparency and too much of an "aviation closed shop". Communities and GA representatives expressed that the CAA have too little involvement and do not monitor change sponsors sufficiently.

The CAA's role in the revised process is more hands-on whilst remaining independent from the design and justification of the airspace change. An example of this is our recommendation that the CAA validate and approve the documents that are prepared and published during the progression of the AC process as being fit for purpose. This would not mean the CAA was endorsing the proposal at that stage.

An aim for the changes is also to provide clarity of what is required at each stage and ensuring that each step of the AC process is "right first time".

Within the revised process we have identified 4 gateways where CAA approval is required:

- Define - Two documents would need to be produced by the change sponsor and accepted by the CAA:

    i.   A short statement setting out the problem or opportunity and why an airspace change may be an appropriate solution.

    ii. Design principles that describe what trade-offs are intended to be made in the design (eg to provide a certain amount of respite at the expense of not minimising the total number of people overflown).

- Develop & assess – Acceptance of a comprehensive impact assessment of each viable design option.

- Consultation – Validation that the consultation plan and documentation have been prepared in a manner that will enable it to be fair, open and transparent.

- Decision – Formal decision by the GDSAR as to whether to accept the ACP.

By publishing documents during the process, all stakeholders can understand the progression and assessment of the ACP. In general, all key documents in the AC process should be published otherwise external parties will not have visibility and will consequently lack confidence in the process.

Clearly, some matters cannot be made public (eg regarding national security, commerciality that may unfairly advantage or damage another organisations competitiveness) and these should be redacted. However, any information that is used as part of the justification for an ACP should be made public if possible, and a threshold defined to justify redaction. This is particularly important for information that the sponsor generates themselves, such as traffic forecasts.

3.4 An Oversight Committee for some changes

There are a few actions within the revised process where we recommend that a review is undertaken by others than the airspace regulation team. The justification for recommending a separate review is to address the lack of trust that some stakeholders have in the current activities of the CAA's airspace regulation team and to allow the CAA to call on external experts.

We therefore recommend the formation of a ACP Oversight Committees, chaired by the CAA with membership drawn from both within and external to the CAA dependent on expertise; although most are likely to be external to the CAA. The membership of the Oversight Committees should be varied according to the nature and location of the ACP to make it relevant and to prevent any conflict of interest.

Members of an Oversight Committee may represent:

- Airspace operation and safety,
- Environmental aspects – for example – including at least Noise and Air Quality,
- Airspace users - commercial, military and general aviation and recreational,
- Health and well-being,
- Airports,
- Consultation and engagement experts,
- Socio-economics, and
- Communities.

If the Government establishes an IANA then it would be appropriate that IANA provides one member of the Oversight Committee.

We are not recommending the formation of an Oversight Committee for every ACP as this would not be proportionate. Instead, an Oversight Committee is only appropriate when an ACP is contentious. The decision to form an Oversight Committee should be taken by the GDSAR.

3.5 Changes to the consultation process

We propose safeguarding the interests of consultees at this phase by a much more tightly controlled process involving the CAA (eg with an impact assessment included in the consultation, stricter requirements on consultation materials, and a CAA approval of consultation material before publication). Our view is that change sponsors need to own the ACP from start to finish (including during consultation) but they need to operate in a much tighter framework.

We have not suggested, as some stakeholders would like, that the change sponsor does not conduct the consultation. In our view, the CAA should not conduct the consultation because it needs to regulate the entire process rather than do it. Any other organisation doing the consultation on behalf of the change sponsor or CAA could be viewed as a proxy for them.

Our decision to leave the consultation with the change sponsor is balanced by seeking to ensure that the consultation is more closely defined and scrutinised earlier in the process. One part of that scrutiny is that the revised process requires all consultation materials to be reviewed and validated as discussed in Section 3.3 above.

To provide greater confidence in the process, we also recommend that consultees submit their responses via an online portal hosted by the CAA (see Section 3.7 for further details). The CAA would then observe the process and monitor for issues such as complaints about the quality of the consultation material, which could be addressed quickly with the sponsor. We also recommend that all consultee submissions and change sponsors responses are published.

The CAA would monitor the dialogue between consultees and the change sponsors but it would still be the change sponsor's responsibility to respond to the comments made. By monitoring the dialogue, the CAA will ensure that appropriate responses are provided to the comments raised. The CAA already assesses the consultation process and the change sponsor's response to the consultees' comments. Some of this effort could be engaged earlier to de-risk the consultation but overall, there will be a need for more resources in the CAA.

Aside from this change to consultation, we also recommend strengthening local consultation by introducing agreed "design principles" into the revised process.

3.6   An appeal mechanism

As identified in Section 2.9 the current process does not have an appeal mechanism. We have proposed adding one because there needs to be a way to challenge whether the decision made by the CAA was reasonable, based on the evidence available, or challenge the decision if there has been a breach of process. Currently this is only possible via a Judicial Review (which is expensive and therefore not open to all). In our view, it is appropriate that anyone impacted by an AC has a reasonable opportunity to request an appeal.

However, there should be pre-defined grounds for appeal that will ensure that the process will not be unduly lengthened by appeals that lack substance. The grounds for appeal should be defined by the CAA but would likely be that there was a serious error in the procedure or that there were factual errors in the information on which the decision was based.

An appropriate process would allow an applicant to request an appeal to be undertaken by members of the CAA Board, typically non-executive directors who are appointed by the Secretary of State for Transport. No staff member involved in the ACP decision should be part of or an advisor to the Appeal Panel.

We have reviewed Regulation 6 of the Civil Aviation Authority Regulations (1991) which is a process designed for internal reviews of bilateral decisions affecting one applicant and therefore is not directly applicable to AC decisions. However, a similar structure could apply for the AC appeal process.

The inclusion of an appeal mechanism will not alter the potential for Judicial Review.

3.7   An airspace change web portal

To support the revised process, we recommend the CAA develop an AC web portal. For example, it will be beneficial for interested parties to see easily the status of all airspace engagements and relevant documentation via the internet and to receive updates via social media, etc.

The portal will provide a single access point to and repository for every ACP. The portal should allow stakeholders to track progress of an ACP, access all documentation published during the process.

The vision is that the portal would also be the route by which all consultees respond to consultations, with responses publically available within a few days of being submitted. Stakeholders would register with the portal so that a) their consultation responses can be logged to an address and email b) they can be alerted whenever the relevant ACP is

updated or there is feedback to their response. The use of the portal is described in Section 5.4.
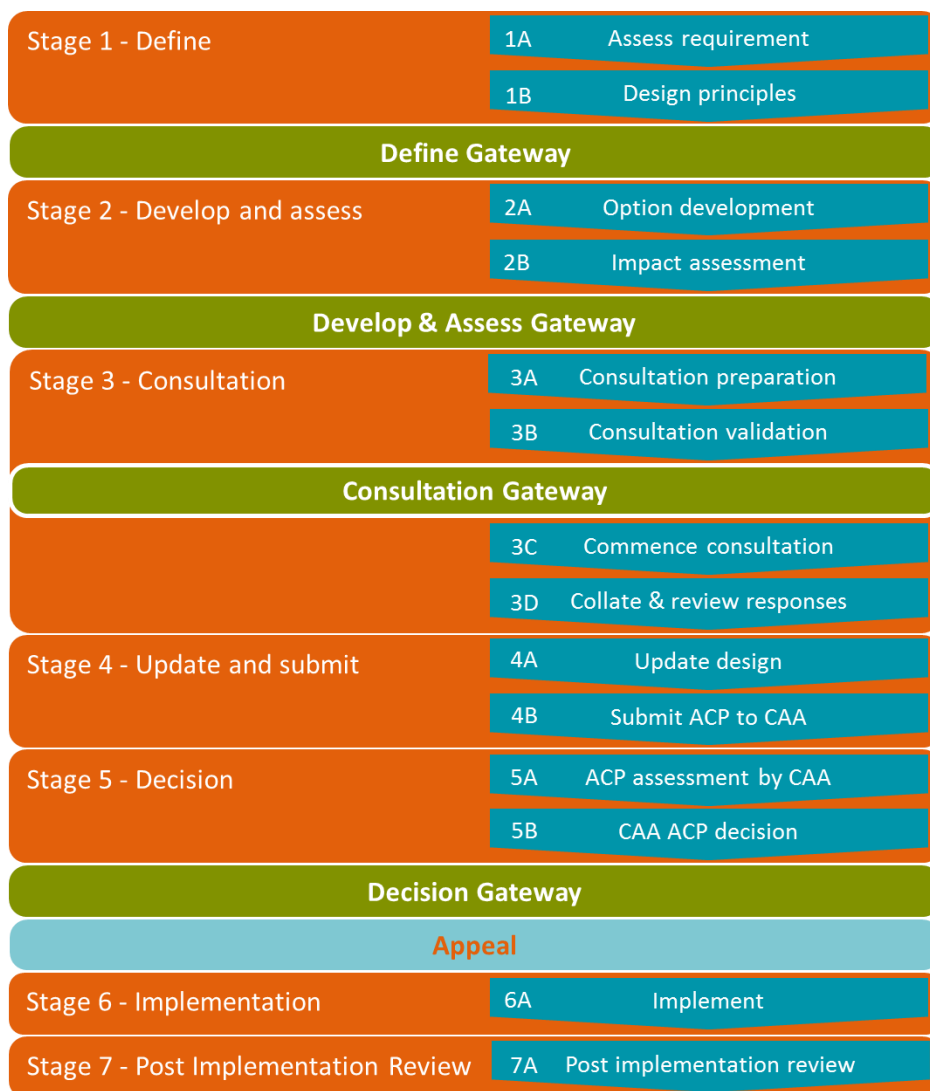
HELIOS

4 Revised AC process and recommendations

4.1 Overview

In this section, we describe a revised AC process to address the observations set out in Section 2 of this report and incorporating the key changes from Section 3. We have tried to avoid increasing the cost or timescales involved with an ACP without justification, but it needs to be as long as necessary to be effective and robust. We make some recommendations (such as the introduction of an appeal process) that may increase its duration. Additionally, the AC process needs to be scalable and to fit the type of AC being proposed. For example, high-altitude changes over the sea do not generally need local community consultation.

The revised AC process will require greater engagement of CAA resources throughout, as well as greater involvement with stakeholders and communities. The CAA will need to sufficient resources to undertake the increase in activities recommended and to ensure they can be completed in appropriate timescales. The CAA will therefore need to review its resourcing requirements once the updates to the AC process have been finalised.

Each task in the revised process is described as follows:

- Issues addressed – describing the shortcomings that the revised task is seeking to address.

- Objective.

- Overview.

- Description – an itemised list of the actions that need to be completed in the task and who leads those actions.

- Documentation required –the title and a brief description of the guidance or requirement documents that are needed to support the task. An expanded description of these documents is provided in Section 5.2

- Outputs - the outputs from the task. The majority of tasks produce one or more output documents and these are briefly described. An expanded description of the outputs is provided in Section 5.3.

| Stage 1 - Define | 1A | Assess requirement |
| | 1B | Design principles |

Define Gateway

| Stage 2 - Develop and assess | 2A | Option development |
| | 2B | Impact assessment |

Develop & Assess Gateway

| Stage 3 - Consultation | 3A | Consultation preparation |
| | 3B | Consultation validation |

Consultation Gateway

| | 3C | Commence consultation |
| | 3D | Collate & review responses |

| Stage 4 - Update and submit | 4A | Update design |
| | 4B | Submit ACP to CAA |

| Stage 5 - Decision | 5A | ACP assessment by CAA |
| | 5B | CAA ACP decision |

Decision Gateway

Appeal

| Stage 6 - Implementation | 6A | Implement |
| Stage 7 - Post Implementation Review | 7A | Post implementation review |

Figure 3 - Overview of the proposed airspace change process

We are aware of the draft EASA airspace change proposal requirements but at the time of writing it has not been released for consultation. To meet the expected requirements of the EASA document we have maintained a seven-stage process. Nevertheless, we have provided additional sub-tasks within the process to expand the activities undertaken.

4.2 Stage 1 – Define

4.2.1 Task 1A – Assess requirement

Task 1A	Assess requirement
Issues addressed	Lack of transparency of the original identified need as to why an airspace change is being considered Sponsors not clearly identifying or expressing explicitly what issue they are seeking to address or benefit they wish to achieve
Objective	Assess requirement for consideration of an airspace change
Overview	The change sponsor prepares a statement of need setting out what airspace issue they are seeking to address. Having reviewed this the CAA meets with the change sponsor to agree if an airspace change is a relevant option to investigate and the appropriate scale of the AC process.
Description	1) The change sponsor prepares a statement of need that sets out the issue or opportunity they are seeking to address and why an AC may be appropriate. 2) The statement of need is submitted to the CAA ahead of the ACP assessment meeting. 3) The ACP assessment meeting is held and minutes taken by the CAA. 4) The change sponsor reviews and approves the minutes. 5) The change sponsor updates their statement of need, if they believe it is necessary, and re-submits it to the CAA. 6) The CAA reviews and decides whether to accept the statement of need. The CAA is not endorsing or approving an AC at this stage. They are approving that the statement of need is reasonable and that an ACP is a valid option to investigate. If the CAA concludes that an ACP is not a valid option then the ACP is terminated. 7) The CAA publishes the statement of need, the ACP assessment meeting minutes and the CAA's acceptance or rejection of the statement of need on the AC web portal.
Documentation required	AC requirements assessment – providing guidance and examples of when an AC may be an appropriate response to address particular issues or opportunities Airspace change grading matrix – providing a description of the scope of the AC process that needs to be applied to different ACPs. Assessment meeting requirements – sets out the purpose of the ACP assessment meeting and the roles of the CAA and change sponsor within the meeting.
Outputs	Statement of need – prepared by the change sponsor, reviewed and accepted or rejected by the CAA and published on the AC web portal, with the CAA's decision. Assessment meeting minutes – prepared by the CAA, agreed by the change sponsor and published on the AC portal.

4.2.2 Task 1B – Design principles

Task 1B	Design principles
Issues addressed	The scale of significant iteration and re-work in the AC design stage Ease the adversarial nature of the consultation Lack of up front engagement between change sponsor and stakeholders Lack of understanding between change sponsors and stakeholders as to what design considerations are important to them, such as predictable respite for communities and defined crossing routes for GA
Objective	Identification and communication of the design principles to be applied to the airspace change design
Overview	The design principles encompass the safety, environmental, operational criteria and strategic policy objectives that the change sponsor will strive to achieve in developing the ACP. The design principles will form a structure against which AC design options can be evaluated.

Description	1) The change sponsor prepares a set of airspace design principles that encompass both national and local criteria. In developing the design principles the change sponsor will review:
	
	   a) National policy documents such as the "Air Navigation Directions, DfT Guidance on CAA Environmental Objectives".
	
	   b) Airspace design principles guidance
	
	2) The change sponsor can agree local design principles through engagement with local stakeholders, such as elected community representatives, local community groups and representatives of local GA organisations or clubs.
	
	3) The design principles should be agreed with local stakeholders and where agreement cannot be reach, it must be recorded.
	
	4) The design principles are submitted to the CAA for review and acceptance. The CAA in reviewing the design principles can recommend changes. In accepting the design principles, the CAA is conferring that the sponsor and stakeholders have agreed a pragmatic set of principles that takes adequate note of national requirements and airspace strategy.
	
	5) The approved design principles are published on the AC portal.

Documentation required	<u>Guidance on the identification and agreement of airspace design principles</u> – providing guidance on the preparation of design principles and default principles that can be used as an example for local discussions
Outputs	<u>ACP design principles</u> – prepared by the change sponsor, agreed by stakeholders, reviewed and accepted by the CAA and published on the AC portal.

4.3 Stage 2 – Develop and assess

4.3.1 Task 2A – Option development

Task 2A	Option development
Issues addressed	Lack of understanding of how an AC design addresses the identified need.
Objective	Development of options aligned with design principles.
Overview	The change sponsor develops one or more options that address the statement of need and align with the defined design principles.
Description	1) The change sponsor develops AC option(s) that address the need articulated in the statement of need and meet the design principles. 2) The change sponsor engages with the local stakeholders that were involved in developing the design principles to test informally the design options and how the designs respond to the design principles. 3) The change sponsor may re-iterate activities 1) and 2) until they feel there is no further refinement to be achieved. 4) The change sponsor documents how the design options have responded to the design principles in a Design principle evaluation matrix. 5) The airspace designs and the design principles evaluation matrix are presented to the CAA for review, acceptance and upload to the AC portal. The CAA is accepting that the evaluation of a design option against the design principals has been undertaken in a fair and consistent manner. The approval is not an assessment of the appropriateness of one option over another, neither is it approval of the airspace change. 6) The change sponsor may choose to undertake simulations or flight trials of one or more of the options.
Documentation required	ACP design good practice examples – illustrations of good examples of ACP design process in which options and trade-offs have been considered
Outputs	AC design options - One or more AC design options to sufficient detail to be able to complete the impact assessment. Design principle evaluation matrix - prepared by the change sponsor and published on the AC portal.

4.3.2 Task 2B – Impact assessment

Task 2B	Impact assessment
Issues addressed	Lack of trust that impacts are consistently and rigorously identified and assessed
	Lack of clarity for sponsors as to what assessment they must undertake
	Impacts not fully understood or appreciated prior to consultation leading to loss of confidence and trust by consultees
Objective	To conduct an objective, repeatable and consistent assessment of options against defined criteria
Overview	Each option, even if there is only one, is assessed to understand the impact, both positive and negative. The change sponsor conducts the impact assessment, against requirements set by the CAA. Where possible the impact assessment should seek to monetise impacts adopting the rigour, structure and approach of a cost benefit analysis.
Description	1) The change sponsor completes the analysis and assessment, as laid down in the CAA airspace change impact assessment guidance. 2) The change sponsor submits their analysis and impact assessment to the CAA for review. 3) The CAA reviews both the analysis and the impact assessment, preparing a paper identifying its assessment of the analysis and results of the impact assessment. 4) The impact assessment and the CAA review paper are published on the AC portal.
Documentation required	Airspace change impact assessment requirements – provides the requirements for how to assess an AC option, including: • Definitive criteria to be assessed. • Preferred methodologies and tools for the analysis. • Fixed requirements on the monetisation of specified criteria. • Identification of consultees
Outputs	Impact assessment – prepared by the change sponsor and published on the ACP portal Impact assessment review paper – prepared by the CAA and published on the ACP portal

4.4 Stage 3 – Consultation

4.4.1 Task 3A – Consultation preparation

Task 3A	Consultation preparation
Issues addressed	Poor or incomplete consultation methodologies or documents Loss of trust in consultation and the change sponsor if consultation documents are found to be incomplete or inaccurate
Objective	To prepare the consultation strategy and documents
Overview	The change sponsor will finalise plans for how they intend to conduct the consultation and prepares the consultation documents
Description	1) The change sponsor develops a consultation strategy and plan. The change sponsor may want to seek the advice and support of external experts in consultation and public engagement. 2) The change sponsor prepares the consultation documents and the materials to increase the awareness of the consultation. 3) Define how each consultee identified during the impact assessment will be informed of the consultation and what steps will be taken to minimise the chances of the engagement strategy failing. 4) Where specific communities have been identified, during the impact assessment, for inclusion within the consultation the change sponsor should prepare a strategy to contact each property individually. 5) The change sponsor submits the consultation plan, documents and engagement plan to the CAA for validation.
Documentation required	Consultation requirements – describing the requirements for consultation material and activities.
Outputs	Consultation plan – prepared by the change sponsor and submitted to the CAA for validation. Consultation documents – prepared by the change sponsor and submitted to the CAA for validation. Stakeholder engagement plan – prepared by the change sponsor and submitted to the CAA for validation.

4.4.2   Task 3B – Consultation validation

Task 3B	Consultation validation
Issues addressed	Lack of trust that the change sponsor prepares open, fair and transparent consultation documents
Objective	To validate that the consultation has been prepared in a manner that will enable it to be open, fair and transparent
Overview	A review and validation of the consultation plan, consultation documents and engagement plan by either the CAA or an ACP Oversight Committee to ensure the plan is comprehensive, the materials clear and appropriate and the questions unbiased
Description	1) The CAA or members of the relevant Oversight Committee (if established) undertake a review and validation of the consultation plan, documents and engagement plan. 2) The CAA verifies that the consultation will address all the consultees identified during the impact assessment and confirms that the approaches to engage them are sufficient and appropriate. 3) The CAA confirms that the consultation period is of appropriate duration based upon the scale and impact of the airspace change. 4) The CAA issues a statement as to whether the consultation plan, materials and engagement plan are adequate and, if not, where they fall short. 5) If the consultation preparation is not deemed to be adequate then the process returns to step 3A for the change sponsor to update the consultation preparations. 6) The CAA would approve, or not, the material as fit for purpose for consultation, but would not offer comment explicitly or implicitly on the merits or otherwise of the ACP at this stage. This is to preserve the independence of its decision-making ability.
Documentation required	Consultation validation requirements – describing what needs to be checked and validated when reviewing the consultation plans and documents.
Outputs	Consultation validation statement – prepared by the CAA, encompassing advice of the Oversight Committee if formed, and published on the AC portal. Consultation plan – prepared by the change sponsor and published on the AC portal. Engagement plan – prepared by the change sponsor and published on the AC portal.

4.4.3   Task 3C – Commence consultation

Task 3C	Commence consultation
Issues addressed	Lack of ability for consultees to ask questions during consultation
	Lack of evidence, to demonstrate the lengths that change sponsors are taking to engage consultees
Objective	To conduct an open, fair and transparent consultation
Overview	The change sponsor implements their consultation and engagement plans
Description	1) The change sponsor issues the consultation documents, and the CAA makes them available on the CAA-hosted AC portal alongside the statement of need, framework briefing minutes and the design principles.
	2) The change sponsor maintains records to demonstrate that all reasonable actions have been taken to ensure stakeholders are informed of the consultation and been offered the opportunity to engage with it.
	3) The change sponsor maintains a "Frequently Asked Question" page on the AC portal to respond to stakeholder questions during the consultation.
Documentation required	None
Outputs	Consultation commences

4.4.4 Task 3D – Collate and review responses

Task 3D	Collate and review responses
Issues addressed	Lack of trust and transparency in how consultation responses are collated and handled
Objective	Fair, transparent and comprehensive review of consultation responses
Overview	The consultation responses are collated by the CAA and available publicly. The consultees' responses are reviewed and categorised.
Description	1) The CAA, via the web portal, collates all consultee responses. 2) The CAA reviews the consultees' responses to moderate them in terms of the content being socially acceptable for publication on the AC portal. This should typically happen within 3 working days. 3) If consultation responses are received by email or post then these need to be published on the AC portal. 4) If the change sponsor identifies that consultee responses submitted during the consultation can be answered prior to the end of the consultation, ie by pointing the consultee to the relevant section of the consultation document or providing a textual answer, then that should be encouraged. All change sponsor responses should be visible for everyone to read. 5) As the consultation progresses the CAA ensures that change sponsors have access to all consultation responses. 6) The change sponsor reviews the responses and categorises them as to those that present information that may lead to a change in the design and those that do not. 7) The CAA reviews the categorisation of responses and ensures that it has been undertaken in a fair and even manner. The CAA has the authority to change a categorisation. 8) The categorisation for each consultation response is published on the AC portal.
Documentation required	Guide for airspace change consultees - guidance for ACP consultees as to the purpose of consultation, the interpretation of the information being presented, the nature of information being sought by the consultation and how to respond via the AC portal. Guide to the classification of consultation responses – guidance for change sponsors when reviewing and classifying consultation responses.
Outputs	All consultation responses with categorisation available to all on the AC portal.

4.5 Stage 4 – Update and submit

4.5.1 Task 4A – Update design

Task 4A	Update design
Issues addressed	Lack of transparency in how the change sponsor has responded to the consultation comments
Objective	To update the design, as appropriate, to address consultation responses
Overview	The change sponsor considers the consultation responses and identifies how they can update the ACP in response
Description	1) The change sponsor reviews the categorised consultation responses and seeks to identify how the AC design can be amended to respond to the consultees' comments. 2) The change sponsor populates the AC portal providing evidence and / or justification as to how they have or have not been able to respond to the consultation responses identified for further consideration. 3) The change sponsor updates the impact assessment analysis. 4) The change sponsor submits the updated AC design, impact analysis to the CAA. 5) The CAA reviews any design changes, updated impact assessment and the responses provided by the change sponsor to the consultee comments. If the assessed impact has changed substantially the CAA may instruct the change sponsor to undertake a second consultation of one or more consultees. 6) The CAA publishes the updated design and impact assessment on the AC portal
Documentation required	Secondary consultation principles – the CAA needs to define principles as to what level of change in impact would trigger a secondary consultation.
Outputs	Updated ACP – prepared by the change sponsor. Change sponsors provide responses to each consultee comment as to how they have or have not been able to take account of the comment on the AC portal. Updated impact assessment – prepared by the change sponsor, following exactly the approach to the original impact assessment and published on the AC portal

4.5.2 Task 4B – Submit ACP

Task 4B	Submit ACP
Issues addressed	Improved transparency of the process and timings
Objective	Formal submission of the ACP to the CAA
Overview	The change sponsor prepares the formal ACP and submits it to the CAA
Description	1) The change sponsor prepares the formal ACP submission, using an ACP template issued by the CAA. The change sponsor must prepare two copies of the ACP, one of which must have any sensitive information redacted in accordance with the redactive guidance set by the CAA. 2) The CAA publishes a statement that the ACP submission has been formally received and an estimate as to when it expects to announce a decision.
Documentation required	ACP submission requirements – providing requirements on what needs to be included in the an ACP submission ACP template – standard document with defined structure and content requirements for the submission of an ACP
Outputs	ACP submission – Produced by the change sponsor and published on the portal but not until Stages, 5a and 5b have been completed. ACP submission statement – a short statement from the CAA confirming the submission of the ACP and with an indication of when the decision is expected

4.6 Stage 5 – Decision

4.6.1 Task 5A – ACP assessment

Task 5A	ACP assessment
Issues addressed	Lack of transparency of ACP assessment
	Lack of opportunity for stakeholders to interact and make their case directly to the CAA
	No formal process by which CAA can engage with stakeholders during their assessment period
	Lack of visibility of when a decision is likely, particularly if it extends beyond the target of 16 weeks after ACP submission
Objective	Consistent and structured review and assessment of the ACP
Overview	The CAA reviews and assesses the ACP. The CAA prepares assessment papers to inform and provide guidance to the airspace change decision maker.
Description:	1) The CAA reviews the ACP and prepare three ACP assessment papers, operational, environmental and consultation.
	2) The CAA evaluates if the change sponsor has been proportionate in what has been redacted in the second copy of the ACP.
	3) The CAA can, if appropriate, meet with stakeholders or convene one or more hearings. The purpose would be to understand stakeholder opinions on the ACP and how the change sponsor has conducted the AC process. The scale and location of a hearing would be at the discretion of the CAA:
	a) It could be held at either a CAA office or a local hall.
	b) The CAA may limit attendance to invited individuals or all consultees that responded.
	c) Attendees would be invited in advance to book a time slot, limited in duration to maybe 5 minutes, during which they can present their views to the CAA. If the CAA have particular aspects they wish to hear about then these could be published at the same time as the notification of the meeting and the invitation to talk.
	d) The change sponsor should be able to be present and have a time slot, again of limited duration but proportional to the number of consultee speakers, in which to present their points.
	e) The CAA may ask questions of anyone present at the hearing.
	f) The CAA does not have to make any statement at the end of the meeting in relation to what they have heard or how it will influence their decision-making.
	g) A record of the meeting should be published.
	If the CAA meets with stakeholders individually rather than convening a hearing they should publish a record of who and when.
	4) If the ACP decision date is to be later than estimated in task 4B, the CAA must update the ACP portal with a revised date and brief explanation.

Task 5A	ACP assessment
Documentation required	ACP assessment requirements and guidance – providing requirements on what the CAA need to review and evaluate when assessing an ACP. Defining what is included within the three assessment papers. The document would include guidance on how the CAA evaluate and balance various elements such as strategic policy, noise disturbance, economic gain.
Outputs	Operational, Environmental and Consultation assessments – The CAA's assessments of the ACP. ACP assessment hearing minutes – The record of any ACP assessment hearing arranged by the CAA. ACP assessment stakeholder meetings – Details as to who the CAA spoke with and when.

4.6.2 Task 5B – ACP decision

Task 5B	ACP decision
Issues addressed	Lack of transparency within the process Lack of confidence in the CAA's capability in all topics / domains, eg consultation, general aviation, air quality Lack of trust that the CAA is fair and unbiased in its decision making, favouring change sponsors
Objective	Decision with clear reasoning as to how it has been reached
Overview	The GDSAR makes the decision whether to grant or reject the ACP, possibly seeking advice from experts or stakeholder representatives
Description	1) The GDSAR reviews the assessment papers prepared in Task 5A. 2) The GDSAR should, for the more contentious ACPs, call on the relevant Oversight Committee to advise and assist in reviewing the ACP and the assessment papers. Whilst the Oversight Committee will not be accountable for making the decision, which lies with the GDSAR, they could provide a balanced forum to review and debate the proposed change. 3) If the ACP decision date is to be later than estimated in task 4B, the CAA must update the ACP portal with a revised date and brief justification. 4) The GDSAR makes the decision on whether to allow the AC to proceed. 5) CAA issue a decision letter detailing how and why the decision was made providing clarity to how the different design principals and impacts have been balanced. The letter must be supported by the ACP submission and the assessment papers.
Documentation required	ACP decision-making guide – principles as to how the CAA consider the different elements of an ACP and come to a decision. The guide should provide the CAA's interpretation of the priority of decision criteria ie the priority assigned to the requirements set out in Section 70 (2) of the Transport Act 2000, and how they interpret national guidance, such as the "most efficient use of airspace". Guidance on the formation and accountabilities of an Oversight Committee – principles as to when an Oversight Committee is appropriate, the relevant membership of experts or stakeholders and their remit.
Outputs	ACP Decision letter – prepared by the CAA and published on the AC portal ACP assessment papers – published on the AC portal ACP assessment hearing minutes – published on the AC portal ACP assessment stakeholder meetings – published on the AC portal

4.7 Stage 6 – Implementation

4.7.1 Task 6A – Implementation

Task 6A	Implementation
Issues addressed	AC Implementation not reviewed as part of this study
Objective	To implement approved airspace change proposals
Overview	The change sponsor works with Air Navigation Service Providers (ANSPs) to implement the approved change
Description	This study has not looked at how an approved ACP is implemented so it is not appropriate to make any recommendations in relation to changing this stage of the process.
Documentation require	None
Outputs	None

4.8 Stage 7 – Post implementation review (PIR)

4.8.1 Task 7A – Post implementation review

Task 7A	Post implementation review
Issues addressed	Frustration in the delay to commence and then complete PIRs Lack of confidence in the PIR as the current scope is seen as too limited Lack of trust as communities have typically not been invited to contribute to the PIR
Objective	Balanced and transparent review of the airspace change against the original statement of need, design principals and impact assessment.
Overview	The CAA leads a review of how the airspace change has performed looking at all aspects evaluated during the AC process.
Description	1) The CAA can call a PIR at any stage, although typically this is after 12 months and should always be within 18 months after an airspace change is implemented. 2) The CAA calls for evidence from all stakeholders as to how the airspace change has performed in relation to the AC statement of need, design principles and impact assessment. 3) The CAA prepares a PIR report identifying any differences in practice to those expected during the AC process. 4) The CAA determines if any mitigations are required for impacts that are greater than predicted or any learning points where impacts are less than expected. 5) The PIR report is published on the CAA AC portal.
Documentation required	Revision of CAP 725 to provide requirements for a wider PIR and to set out how the actual impacts are to be measured and assessed against the impact assessment conducted during the AC.
Outputs	Post implementation review report – summarising the results of the review

5 Revised process documentation

5.1 Introduction

This section summarises the documentation that is required in the revised process. Some documents are guidance and some are requirements, depending on the need to formalise the information involved.

An update of CAP 724 and a re-write of CAP 725 will be necessary to set out and support the revised process. We additionally identify 15 additional guidance documents that we believe sit best as annexes to the re-written CAP 725.

Our suggestion is that CAP 725 in future provides a summary of the overall process, similar to Section 4 above, which should provide references to the relevant Annex for the requirements and guidance. The revised CAP 725 should also provide an indication of the proportionality of process, possibly as a matrix of applicable tasks based on the scale and or complexity of an ACP.

The documentation will need to reflect the wide variety of ACs. To accommodate unforeseen circumstances, or specific local conditions, it will be necessary to deviate from them at times. This will be done with the agreement of the CAA.

All documents need to be prepared by the CAA, and some will require external input or review. For example, the consultation guidance should be prepared taking account of the views of groups representing consultees.

5.2 Documentation required to define and support the new process

Task	Document title	Document description
1A	AC requirements assessment	This provides guidance and examples of when an AC may be an appropriate response to address particular issues or opportunities. The document should provide structure as to the different airspace change strategies available and when they may be appropriate, eg: • What operational environment would typically require a TMZ and what typical issues would the sponsor be seeking to address? • How to determine if a RMZ was preferable to a TMZ? • Examples of when different classes of airspace are appropriate. • Identification of the potential triggers to de-regulate airspace.
1A	Airspace change grading matrix	This describes how the CAA will classify the different scale of ACP and provides an outline of the scope of the AC process that is appropriate. The matrix is guidance and the full scale of the process to be applied can be assessed as part of the assessment meeting and the impact assessment.

Task	Document title	Document description
1A	Assessment meeting requirements	This defines the purpose of the ACP assessment meeting, its scope and the roles of the CAA and change sponsor within the meeting.
		The CAA are to minute the meeting and the change sponsor are to review and agree the minutes.
		These requirements may be prepared as a separate document or as part of the revised CAP 725.
		The purpose of the assessment meeting should include:
		• For the CAA and change sponsor to discuss the Statement of need.
		• Agreement by the CAA of whether an airspace change is a potential solution to the identified need. This does not imply approval by the CAA of the ACP. If the CAA identifies that an airspace change is not relevant then the justification for this needs to be clearly documented in the minutes.
		• To identify and document the appropriate scale of the AC process. This should be consistent with the airspace change, grading matrix.
		• To identify any inter-dependencies with other ACPs.

Task	Document title	Document description
1B	Guidance on the identification and agreement of airspace design principles	Guidance on how to define design principles and achieve agreement with stakeholders. The document will include a default set of design principles that can be a starting point from which local agreements can build.
		The design principles are not design decisions they are just principles that should be considered and factored into the design process. They need to describe the trade-offs to be made in considering the options that may be available, such as:
		• To provide respite to communities and what is meant by respite.
		• To minimise the number of people newly affected, which may work against the provision of respite.
		• To maximise the economic benefit derived from the airport through increasing capacity. There may be a balance of capacity growth with environmental impacts such as noise to consider in the design.
		• To reduce or minimise any increase in the volume of Controlled Airspace. For example, just because a particular type of procedure is possible does the design have to include it if it increases the overall volume of airspace needed?.
		The document must provide an outline of the national airspace policy objectives and the national airspace guidance. The CAA needs to explain their interpretation of national policy guidance ie how it intends to implement the national policy. For example, what the CAA defines as "efficient use of airspace".
		The guidance needs to make recommendations as to whom a change sponsor seeks to involve in this early and important stakeholder engagement. Such a group could be drawn from the Airport Consultative Committee but the individuals involved must have an accountability to engage with others that they represent. Alternatively, the change sponsor could form a specific forum to discuss and seek agreement of the principles.
		Reaching agreement will not be easy so the guidance should suggest that airports / change sponsors consider developing local design principles for ACPs outside of any current or imminent ACP. The design principles should be reviewed periodically to ensure they remain aligned with local social and community opinions. This is similar to the way that local environmental agreements and operating practices have been developed over time.

Task	Document title	Document description
1B	ACP design good practice examples	These are good design practices in both how designs are developed and the results of the design process. The purpose is to share best practice between change sponsors. Good practice examples may include cases where: • effective respite solutions have been identified; • defined GA access corridors have been included; or • a collaborative design approach between change sponsor and stakeholders has been achieved. There must be a periodic review and update of the good practice examples to ensure they remain contemporary and appropriate.
2B	Airspace change impact assessment requirements	This document will provide requirements to ensure that AC options are evaluated in an objective, consistent and repeatable manner. The requirements must be detailed, specifying what has to be assessed, minimum acceptable methods of analysis, the metrics to be evaluated for each criteria, how criteria are monetised, if appropriate, and how the results are to be presented. The overall purpose is to monetise, quantify or qualify all impacts of each AC option. Though some impacts cannot be expressed as monetary values they should not be neglected, but rather expressed in a consistent form that gives a sense of the severity of the impact. There may need to be input from and direction given by the Government in structuring and setting the metrics for the impact assessment. We recommend that, in developing the impact assessment for an ACP, the CAA and DfT should consider the existing Web-based Transport Analysis Guidance (WebTAG). WebTAG is the Department's transport appraisal guidance and toolkit. It consists of software tools and guidance on transport modelling and appraisal methods that are applicable for highways and public transport interventions. Development of analysis using WebTAG guidance is a requirement for all interventions that require Government approval. For interventions that do not require Government approval this guidance serves as a best practice guide. There is a key distinction between an appraisal process and a decision-making process. An appraisal process is about options generation, development and evaluation of intervention impacts. In contrast, a decision-making process involves a separate governance process concerned with identifying and implementing interventions that deliver the needs of

Task	Document title	Document description
		the sponsoring organisation, balance the impacts and fits best with its investment funding objectives.
		As far as possible, the impact assessment should adopt the rigour, approach and objectives of a Cost Benefit Analysis (CBA).
		Criteria to be considered include:
		• Safety,
		• Operational,
		• Economic,
		• Commercial,
		• Environmental, and
		• Societal.
		The guidance needs to describe how a change sponsor identifies which communities and which airspace users are potentially affected, positively or negatively, and therefore who has to be consulted.
		The guidance should identify where the sponsor should consult external experts to assist them in those fields that on which they are not sufficiently knowledgeable or experienced eg impact on general aviation activities.
		In relation to communities, it will be necessary to define the noise metrics to be used to assess the impacted communities and a definition of how to determine which properties are "overflown".
		The requirements should require a change sponsor to evaluate the scale of financial compensation necessary.
3A	Consultation requirements	This describes the requirements of the consultation.
		The following aspects need to be covered in relation to the consultation documents:
		• They are appropriate to the intended audience, ie non-technical for communities, sufficiently detailed and technical for aviation stakeholders.
		• They are factually correct and unbiased.
		• They clearly define how the ACP fits within a wider programme of ACs, the outline timescales for the other ACs and any dependent benefits or impacts.
		• They contain relevant and up-to-date maps for the intended audience, ie aeronautical charts for aviation stakeholders, ordnance survey style maps for communities.
		Where community consultations are involved this will require the sponsor to contact every residential property within the ground footprint area identified as being affected, positively or negatively, within the impact assessment.
		The requirements for open public meetings need to be covered; including when they are appropriate; what aspects they should be used for and suggestions on how they should be structured and managed.

Task	Document title	Document description
3B	Consultation validation requirements	This document assists the review and validation of the consultation preparations, to ensure: • Consultation plan is comprehensive and implementable. • Maps are clear, up to date, accurate, of an appropriate scale and relevant to the intended audience. • Documents are appropriate for the intended audience. That the language and diagrams are pitched at the right level and that the documents stand-alone without needing readers to cross-reference technical documents. • Documents are factually correct • All AC options considered are included and why any options have already been discounted. • Questions are appropriate, and unbiased.
3D	Guide for airspace change consultees	This document is a guide prepared by the CAA to assist AC consultees to understand, inter alia: • The purpose of an AC consultation. • The nature of information and responses sought. • How to respond via the AC portal.
3D	Guide to the classification of consultation responses	The change sponsors need to have clear and unambiguous guidelines for the classification of consultee responses to the consultation. If there are, too many grey areas within the guidance the classification may not be seen by consultees as fair and consistent. Possible categories may include: • New evidence or fact(s) not known prior to the consultation. • Constructive suggestion with justification that may reduce the impact and or improve the alignment with the design principles. • Evidence or reasoned justification as to how the scheme does not meet the design principles. • Evidence or reasoned justification as to how the impact assessment was incomplete. • Statement of known fact or evidence prior to consultation. • Expression of objection with no evidence or justification. Responses falling in the last two of the above-suggested categories would not be considered further within the AC process.
4A	Secondary consultation principles	This describes the principles the CAA would apply in considering if change in the updated impact assessment is sufficient to necessitate a second consultation of some or all stakeholders. The principles need to be as objective as possible to provide change sponsors and stakeholders with clarity.

Task	Document title	Document description
4B	ACP submission guidance	This gives guidance on; what needs to be included within an ACP submission; how it should be presented; and how to utilise the ACP submission template.
5A	ACP Assessment requirements and guidance.	Guidance on what the CAA will do in assessing an ACP submission. The guidance needs to provide: • The purpose of the three assessment papers, produced by the CAA. • The criteria that are considered and the principles used by the CAA to find a recommendation that balances the various criteria.
5B	ACP decision making guide	This guide will provide the principles as to how the CAA consider the different elements of an ACP and come to a decision. It should explain; the typical judgements that the CAA has to make and how it weighs up the factors in reaching those judgements. The guide should provide the CAA's interpretation of the priority of decision criteria ie the priority assigned to the requirements set out in Section 70 (2) of the Transport Act 2000, and how they interpret national guidance, eg what is the CAA's definition of "the most efficient use of airspace". The guide should provide change sponsors and stakeholders with a clear understanding of the likely reasoning and judgements that will appear in ACP decision letters. The guide must make it clear that some ACPs have unique aspects that may cause the ACP decision maker to deviate from this guide.
5B	Guidance on the formation and accountabilities of an Oversight Committee	There must be guidance on the principles as to when an Oversight Committee is appropriate. The guidance should describe how the experts or stakeholders are identified and selected as well as the accountabilities they have to represent their specialism or stakeholder group.

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5.3 Outputs produced by the revised process

Task	Document title	Document description
1A	Statement of need	This document is prepared by the change sponsor, reviewed and accepted by the CAA and published on the AC portal. The statement of need will need to include: • A description of the issue or opportunity that they believe needs to be addressed via an airspace change. The sponsor should include evidence to substantiate the need if possible. • How an airspace change will address the issue or opportunity. • The impact if the airspace change proposal is unsuccessful. • Whether alternative approaches to the issue or opportunity have already been tried and if so, what were they and how have they not been able to address the full need of the change sponsor. • Identify any pre or post dependencies related to the potential airspace change. The statement of need should be clear, concise and provide non-technical explanations as the default, with technical details included as an option. The CAA's determination as to whether an airspace change is a valid option to address the Statement of Need
1B	ACP design principles	This document is prepared by the change sponsor, agreed with stakeholders, reviewed and accepted by the CAA and published on the AC portal. In formulating the ACP design principles the change sponsor should engage with relevant stakeholders. The purpose of the engagement is to ensure that the principles reflect both those that the change sponsor requires and those of stakeholders, to minimise the re-iteration of actual ACPs. The design principles should be agreed with stakeholders and where agreement cannot be reached this should be evident with an outline as to why.
2A	Design principle evaluation matrix	The evaluation matrix needs to identify for each option against each principle whether that principal has not been met, partially met or fully achieved. A concise explanation as to why a principle cannot be achieved or can only partially be achieved should be provided. It may well be that two design principles are not mutually exclusive and a balance needs to be achieved, an example might be to provide respite routes yet minimise the total number of people affected.

Task	Document title	Document description
2B	Impact assessment	The impact assessment is prepared by the change sponsor and submitted to the CAA for review. The output of the impact assessment should provide both a simple summary of all the criteria assessed as well as a comprehensive report that explains the: • methodology followed; • assumptions made; • results produced; and • any conclusions that can be drawn. One specific output of the impact assessment needs to be clear identification of the stakeholders to be consulted. For communities this identification needs to be at postcode level.
2B	Impact assessment review paper	This is a short paper prepared by the CAA following review of the ACP impact assessment and published on the AC portal. The paper needs to confirm that the methodology and assumptions used by the change sponsor are robust, objective and proportionate. The CAA should also confirm therefore that they accept the results as a fair reflection of the potential impacts of each AC option based on the evidence available.
3A	Consultation plan	This is prepared by the change sponsor, reviewed, validated and published on the AC portal. The plan is a document that identifies all of the different activities that will be undertaken as part of the consultation and the timescales involved. It needs to identify how the sponsor plans to manage the consultation, what awareness activities are planned, how the sponsor will respond to consultees' questions and formal responses.
3A	Consultation documents	The consultation documents are prepared by the change sponsor, reviewed, validated and published on the AC portal. These are the documents that the sponsor intends to publish as the core of the consultation. It may well be appropriate for there to be alternative versions for different audiences.
3A	Stakeholder engagement plan	This is prepared by the change sponsor, reviewed, validated and published on the AC portal. The engagement plan clear identifies how the change sponsor intends to notify, inform and remind all identified stakeholders about the consultation. This could be included within the overall consultation plan if appropriate.
3B	Consultation validation statement	This statement is prepared by the CAA on advice of the Oversight Committee and published on the AC portal with the consultation documents. A short statement that confirms that the consultation preparations are complete and comprehensive and documents are fit for purpose.

Task	Document title	Document description
4A	Consultation change log	The change sponsor is responsible for preparing the consultation change log. The sponsor needs to identify, against those consultee comments that were identified for further consideration as to how the change sponsor has or has not been able to respond. This could be an additional field within the AC portal and published alongside the original comment and the categorisation.
4A	Updated impact assessment	This is prepared by the change sponsor, reviewed by the CAA and published on the AC portal. The requirements of the revised impact needs to follow that prepared and published in task 2B.
4B	ACP template	A structured document template, developed by the CAA, with set content and information inclusion requirements to increase standardisation of ACP submissions and ease their assessment.
4B	ACP submission	The formal ACP submission by the change sponsor, utilising the ACP submission template. The submission does not need to include those documents already submitted, reviewed and accepted by the CAA (ie statement of need, design principles, consultation plan, consultation documents, engagement plan, consultation response log and updated impact assessment).
4B	ACP Submission statement	A short statement prepared by the CAA and published on the AC portal confirming the formal submission of the ACP with an indication of when the decision is expected.

Task	Document title	Document description
5A	Operational, Environmental and Consultation assessments	The assessment papers should provide evidence and justification for how the CAA has at least considered the following in assessing the ACP: • Whether the proposed AC meets the statement of need both in terms of addressing the identified issue / opportunity and whether it still aligns with the original justification. • How the ACP measures up against the design principles. These design principles should be able to act as clear criteria against which to assess an ACP in terms of meeting the national and local airspace objectives. It is within these design principles that the fundamental operational requirements of safe and efficient use of airspace will be encompassed and assessed. • The overall balance of the multiple criteria within the impact assessment. Whilst the impact assessment presents monetised, quantified or qualified impacts for the ACP there is still judgement required as to how these are considered as a whole. The CAA as the airspace regulator will need to draw a conclusion from the analysis presented. • That the consultation was conducted in alignment with the plan that was validated. • The consultation responses have been correctly categorised and that the Consultation change log provides robust evidence to how and why the change sponsor has or has not been able to address the consultation responses.
5B	ACP decision letter	The ACP decision letter describes the decision and how and why it was made. It needs to explain the factors and criteria considered, how they have been balanced against each other. The letter needs to leave the reader with a clear understanding of any judgements made by the CAA, how they were made and why.
7A	PIR Report	The PIR report needs to present a summary of the review. Providing evidence as to where the AC has and has not matched the impacts expected. As well as looking at the quantifiable benefits it should also present the qualitative feedback from stakeholders both those who have benefited and those who have lost out in some way.

5.4   Use of the CAA-hosted airspace change portal

Task	Use of portal
1A	Publication of: • Statement of need, including the CAA's acceptance or rejection. • ACP Assessment meeting minutes
1B	Publication of: • Design principles
2A	Publication of: • AC design options • Design principles evaluation matrix
2B	Publication of: • Impact assessment • Impact assessment review paper
3A	None
3B	Publication of: • Consultation validation statement • Consultation plan • Engagement plan
3C	Publication of: • Consultation documents Also: • Submission and publication of consultees responses • Provision of a "Frequently Asked Questions" facility
3D	Publication of consultee response categorisation
4A	Publication of: • Updated ACP option • Consultation change log • Updated impact assessment
4B	Publication of: • ACP submission statement • Estimated date of ACP decision
5A	Publication of: • Revised decision date, if relevant
5B	Publication of: • Revised decision date, if relevant • ACP decision letter • ACP assessment papers • ACP Submission (Redacted version) • ACP assessment hearing minutes • ACP assessment stakeholder meetings
6A	None

Task	Use of portal
7A	Publication of: • Post implementation review report

6   Summary of recommendations

The following table summarises the recommendations made in the report.

General

Section Ref.	Recommendation
2.3	Local consultation mechanisms and processes need to be strengthened. There needs to be an assurance mechanism that the consultation communication flows down and that response comments flow back-up.
2.4	The CAA must continue to monitor, and take action if necessary to retain sufficient independence between the noise modelling and noise evaluation for ACPs.
2.4	The CAA needs to manage carefully its messaging to all stakeholders; they need to be clear and consistent.
2.7	Greater clarity and guidance should be sought from the Government on policy and strategic priorities associated with airspace change.
2.8	There are activities and policies that are not part of the AC process but affect the wide context within which ACP changes are viewed. The CAA should engage with the Government to see if they can be addressed.
3.1	The CAA's role in the revised process needs to be more "hands-on" whilst remaining independent from the design and justification of the AC.
4.1	The CAA will need to review its resourcing requirements once the updates to the AC process have been defined. In particular, it will need to set response times to ACP-related enquires. Response times will need to be monitored to ensure they are met.
3.2	The revised process will require a number of new or updated documents. Section 5.2 provides details of all documents published during the AC process.
3.2	Flight trials are used, as part of the AC process, where the actual route that will be flown is uncertain.
3.3	All key documents in the AC process should be published. Section 5.4 provides details of all documents published during the AC process.
3.3	The CAA to validate and approve the documents that are prepared and published during the progression of the AC process.
3.4	The formation of ACP Oversight Committees, chaired by the CAA with membership drawn from within and external to the CAA dependent on expertise; although most are likely to be external to the CAA.
3.6	A new appeal mechanism should be defined. It is appropriate that anyone impacted by an AC has a reasonable opportunity to request an appeal.
3.7	The development of an AC web portal. The portal will provide a single access point to and repository for every ACP.
3.2 & 4.1	The revised AC process needs to be scalable and to fit the type of AC being proposed.

Stage 1 - Define

Section Ref.	Recommendation
4.2.1	Change sponsor to prepare a statement of need that sets out the issue or opportunity they are seeking to address and why an AC may be appropriate.
4.2.1	CAA to review and accept the statement of need. The CAA are approving that the statement of need is reasonable and that an ACP is a valid option to investigate.
4.2.1	Publication of the statement of need along with the CAA's acceptance or rejection of the Statement of Need and the ACP assessment meeting minutes.
4.2.2	Change sponsor to prepare a set of airspace design principles that encompass both national and local criteria. The design principles should be agreed with local stakeholders and where agreement cannot be reached it must be recorded.
4.2.2	CAA review the design principles to confer that the sponsor and stakeholders have agreed a pragmatic set of principles that takes adequate note of national requirements and airspace strategy.
4.2.2	Publication of the design principles.

Stage 2 – Develop and assess

Section Ref.	Recommendation
4.3.1	Change sponsor to engage with the local stakeholders to test informally the design options and how the designs respond to the design principles.
4.3.1	Change sponsor to document how the design options have responded to the design principles in a Design principle evaluation matrix.
4.3.1	CAA to review and assess if the evaluation of a design options against the design principals has been undertaken in a fair and consistent manner.
4.3.2	The change sponsor conducts an impact assessment, against requirements set by the CAA.
4.3.2	CAA review the impact assessment and prepare a paper identifying its assessment of the analysis and results of the impact assessment.
4.3.2	Publication of the design options, impact assessment, design option evaluation matrix and the CAA review paper.

Stage 3 - Consultation

Section Ref.	Recommendation
4.4.1	Change sponsor to prepare and submit a consultation plan, consultation documents and engagement plan to the CAA for validation.
4.4.1	Where specific communities have been identified, during the impact assessment, for inclusion within the consultation the change sponsor should prepare a strategy to contact each property individually.
4.4.2	The CAA or members of the relevant Oversight Committee (if established) to undertake a review and validation of the consultation plan, consultation documents and engagement plan.
4.4.2	CAA to verify that the consultation will address all the consultees and that the consultation period is of appropriate duration
4.4.2	CAA to issue a statement as to whether the consultation plan, materials and engagement plan are adequate and if not, where they fall short.
4.4.3	The change sponsor to maintain records to demonstrate they have implemented their consultation and engagement plans.
4.4.3	Change sponsor to operate and update a "Frequently Asked Question" web page during the consultation.
3.5 & 4.4.4	Consultees' responses to be submitted and collated by the CAA.
3.5	CAA to review responses for issues such as complaints about the quality of the consultation material and to instruct the change sponsor to take the necessary actions.
4.4.4	CAA to review the consultees' responses to moderate them prior to publication on the AC portal.
4.4.4	Change sponsor to review and categorise the responses as to those that present information that may lead to a change in the design and those that do not.
4.4.4	CAA to review and ensure that the categorisation has been undertaken in a fair and even manner.
4.4.4	The consultation response categorisation is to be published.

Stage 4 – Update and submit

Section Ref.	Recommendation
4.5.1	Change sponsor to provide evidence and / or justification as to how they have or have not been able to respond to the consultation responses identified for further consideration.
4.5.1	Change sponsor to update the impact assessment.
4.5.1	Publication of the updated AC design and updated impact assessment.
4.5.2	The CAA to develop a template for ACP submissions.
4.5.2	Change sponsor to prepare two copies of the ACP submission, one of which must have any commercially or security sensitive information redacted.
4.5.2	Publication of a CAA statement confirming ACP submission with an estimated date for the decision.

Stage 5 - Decision

Section Ref.	Recommendation
4.6.1	CAA to ensure the estimated decision date published should be updated if it is changed, with a brief justification as to why.
4.6.2	CAA to publish records of any hearings held and details of meetings with stakeholders.
4.6.2	GDSAR should, for the more contentious ACPs, form an Oversight Committee to advise and assist in reviewing the ACP and the assessment papers.

Stage 6 – Implementation

No recommendations

Stage 7 – Post implementation review

Section Ref.	Recommendation
4.8.1	The PIR to start within 18 months of the AC implementation.
4.8.1	The PIR report to identify any differences in actual operation to those identified and assess during the AC process.

A.   Document and sample ACP review

A.1   Introduction

There were two elements to the documentation review:

i.   Review of the AC process document CAP 725 and associated documentation.

ii.   Review of a number of ACPs, including consultation documents, consultee responses and other supporting information.

A.2   Documents reviewed

The purpose of the documentation review was to understand the legislation, guidance, policy, process and procedures regarding the AC process. The following documents have been reviewed, with some of them still being drafts and subject to change.

Document	Source
Transport Act 2000	www.legislation.gov.uk
The CAA (Air Navigation) Directions 2001 (inc. variation direction 2004)	www.caa.co.uk
Guidance to the CAA on environmental objectives relating to the exercise of its air navigation function 2014	www.gov.uk
Noise Policy Statement for England 2010	www.gov.uk
Aviation Policy Framework 2013	www.gov.uk
HM Governments consultation principles 2012	www.gov.uk
CAA Airspace Charter 2012 CAP 724	www.caa.co.uk
CAA Guidance on the application of the Airspace Change Process CAP 725	www.caa.co.uk
A policy framework for airspace change decision-making CAA Board Paper DOC2014-108	CAA
CAA Board Minutes: Feb. 2014 and Sep. 2014	www.caa.co.uk
CAA ACP Review - Meeting Minutes	CAA
CAA Policy Statement - Airspace Change - Post Implementation Review (PIR)	www.caa.co.uk
"Significance" and airspace change - Draft v1	CAA
Working Paper: For Aircraft Noise Monitoring Advisory Committee Use Only Definition of Aircraft Overhead - Draft	CAA
CAA Briefing Paper: Modernisation of the UK Airspace System: A key enabler for UK economic growth	CAA
Heathrow Airport Operational Freedoms Trial CAP 1117	www.caa.co.uk
ACP Grading Matrix - DRAFT Jun 15	CAA
NATS Reporting on environmental performance - 3Di	www.nats.aero
Design Manual for Roads and Bridges - Environmental Assessment, Volume 11 Section 3 - Noise & Vibration	www.standardsforhighways.co.uk

Document	Source
Compulsory purchase and compensation - compensation to residential owners and occupiers	www.gov.uk
The Noise Insulation (Railways and Other Guided Transport Systems) Regulations 1996	www.legislation.gov.uk
High Speed Rail: Consultation on the route from the West Midlands to Manchester, Leeds and beyond Sustainability Statement - Appendix E6 - Noise & Vibration	www.gov.uk
General Aviation Alliance letter to Southend Airport 13th Dec 2013	GAA website
Letter from British Gliding Association regarding Southend Airport's ACP	https://members.gliding.co.uk/library/airspace/southend-class-d-airspace/
Open letter Martin Barraud to Dame Deirdre Hutton 29th May 2015	Gatwick Obviously Not
Open letter to Secretary of State for Transport from Heathrow, Gatwick and London City campaign groups 1st June 2015	www.airportwatch.org.uk

Table 1 – Airspace change documentation reviewed

A.3   Sample ACP review

The CAA provided Helios with the complete documentation for a sample of ACPs. The selection was made jointly by Helios and the CAA with the aim of extracting a range of ACPs both small and large, lower level and upper airspace, affecting the full range of stakeholders. The ACPs reviewed were:

- London Southend – Re-introduction of controlled airspace;

- Gatwick RNAV SIDs;

- NATS – ACP Hotspots (SWMDA, UL613 SANDY STOAT, UN26);

- NATS / Irish Aviation Authority – Interface and Irish Sea Improvements;

- Blackpool Airport – Temporary Transponder Mandatory Zone.

A.4   Observations from document reviews

Strategic policy

The National Infrastructure Plan 2014 sets out requirements to have sufficient airport capacity to meet current and forecast needs, remain one of the best-connected countries in the world via its air links, and maintain aviation hub capability. The CAA published their FAS in June 2011 yet airspace does not feature in the National Infrastructure Plan. The Government has stated support for FAS but has not helped to make the strategic case for FAS in the same way as it has for airport infrastructure.

Our observation is that airspace needs to be considered as part of critical national infrastructure as are primary airports (Heathrow, Gatwick, Stansted, Birmingham, Manchester etc), and it needs to be promoted by Government in the same way.

The legislation, directions and guidance provide the strategy for the CAA that in turn needs to deliver it through their day-to-day operation. The legislation, directions and guidance do not appear to provide sufficient strategic direction for the CAA to define clear, consistent and robust operational policy or in some cases need updating. A particular example where updated guidance is required is in the role of "respite". The 2014 Environmental Guidance reinforces the long held Governmental position of concentrating traffic on the least number of routes as possible, but it does also allow ACs to consider the introduction of "respite". However, respite is being considered more and more as an operational measure and was given a high priority in the Airport Commission's conclusions. The government guidance needs to be brought up to date on this.

The strategic policy set by the Government and the tactical policy set by the CAA should assist change sponsors in defining the design principles for their AC.

It is therefore important that the Department for Transport defines the strategic airspace policy in greater clarity.

The language of CAP 725

In reviewing CAP 725 it was apparent that in some places the guidance is flexible and the language can be passive. Whilst the flexibility may have some practical benefits in relation to the scalability of the process to be proportional with the scale of impacts that are generated by a particular ACP, it does not assist in providing a clear, consistent and repeatable AC process. When CAP 725 is updated, the opportunity should be taken to make the language more directive and the process requirements more specific.

Increased CAA guidance

The CAA has started to develop guidance documentation that, at the time of writing, have only been circulated internally within the CAA. Whilst some of these guidance documents are still drafts, our view is that finishing and publishing the documents would be valuable. Examples of areas covered include:

- definition of "significant" - as it may apply to noise;

- definition of aircraft "overhead";

- framework for airspace change decision making;

- definition of "efficient" use of airspace; and

- ACP grading matrix – describing the scalability to be applied to different types of ACP.

Explanation of options

The consultation documents reviewed were lacking in respect to the inclusion of AC options and the discussion as to why the preferred option had been selected over other options. In future, consultation documents must present and explain all options considered by the change sponsor and why any have been discounted.

Consultation documentation

There were significant differences in the style and size of consultation documents. Ranging from no consultation documents for "easy" high level ACPs that typically only impact NATS and the Ministry of Defence (MoD), to 108 pages for the Southend Airport ACP consultation. Some of the consultation documents were easier to read and understand for the layman by using plain non-technical language. We identified the potential for different consultation documents for different audiences or that consultation documentation must be understandable to all.

Stakeholder engagement

There was some indication of early engagement of all stakeholders, prior to physical AC designs having been developed. This ought to be beneficial since, it should allow agreed principles to be established for the AC design. However, there was varying degrees of success in this regard.

B. Stakeholder feedback on current AC process

B.1 Approach

To gather the feedback from stakeholders we undertook:

i. Individual interviews with a selection of change sponsors, general aviation representatives, individuals from local communities impacted by airspace changes or trials and aviation noise and environmental groups.

ii. An informal survey to gauge strength of opinion, ahead of the stakeholder workshops, as to the main issues with the current AC process and hypotheses for change.

iii. A stakeholder workshop for each of the following groups: change sponsors, GA and local communities.

On September 3rd we presented to the CAA's Consumer Panel our observations and outline of possible recommendations, within the bounds of study progress made to that point.

Within this section we will present the details as to who we have met and spoken with, some of the key themes and messages we have heard along with the output from the informal survey.

B.1.1 Day to day CAA contacts

During this study, we have had regular contact and discussions with the following individuals from the CAA. The discussions were related to the operation of the existing ACP process, the substance of particular ACPs where elements of them have been presented to us relevant case studies, to seek clarity on CAA policy and to provide progress updates.

Name	Role
Rebecca Roberts-Hughes	Programme Head (Policy Development)
Stuart Lindsey	Manager Airspace Regulation
Tim Johnson	Policy Director
Trevor Metson	Principal – Policy Development

Table 2 – Day to day CAA contacts

Additionally we have met with Mark Swan, GDSAR, twice during this study, once at the study inception and once in the closing stages of the study to understand our thoughts on how an oversight committee could work and the appropriate structure for an appeals process.

B.1.2 Stakeholder interviews

Stakeholder interviews were held with both internal CAA and external stakeholders. The purpose of the interview was to;

- gain a deeper understanding of the AC process;
- understand perceived weaknesses of the process and where it should be improved; and
- gather views on how the process is perceived internally and externally.

The individuals from within the CAA that we met with are:

Name	Role
Andrew Green	Environmental reviewer of ACPs, member of the CAA Environmental Research and Consultancy Department (ERCD).
Darren Rhodes	Head of ERCD, manages the consultancy services for providing noise modelling to the Sponsors and reviews the Environmental Annex prepared by Andrew Green
Imogen Brooks	Legal advisor - involved with judicial reviews in relation to airspace matters and internal support of AC process and procedures
Jim Walker	Consultation reviewer and advisor on the AC process. Member of the AC team within Airspace, Air Traffic Management (ATM) and Aerodromes (AAA)
Kate Staples	General Counsel for CAA, legal oversight of CAA policy and judicial reviews
Mac MacKay	Airspace regulator, acts as a ACP case officer and develops the operational annex
Phil Roberts	Head of Airspace, ATM and Aerodromes

Table 3 – CAA Stakeholders consulted

Meeting / interviews with non-CAA stakeholders were conducted with the following individuals:

Organisation	Individual(s)
General / business aviation	
Aircraft Owners & Pilots Association (AOPA)	Martin Robinson
Future Airspace Strategy VFR Implementation Group (FASVIG)	Tim Hardy Steve Hutt
General Aviation Alliance (GAA)	John Brady

Organisation	Individual(s)
Community / Environmental	
Aviation Environment Federation (AEF)	Tim Johnson
HACAN	John Stewart
Individual	Stuart Spencer
Individual	Mike Binns
Individuals	David Howden Mike Taylor
ACP Sponsors	
Birmingham Airport	Kirstin Kane
	Andrew Davies
Gatwick Airport	Tom Denton
	Charles Kirwan-Taylor
Heathrow Airport	Matt Gorman
	Mark Burgess
	Cheryl Monk
MoD DAATM	Doug Robertson
NATS	Harri Howells
NATS	Andy Shand
Government	
Dept. for Transport	David Best

B.1.3 Informal survey

The survey was not part of the original methodology for this study but was introduced to provide a structure for and input information to the workshops. The survey was used to gather views on the different observations we established from the individual interviews and documentation review as well as seeing which of our early hypotheses for change different stakeholder groups felt were important.

It also allowed a greater number of stakeholder views to be gathered than was possible within the interviews and workshops.

The survey was open for a relatively short time (just over 4 weeks) and not all stakeholders that wanted to respond had the opportunity to do so; we apologise for this but our timescales were limited. We do not consider the survey as a definitive consultation, but rather one perspective on the situation and a useful input to the workshops.

In total, 97 responses to the survey were received but we excluded a number during our analysis:

- Thirteen were primarily blank after entering the introductory details such as name, the airport they associate themselves with and whether they consider themselves as a member of the change sponsor, general aviation, local community or other classifications.

- Three were duplicate records, where the earliest completed was excluded.

- One was by an employee of the CAA.

The survey results are not (and were not intended to be) statistically robust, so they should be interpreted as representative and not given a greater significance than appropriate.

The survey asked respondents to identify if they were a change sponsor, a consultee with particular interest in GA, a consultee with particular interest in noise issues or other. Where a survey respondent selected other, they had an opportunity to provide a brief description. In reviewing the survey results we opted to simplify the classifications to three groups, change sponsor and industry (commonly referenced here as change sponsor), GA or community. A number of respondents classified themselves as "other" but by our definition fitted into one of the proceeding three categories. All classifications are identified in Table 4 below.

Organisation	Own classification	Own description of 'other'	Helios classification
2M	A consultee with a particular interest in noise issues.		Community
A	A consultee with a particular interest in noise issues.		Community
A&G Jefferson Limited	A consultee with a particular interest in noise issues.		Change sponsor or Industry
Aircraft Noise Lightwater Campaign Group	Other (please specify)	Local Campaign Group against increased aircraft noise	Community
Balsall Common Village Residents Association	A consultee with a particular interest in noise issues.		Community
Berkswell Parish Council	A consultee with a particular interest in noise issues.		Community
Birmingham Airport Limited	A sponsor of airspace changes.		Change sponsor or Industry
Bristol Airport	A sponsor of airspace changes.		Change sponsor or Industry
British Gliding Association	A consultee with a particular interest in GA issues.		GA
British Gliding Association	A consultee with a particular interest in GA issues.		GA
British Hang Gliders and Paragliders Association	Other (please specify)	A GA consultee and a potential sponsor	GA
British Microlight Aircraft Association (BMAA)	A consultee with a particular interest in GA issues.		GA
British Parachute Association	Other (please specify)	Airports organisation concerned with ACP	GA
CAGNE	A consultee with a particular interest in noise issues.		Community
Communities Against Increased Aircraft Noise	Other (please specify)	Representative of umbrella community campaign covering west London, Berkshire, Surrey & Oxon	Community
Ealing Aircraft Noise Action Group	A consultee with a particular interest in noise issues.		Community

Organisation	Own classification	Own description of 'other'	Helios classification
East Sussex Communities for the Control of Air Noise (ESCCAN)	A consultee with a particular interest in noise issues.		Community
East Sussex County Council	A consultee with a particular interest in noise issues.		Community
Englefield green action group	A consultee with a particular interest in noise issues.		Community
Exeter and Devon Airport Ltd	Other (please specify)	Potential sponsor of airspace change	Change sponsor or Industry
GA Alliance, also Light Aircraft Association	A consultee with a particular interest in GA issues.		GA
Gatwick Area Conservation Campaign	A consultee with a particular interest in noise issues.		Community
Glasgow Prestwick Airport	A sponsor of airspace changes.		Change sponsor or Industry
HACAN	A consultee with a particular interest in noise issues.		Community
Haringtons UK Ltd	A consultee with a particular interest in GA issues.		GA
Heathrow Airport Limited	A sponsor of airspace changes.		Change sponsor or Industry
Heathrow Airport Limited	A sponsor of airspace changes.		Change sponsor or Industry
Helicopter Club of Great Britain	A consultee with a particular interest in GA issues.		GA
Humberside International Airport Limited	Other (please specify)	An ANSP/Aerodrome considering Airspace Change	Change sponsor or Industry
Iver Parish Council	Other (please specify)	stakeholder	Community
LADACAN	Other (please specify)	community group	Community
Light Aircraft Association	A consultee with a particular interest in GA issues.		GA
Light Aircraft Association	A consultee with a particular interest in GA issues.		GA

Organisation	Own classification	Own description of 'other'	Helios classification
London Borough of Hounslow	A consultee with a particular interest in noise issues.		Community
London City Airport Ltd	A sponsor of airspace changes.		Change sponsor or Industry
London Luton Airport	A sponsor of airspace changes.		Change sponsor or Industry
London Luton Airport	A sponsor of airspace changes.		Change sponsor or Industry
London Luton Airport Consultative Committee	A consultee with a particular interest in noise issues.		Community
London Luton Airport Town & Village Communities Committee	A consultee with a particular interest in noise issues.		Community
MoD	Other (please specify)	A stakeholder and at times a sponsor.	Change sponsor or Industry
Mole Valley District Council	Other (please specify)	Local authority situated between Gatwick and Heathrow Airports	Community
Monarch Airlines	Other (please specify)	Airline Consultee - interest in effect on airline ops and environmental impact	Change sponsor or Industry
Navy Command HQ	A sponsor of airspace changes.		Change sponsor or Industry
Richings Park Residents Association	A consultee with a particular interest in noise issues.		Community
Richmond Heathrow Campaign	A consultee with a particular interest in noise issues.		Community
Royal Borough of Windsor & Maidenhead	Other (please specify)	Stakeholder representing Ascot residents	Community
Solihull mbc	A sponsor of airspace changes.		Community

Organisation	Own classification	Own description of 'other'	Helios classification
Solihull mbc	Other (please specify)	airport monitoring officer	Community
Southampton International Airport	A sponsor of airspace changes.		Change sponsor or Industry
Stansted Airport	A sponsor of airspace changes.		Change sponsor or Industry
Stansted Airport Consultative Committee	A consultee with a particular interest in noise issues.		Community
Stanwell Moor Residents Association	Other (please specify)	Residents Association	Community
TAG Farnborough Airport Ltd	A sponsor of airspace changes.		Change sponsor or Industry
Teddington Action Group	A consultee with a particular interest in noise issues.		Community
The Hampton-in-Arden Society	Other (please specify)	A local Society established to secure the preservation and protection, development and improvement of features of historic or public interest in the civil parish of Hampton-in-Arden and its surroundings.	Community
Tunbridge Wells Aircraft Noise Study Group	Other (please specify)	Action Group concerned with increased noise East of Gatwick	Community
UK Flight Safety Committee	Other (please specify)	NATMAC member	Change sponsor or Industry
Virgin Atlantic Airways	Other (please specify)	Consultee and Stakeholder - Commercial Air Transport sector	Change sponsor or Industry
Which?	Other (please specify)	A member of GATCOM	Community

Organisation	Own classification	Own description of 'other'	Helios classification
xx	A consultee with a particular interest in noise issues.		Community
Not applicable	A consultee with a particular interest in noise issues.		Community
Not applicable	A consultee with a particular interest in noise issues.		Community
Not applicable	A consultee with a particular interest in noise issues.		Community
Not applicable	A consultee with a particular interest in noise issues.		Community
Not applicable	A consultee with a particular interest in noise issues.		Community
Not applicable	A consultee with a particular interest in noise issues.		Community
Not applicable	A consultee with a particular interest in noise issues.		Community
Not applicable	A consultee with a particular interest in noise issues.		Community
Not applicable	A consultee with a particular interest in noise issues.		Community
Not applicable	A consultee with a particular interest in noise issues.		Community
Not applicable	A consultee with a particular interest in noise issues.		Community
Not applicable	A consultee with a particular interest in noise issues.		Community
Not applicable	Other (please specify)	Member of public	Community
Not applicable	Other (please specify)	Overflown resident	Community
Not applicable	Other (please specify)	resident affected by airspace change	Community
Not applicable	Other (please specify)	Resident under the flightpath of Heathrow	Community
Not applicable	A consultee with a particular interest in GA issues.		GA
Not applicable	A consultee with a particular interest in GA issues.		GA
Not applicable	A consultee with a particular interest in GA issues.		GA

Table 4 – Re-classification of survey responses

B.1.4 Stakeholder workshops

Three stakeholder workshops were held, one for change sponsors and industry, one for GA and one for local communities and noise campaign groups.

Change Sponsors and Industry
Birmingham Airport
Bristol Airport
Cyrrus (Consultants)
Heathrow Airport
Helicopter Club of Great Britain (HCGB)
Light Aircraft Association
London City Airport Ltd
NATS – NATS En-Route Plc (NERL) & NATS Services Ltd (NSL)
NATMAC Representative
General Aviation
British Gliding Association
British Hang Gliding and Paragliding Association (BHPA)
Helicopter Club of Great Britain (HCGB)
Communities
2M Group
Balsall Common Parish Councillor & founder member of the Fair flight path campaign
Balsall Common Residents Association
Communities Against Gatwick Noise and Emissions (CAGNE)
Community Representative
Gatwick - Community Representative
Gatwick Obviously Not
HACAN
High Weald Councils Aviation Action Group
Hounslow Council
Iver Parish Council
Kent County Council
Reigate & Banstead
Richmond / Teddington - Community Representative
Richmond Council
Richmond Heathrow Campaign
Runnymede Community Representative
Stansted Airport Consultative Committee
West Sussex County Council

Table 5 – Organisations and Communities represented at ACP workshops

B.2 Stakeholder feedback

This section summarises the key points of feedback we gathered from stakeholders across the interviews, survey and the workshops.

The views and opinions expressed are those that we interpreted from the stakeholder engagement activities.

B.2.1 Initial feedback

From the documentation review and interviews, we gathered a range of opinions on all aspects related to the AC process, these are summarised in Figure 2.

B.2.2 Survey and workshop feedback

As explained in section B.1.3 above the primary aim of the survey was to gather a sense of support for different observations and hypotheses for change.

As described earlier, the survey was not intended to be a formal consultation and the results are indicative of the views of different groups, rather than statistically significant. The commentary that is associated with the following charts is a combined summary of both an interpretation of the chart and the discussions at the three workshops.

B.2.3 Survey respondents associated airport
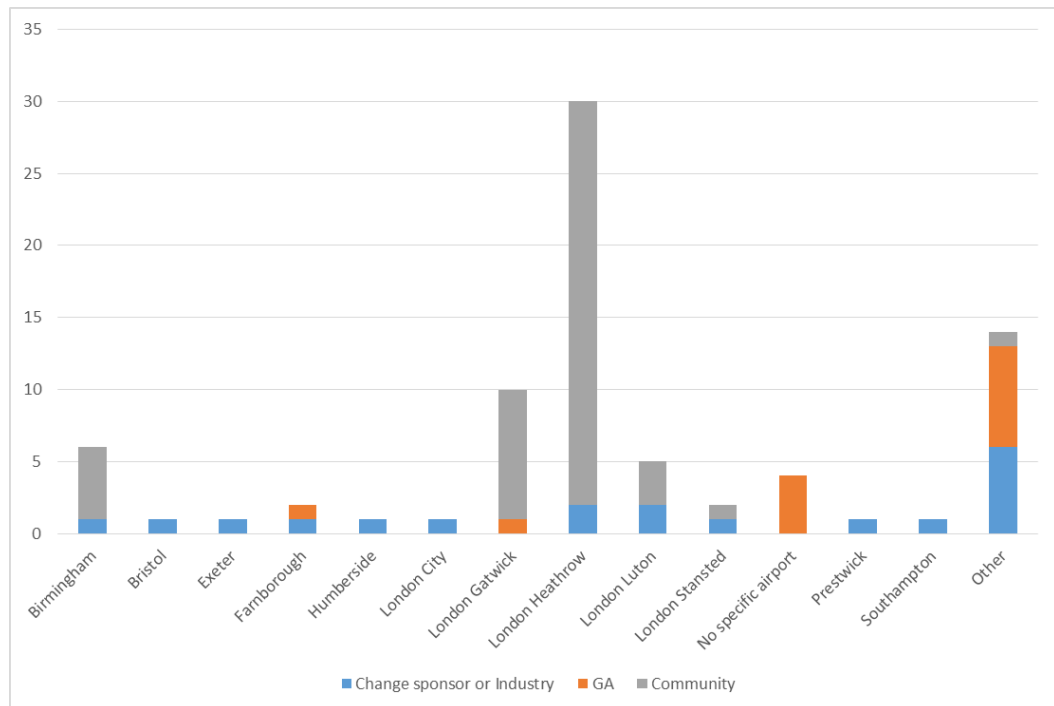
Figure 4 – Survey responses by the associated airport selected by respondent

Figure 4 above is included for information only; no further analysis of the survey responses was undertaken at the associated airport level. The distribution of the survey invitation to the Gatwick communities did not happen as intended. The Gatwick total is therefore lower than it might otherwise have been if the details of the survey could have been circulated more widely earlier.
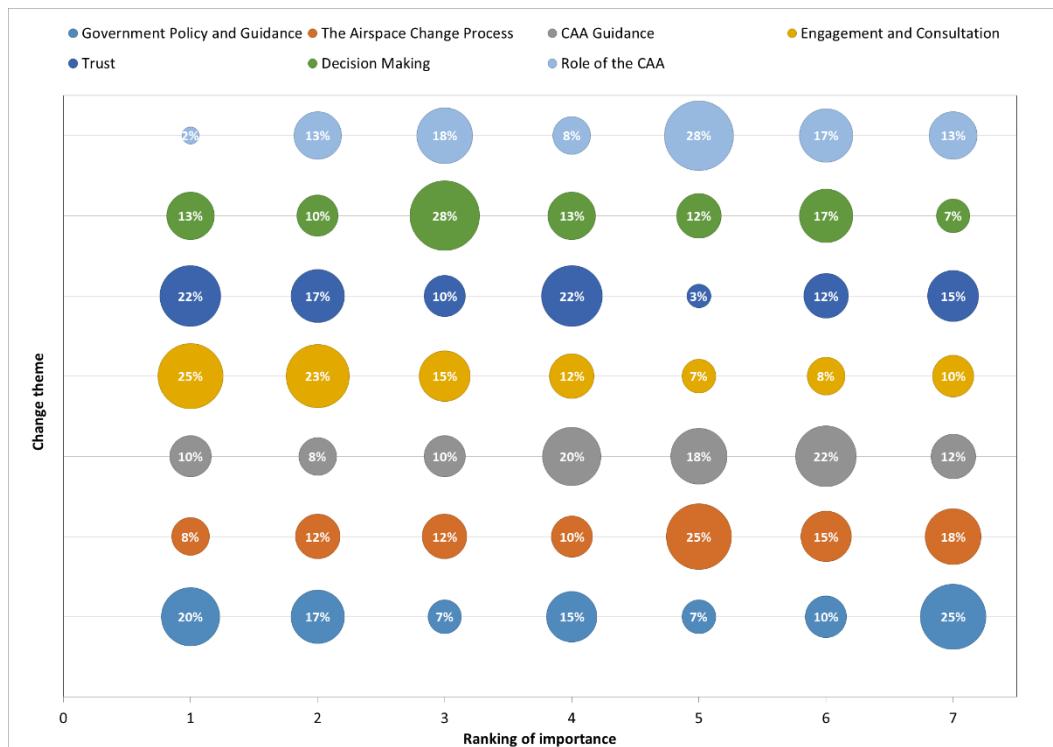
Figure 5 – Ranking of the 7 AC process change themes

From the initial stakeholder interviews, seven themes were identified and we asked stakeholders to rank these in order of importance. Figure 5 demonstrates, by the relative balance in size of circles that across the 79 respondents there was a mix of views on the importance of change themes; for example 23% putting Government policy and guidance (bottom row of circles) as most important and 20% scoring it as least important. Figure 6 below presents a similar picture where all seven-change themes have bars of similar height with only a couple of percentage points, at most, between most of them.
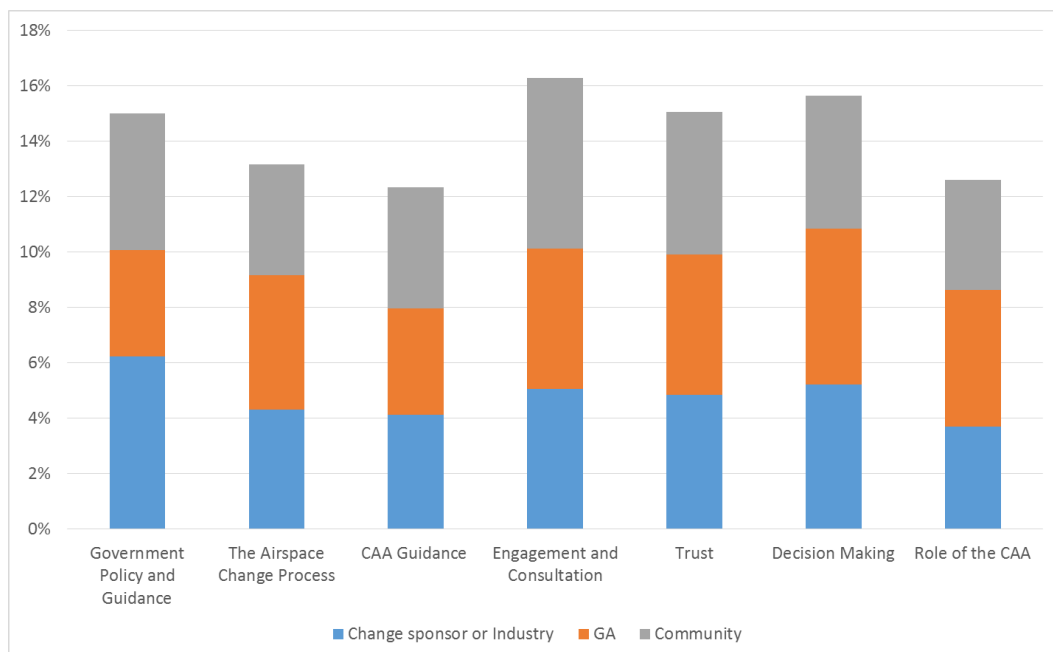
Figure 6 – Overall importance of change themes split by stakeholder group

B.2.5　Engagement and consultation

The survey requested respondents to select their 2 most important observations; respondents were not able to select more than 2.
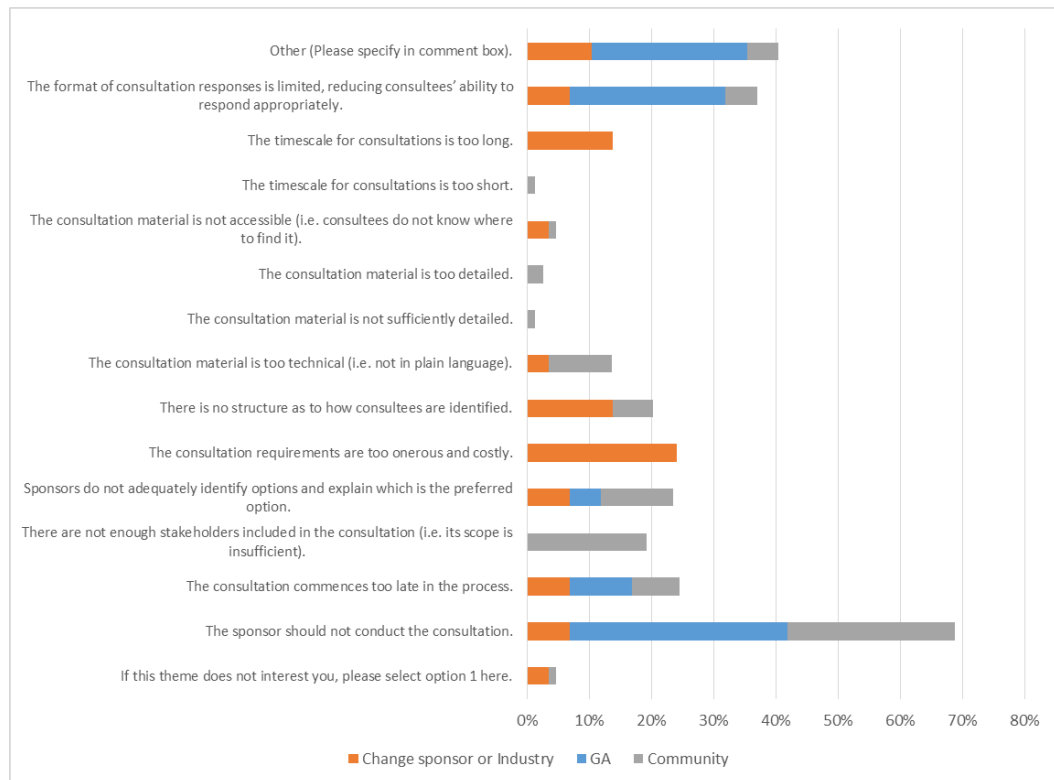
Figure 7 – Engagement and consultation – importance of observations to stakeholders

Engagement and consultation was a dominant topic during both the individual meetings and workshops.

For the sponsors the engagement and consultation is a significant undertaking and apparently accounts for about 80% of the cost associated with an AC. Their concern was that overall the process was felt to be too onerous and costly when they perceive there to be a lack of definition of what a change sponsor is required to do.

From the consultees there were three main views expressed in relation to engagement and consultation:

- The change sponsor should not be the party responsible for writing, conducting, collating and analysing the consultation; this was expressed as the change sponsor being "judge and jury".

- The questions asked or the format of the consultation response forms were skewed to deliver answers in the change sponsors favour.

- Transparency of the process. Consultees do not have trust in change sponsors to include or share all the responses they receive with the CAA so some consultees copy their responses to the CAA as well.

A message from the communities' workshop was that there was nothing for communities to gain, not even financial compensation.

Meaningfulness
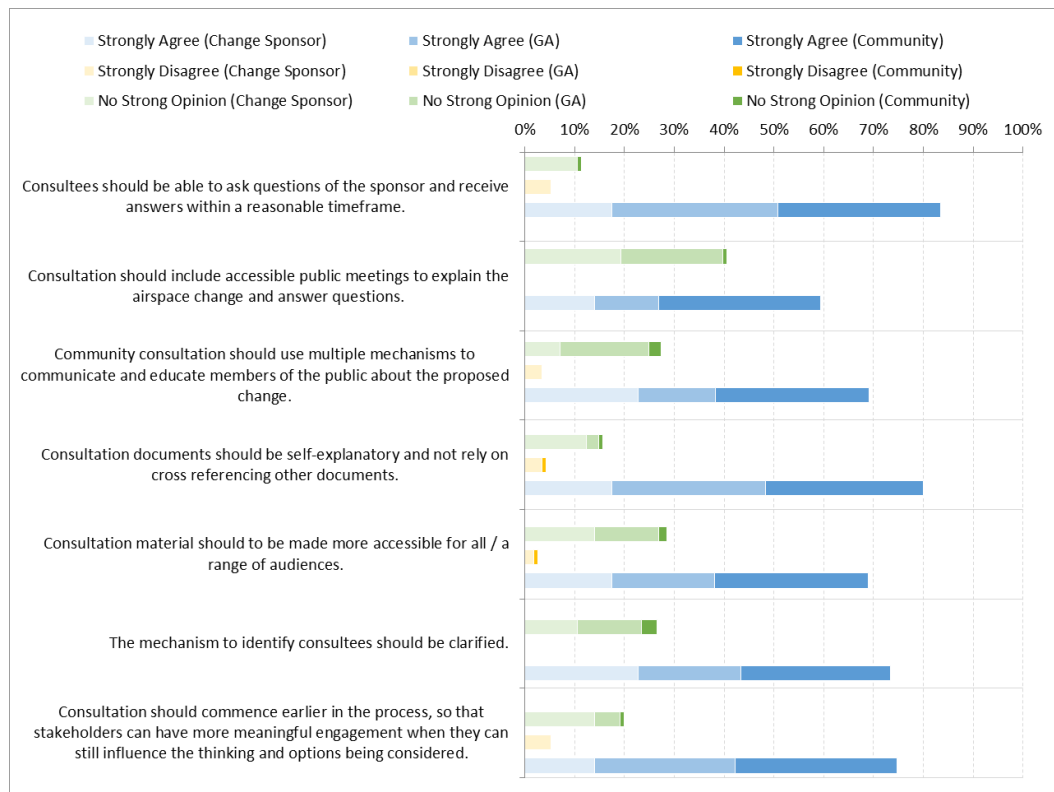
Figure 8 – Hypotheses for improving the meaningfulness of engagement

It can be seen from Figure 8, above, that there was general support for improving the meaningfulness of engagement.

The consultees expressed a need to understand the purpose of the consultation and the ability for their responses to influence the airspace change. There was a feeling that the consultation was a process stage that the sponsor had to be seen to be doing but it had little impact on what the sponsor intended to submit to the CAA.

There was general acceptance across all three-stakeholder groups that consultation documents could be improved. Some change sponsors noted that it would be beneficial to see "good examples" of consultation documentation. Some of the communities expressed dismay at simple errors in the maps and others that the documents were too technical. GA felt that the consultation documents should be proven adequate prior to issue.

As regards consultation starting earlier, this was generally felt to have potential, as long as the engagement was positive and constructive. The current process suggests the use of Focus Groups early in the process to aid in engagement with stakeholders but these were some of the responses we heard in relation to Focus Groups:

- They have not worked in practice.

- Change sponsors just manipulate the focus group results.

- Some focus groups have only reflected the views of the participants and no other community views (creating a NIMBY effect).

- The strongest personalities or those with the time to participate can dominate some consultation groups. Adequate representation should be given to the local democratic institutions.

Access to / Involvement of the CAA
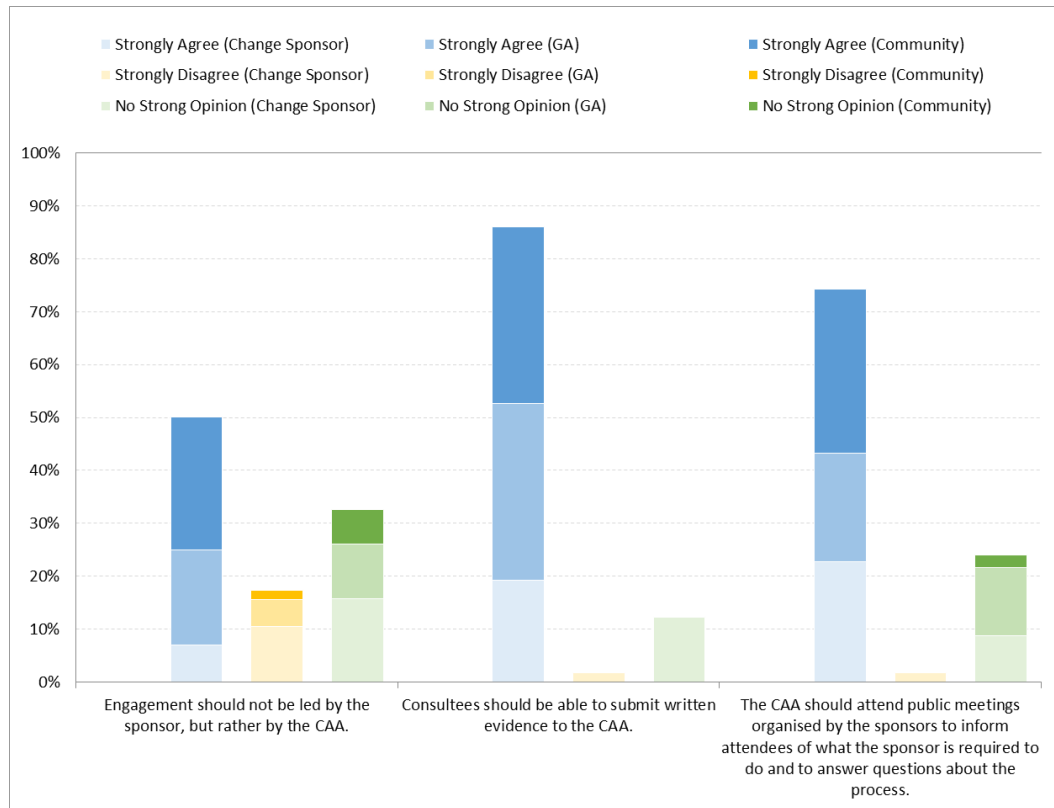
Figure 9 – Hypotheses for increasing the access to / involvement of the CAA within engagement and consultation

In relation to the involvement of or access to the CAA as part of consultation there is greater support for being able to submit written evidence directly to the CAA. The survey respondents showed less consensus in whether the CAA should lead the engagement and consultation.

A repeated concern from all three-stakeholder groups expressed in the workshops was that the CAA did not appear to have sufficient resources to manage adequately the current process.

There was general support for the CAA to be more involved. Attendance at public meetings was generally felt to be valuable but the change sponsors were clear that the CAA needed to explain their own role and how the CAA process work. Some change sponsors felt that the CAA should not be involved in discussing the detail of specific ACPs during the consultation.

Transparency
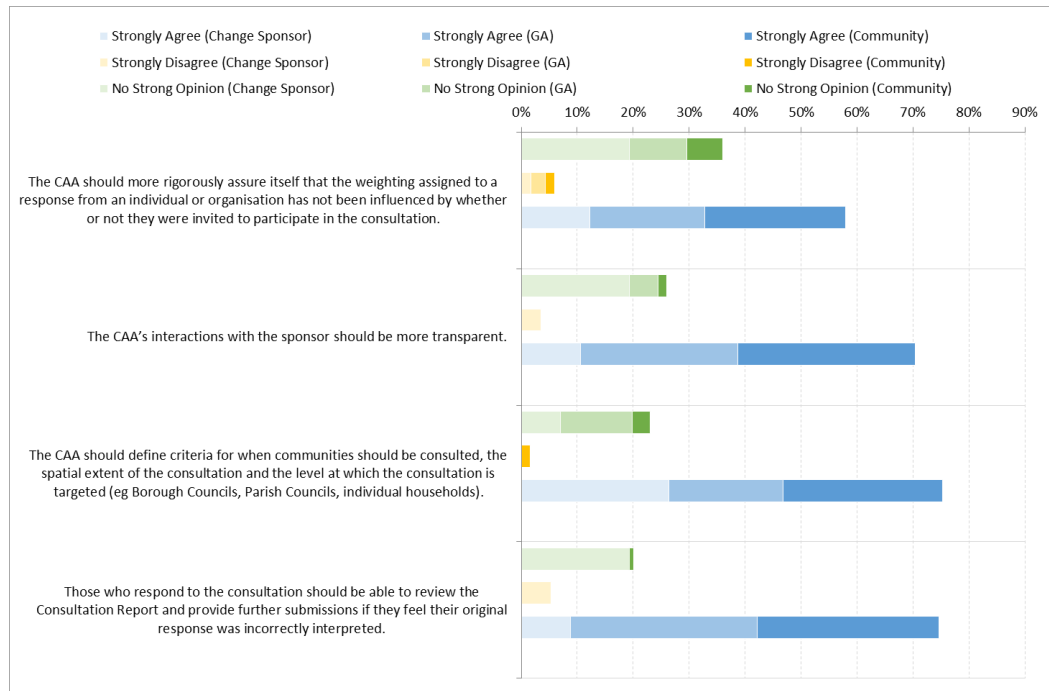
Figure 10 – Hypotheses for improving the transparency of consultation

Transparency is a recurring theme throughout the stakeholder feedback and engagement and consultation was no exception. To be able to have trust in the process, consultees need to see the impact of their involvement and to be able to see the impact the level of transparency within the process needs to increase.

The one hypothesis associated with transparency that all three stakeholder groups were in favour of was that the CAA improve the clarity of guidance about when communities need to be consulted and how the area to be consulted is determined.

Flexibility
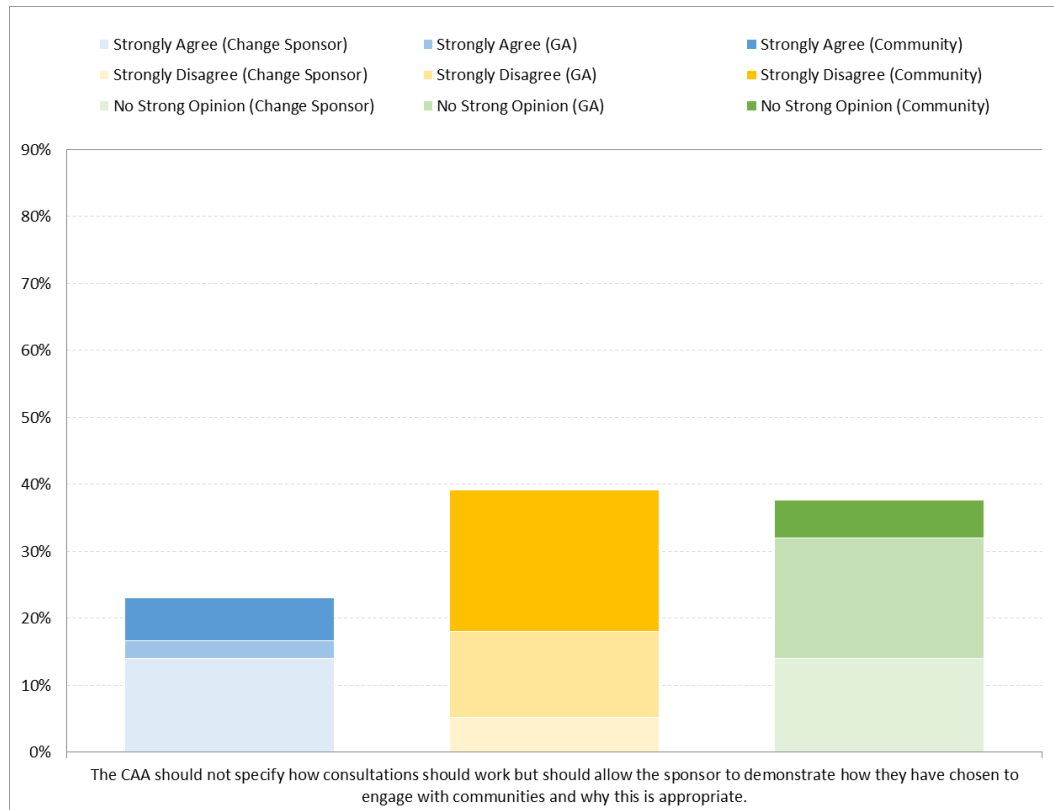
Figure 11 – Hypothesis for allowing greater flexibility in how consultation is achieved

There was a strong sense that the CAA should be prescriptive on how to consult. The communities and GA workshop expressed views that the change sponsor were not experts in this field so needed guidance. Change sponsors felt that greater guidance and clarity of requirements for consultation were needed but not necessarily how to engage with local communities as they felt they did this more than the CAA.

The survey requested respondents to select the 2 most important observations to them; respondents were not able to select more than 2.
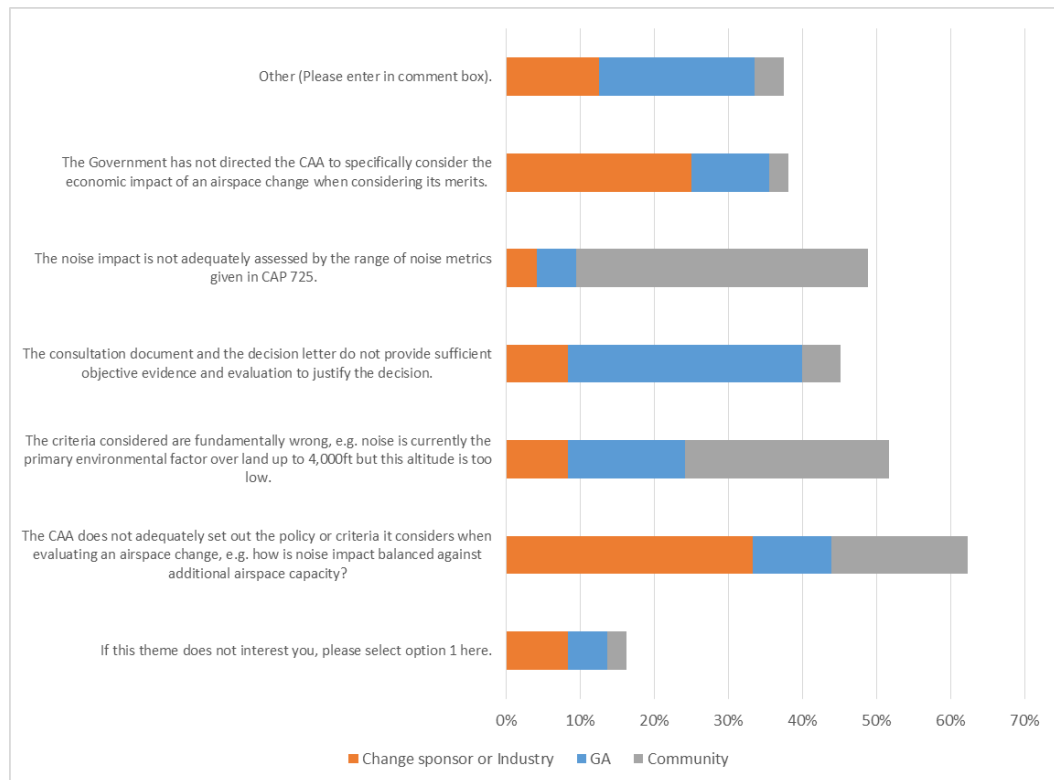
Figure 12 – ACP Decision making – importance of observations to stakeholders

Within Figure 12, above, it can be seen that change sponsors felt most strongly that the CAA does not provide adequate visibility of how it evaluates an ACP and makes its decision. GA felt strongest that there was a lack of objective evidence and evaluation to make an objective decision. Communities felt most strongly that the noise impact is not adequately assessed.

In workshops and interviews, the noise metrics were described as inadequate to reflect the full impact of noise. This was in terms of both the wrong metrics being used and the wrong values (the decibel level is too high). There was much discussion of how the frequency of noise disturbance, particularly with the introduction of PBN, was changing what people felt to be the onset of significant noise.

CAA Policy and evaluation criteria
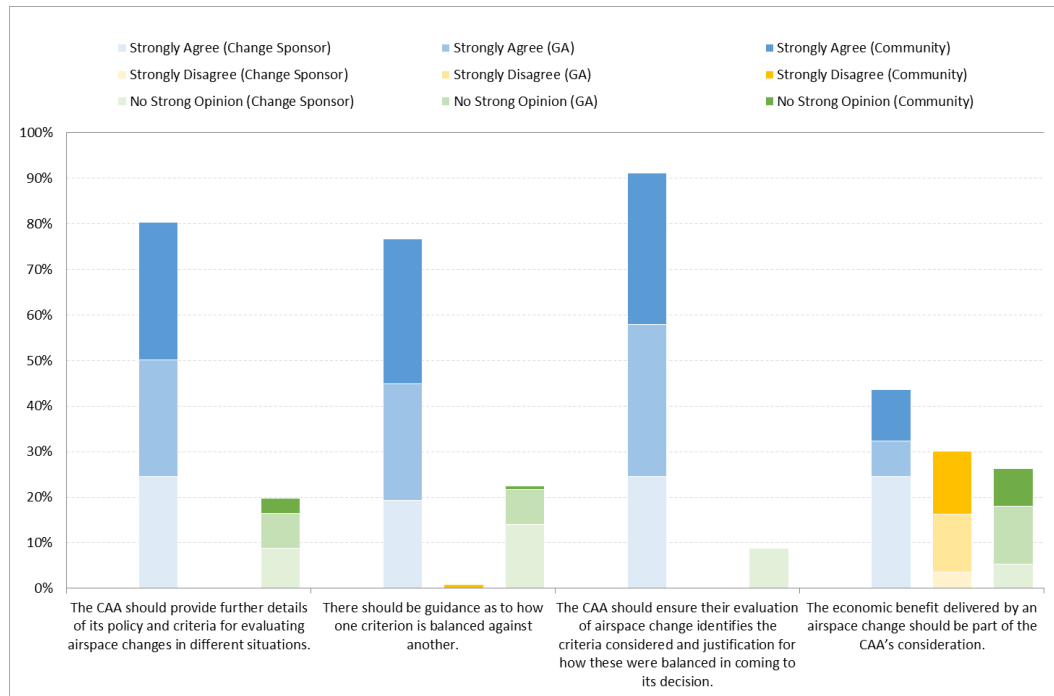
Figure 13 – Hypotheses for increasing the visibility of how the CAA's evaluates ACPs

For three out of the four change hypotheses there was general support with the only hypothesis to see a balance of those in favour and those against being in relation to economic benefit being part of the ACP evaluation criteria.

Economic benefit is covered in greater detail below under the topic of cost benefit analysis.

Cost benefit analysis
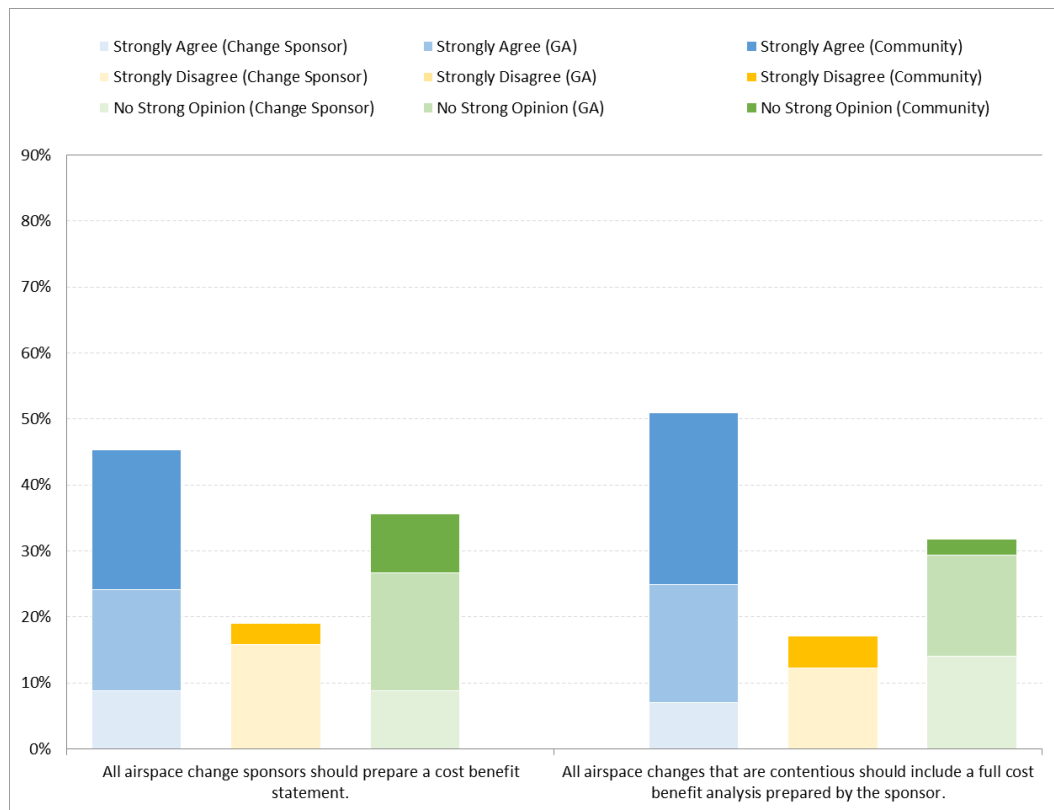
Figure 14 – Hypotheses for inclusion of cost benefit analysis within the ACP decision-making criteria

Although Figure 14 shows that the survey responses considered that a cost benefit analysis should not form part of the ACP evaluation criteria, a number of the views at the workshops were generally in favour. One strong statement from all workshops is that the CAA would need to express clear guidance as to how the CBA was to be undertaken and what tools and values would be appropriate.

Some change sponsors expressed that they avoid CBA as it is difficult and they are accused of just doing it to make money. There were questions from sponsors as to how far down the chain do you need to consider benefits and costs and whether you have to consider those external to the business.

GA felt that the economic and cost benefit analysis presented both positives and negatives. There was a view that the CAA do not have the capability assess the economic case and would need to refer to external experts. An accepted opinion was that the CBA would have to cover direct and indirect effects.

Noise Assessment
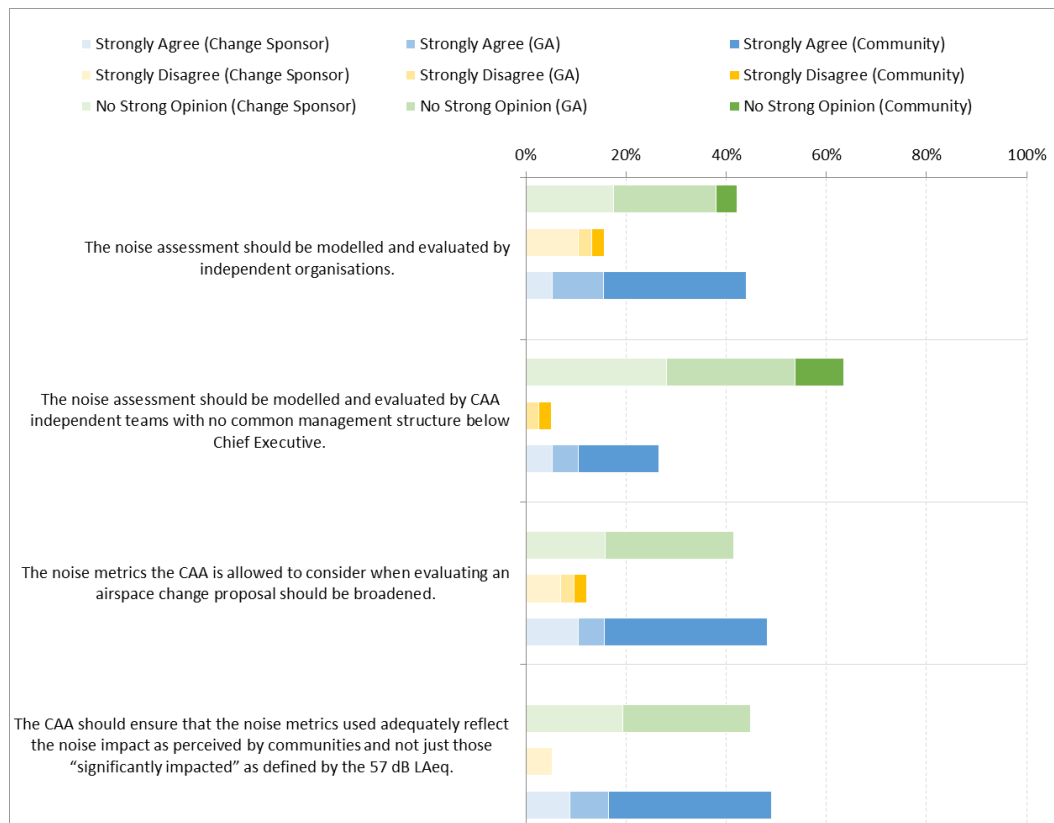
Figure 15 – Hypotheses for how aviation noise is assessed within ACPs

It is not unexpected that the community stakeholders feel the strongest about aviation noise and how it is assessed. Figure 15 does not portray well the strength of feeling by communities expressed in the workshops and interviews.

The CAA currently undertake the noise modelling for ACPs and they evaluate it. Figure 15 demonstrates that there are stronger views held by the communities in respect to separating the analysis and evaluation. At the community workshop, the focus was on the noise metrics and not whom they were produced and evaluated by. Change sponsors and GA did not have strong opinions in this regard. Within the CAA, there are "Chinese walls" between those who do the analysis and the individual that evaluates it.

Communities also felt it was important that the change in noise levels be considered not just the overall level of noise, as it is within road and rail noise assessments.

Communities in the workshops also said they would like to see the balance between aviation noise and CO_2 emissions re-addressed such that noise is the primary concern to an altitude higher than 4000ft as it is today. Some expressed the view that noise should be the primary factor up to 10,000ft or higher. This would need revised guidance from the Government.

Also in the workshops, communities raised the concerns that health impacts are not evaluated when considering ACPs.

Trust

The survey requested respondents to select the 2 most important observations to them; respondents were not able to select more than 2.
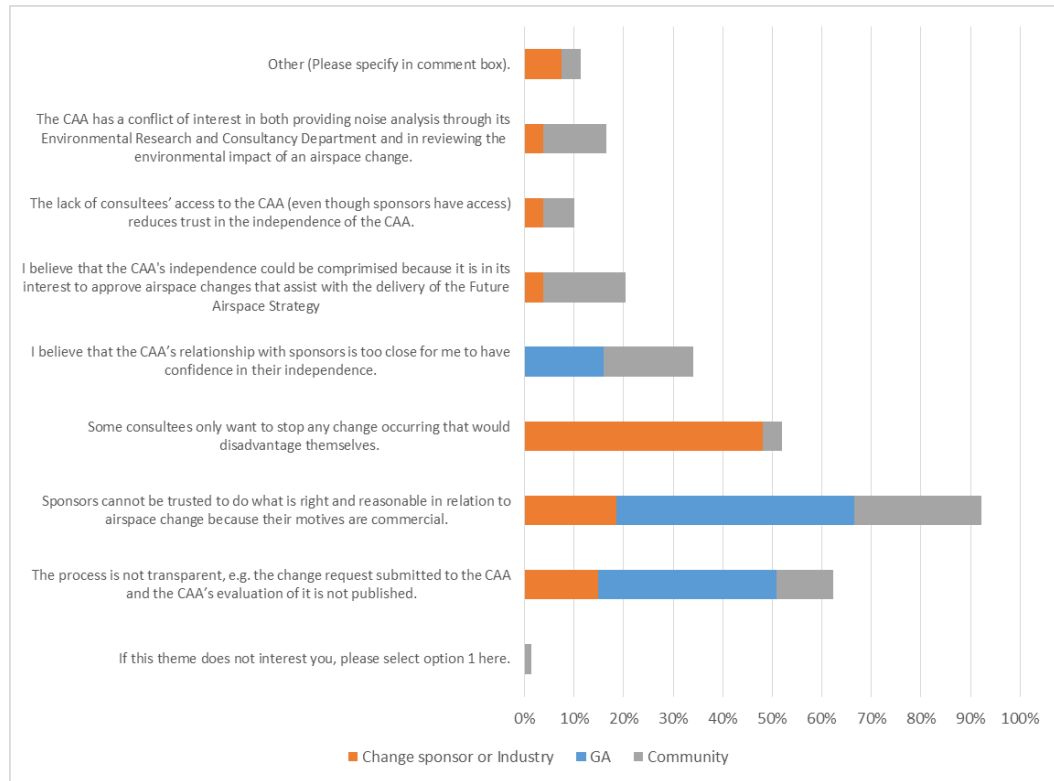
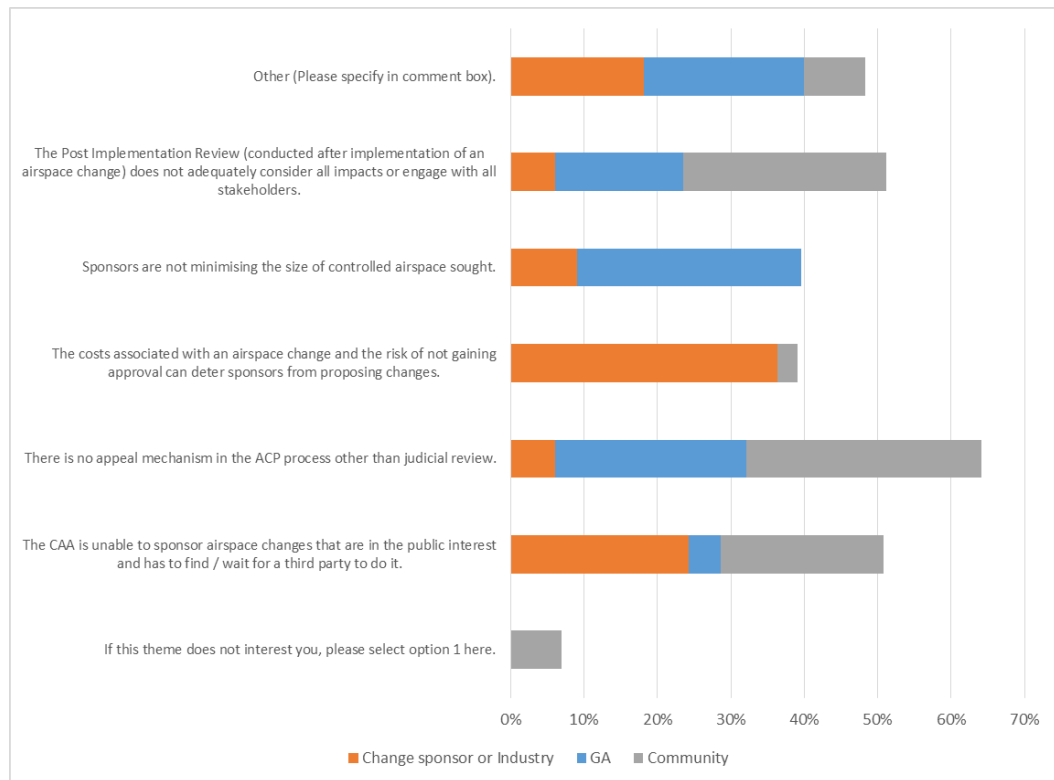**Figure 16 – Trust – importance of observations to stakeholders**

Trust and transparency have seemingly gone hand in hand throughout the stakeholder engagement activities within this study.

The consultation showed a degree of distrust between the sponsors and consultees. Some stakeholder groups also stated that they lacked trust in the CAA to be objective, expressing that they felt the CAA were in the pockets of the change sponsors and that they aviation industry would always stick together.

6.1.1 Transparency
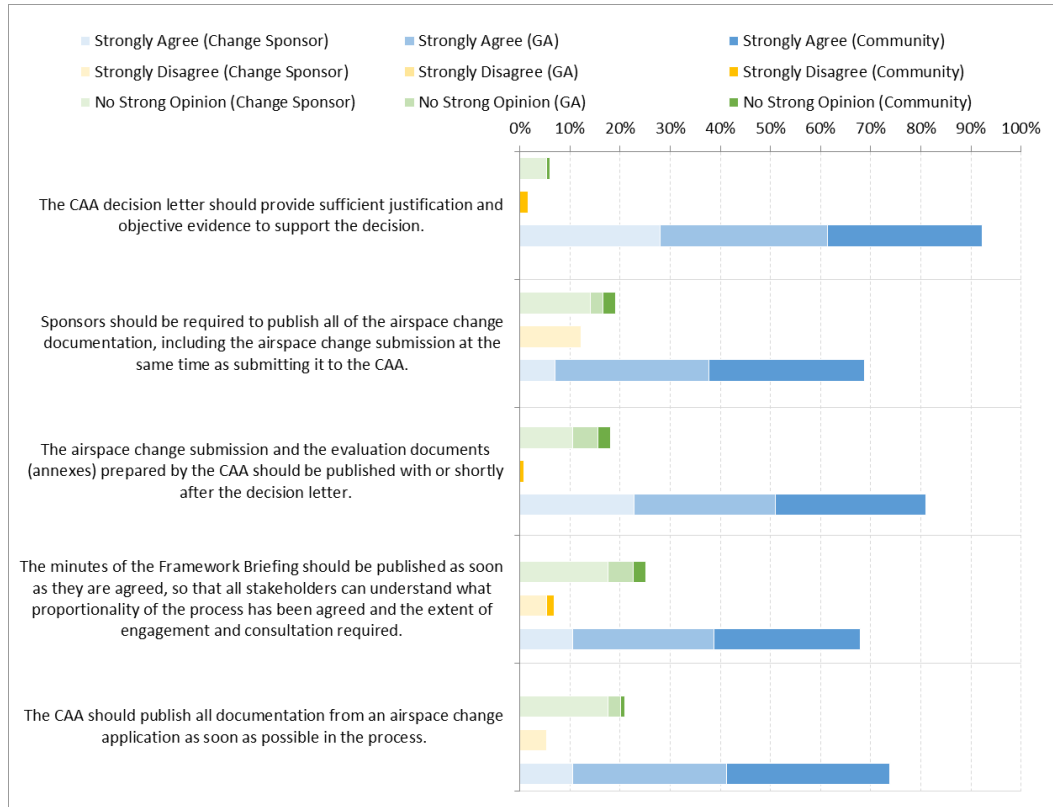
Figure 17 – Hypotheses for increasing transparency across ACP documentation and decisions

All three-stakeholder groups felt there was benefit in increasing transparency. Some change sponsors were reluctant to offer full transparency because of potential commercial sensitivities, intellectual property or national security in the ACP documentation. However, they accepted that this could be addressed by redacting some material.

Remit and openness of the CAA
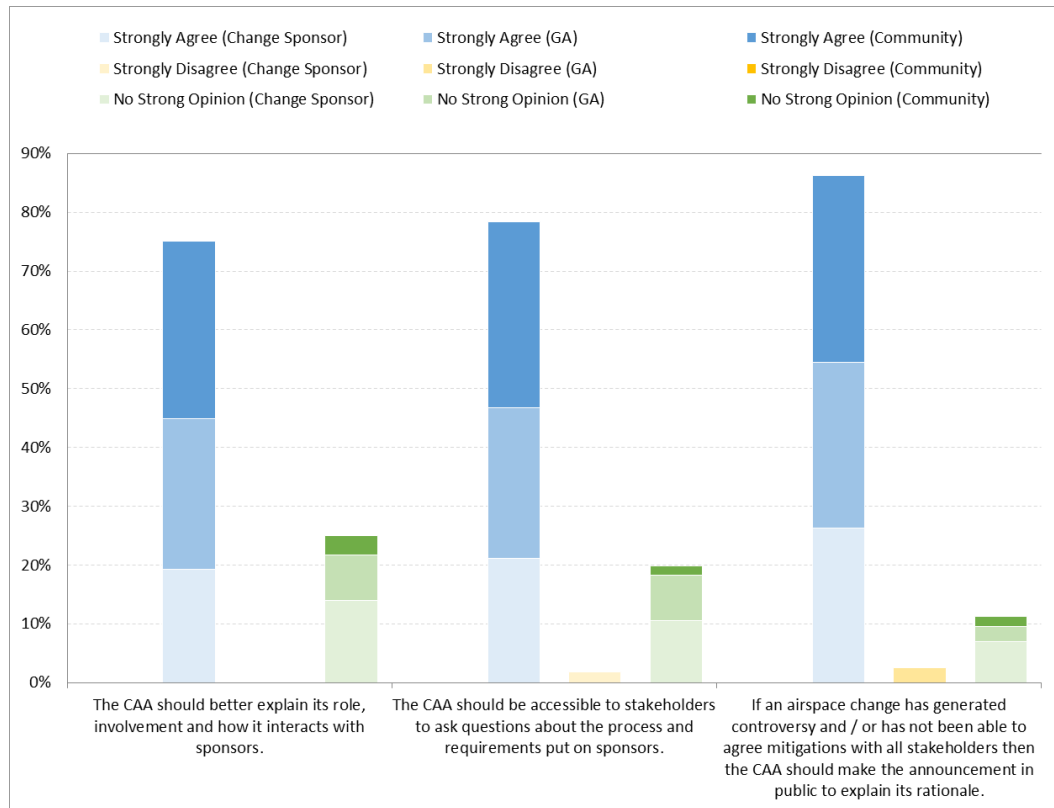
Figure 18 – Hypotheses for increasing the openness around the work of the CAA's directorate of airspace work

By the lack of yellow in Figure 18, it is clear that there is few strong opinions against increasing the openness of the CAA airspace regulation team.

B.2.7　Government policy and guidance

The survey requested respondents to select the 2 most important observations to them; respondents were not able to select more than 2.
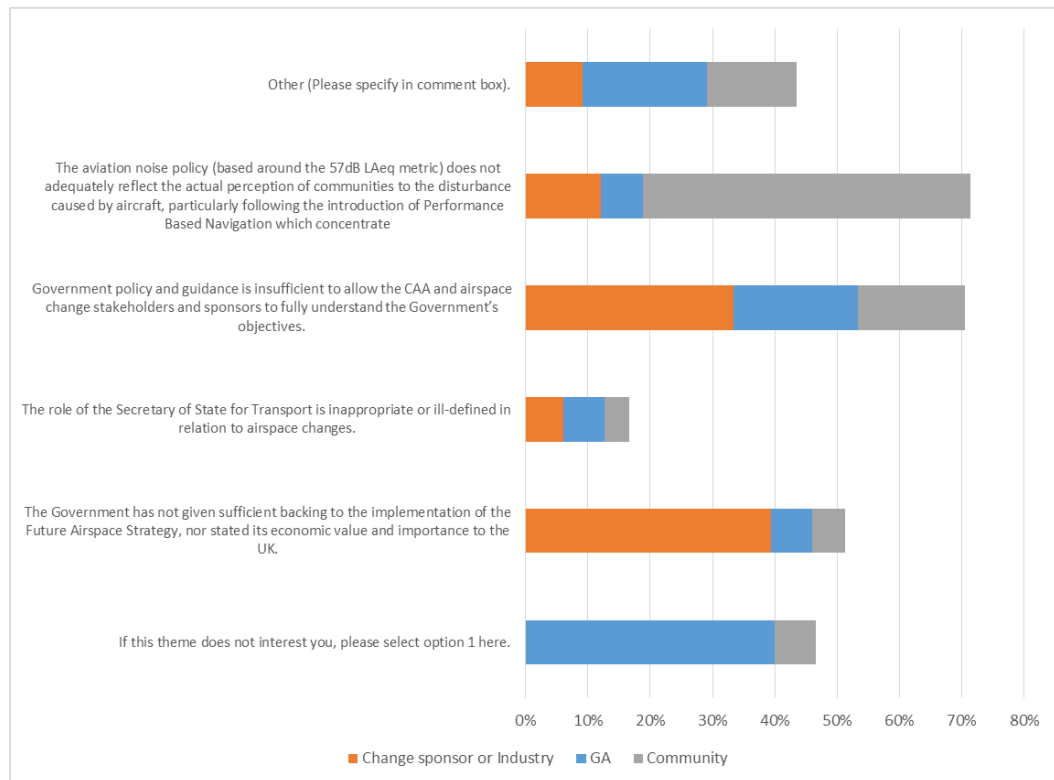

Figure 19 – Government guidance and policy – importance of observations to stakeholders

The survey did not present change hypotheses for Government policy and guidance as this was beyond this study's remit. Therefore, there was little discussion of this theme within the workshops other than to confirm the general observations:

- Communities expressed significant concern about the classification of "significant noise disturbance".

- Change sponsors did not feel the Government has provided sufficient definition or guidance to support the CAA, neither have they have given sufficient priority to the FAS.

B.2.8 The airspace change process

The survey requested respondents to select the 2 most important observations to them; respondents were not able to select more than 2.

Figure 20 – The airspace change process – importance of observations to stakeholders

In the three workshops, the key discussion point on Figure 21 was the right to appeal an ACP decision. Comments on this are provided under Figure 23.

There was also a suggestion, at the GA workshop, that controlled airspace should have a re-licensing requirement every 5 years.

Public interest ACPs
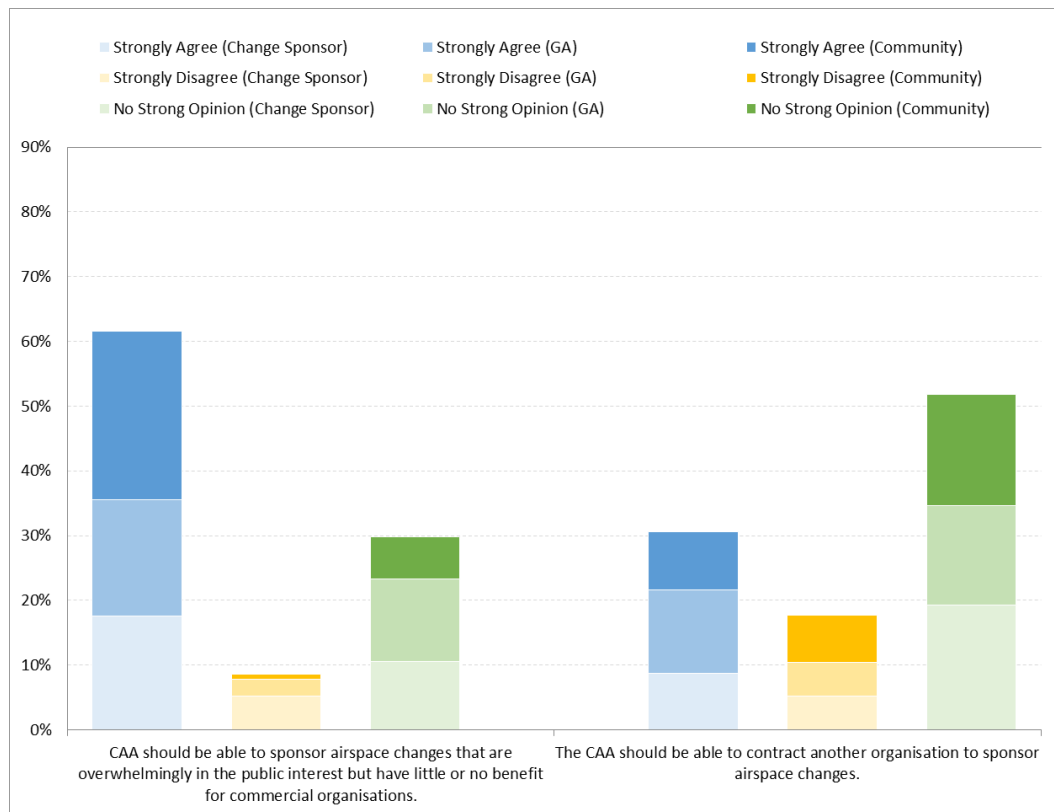
Figure 21 – Hypotheses for allowing ACPs in the national interest to be sponsored by the CAA

We found somewhat lower support in the workshops for the CAA being able to sponsor airspace changes than shown in the chart above. Concerns were expressed about its independence in considering the ACP; the resourcing available to achieve this; and what is classed as a public interest ACP.

There was discussion that the CAA could fund someone else to be the change sponsor of an AC that had national benefit; although some were still concerned that there would not be sufficient independence still.

Ability to appeal
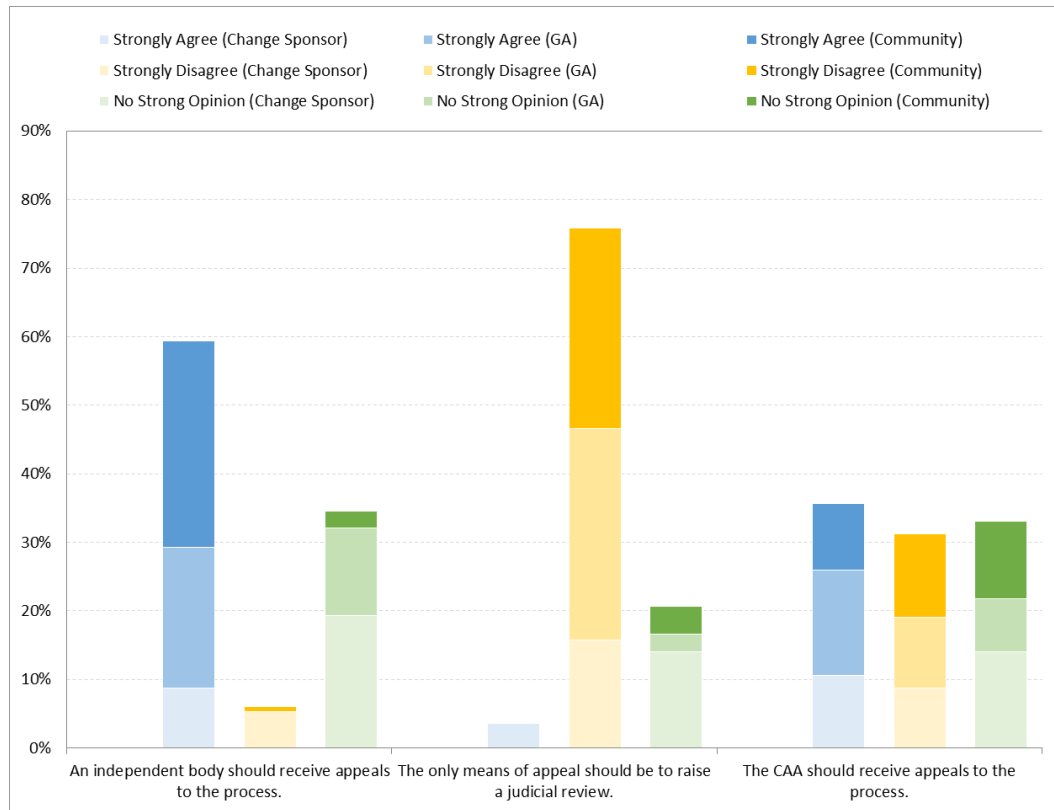
Figure 22 – Hypotheses about appealing an ACP

The GA and communities workshop felt very strongly that their needs to be an appeal route other than judicial review and that it needs to be independent from the CAA. The change sponsors expressed concern that every decision may be subject to appeal incurring additional time and costs but also accepted that stakeholders should be able to present a case as to why an appeal should be heard.

All three workshops debated how an appeal mechanism could work and who was appropriate to hear the appeal. Some felt the appeal hearing had to be independent to the CAA whilst others felt that as the regulator and the experts in this field the CAA was best placed to hear the appeal. Suggestions ranged from the Secretary of State for Transport, to the CAA Board, to an Independent Aviation Noise Authority, to a new group of experts and stakeholders.

All three stakeholder groups expressed that there should be a means of appeal other than a Judicial Review.

Reduced risk for change sponsors
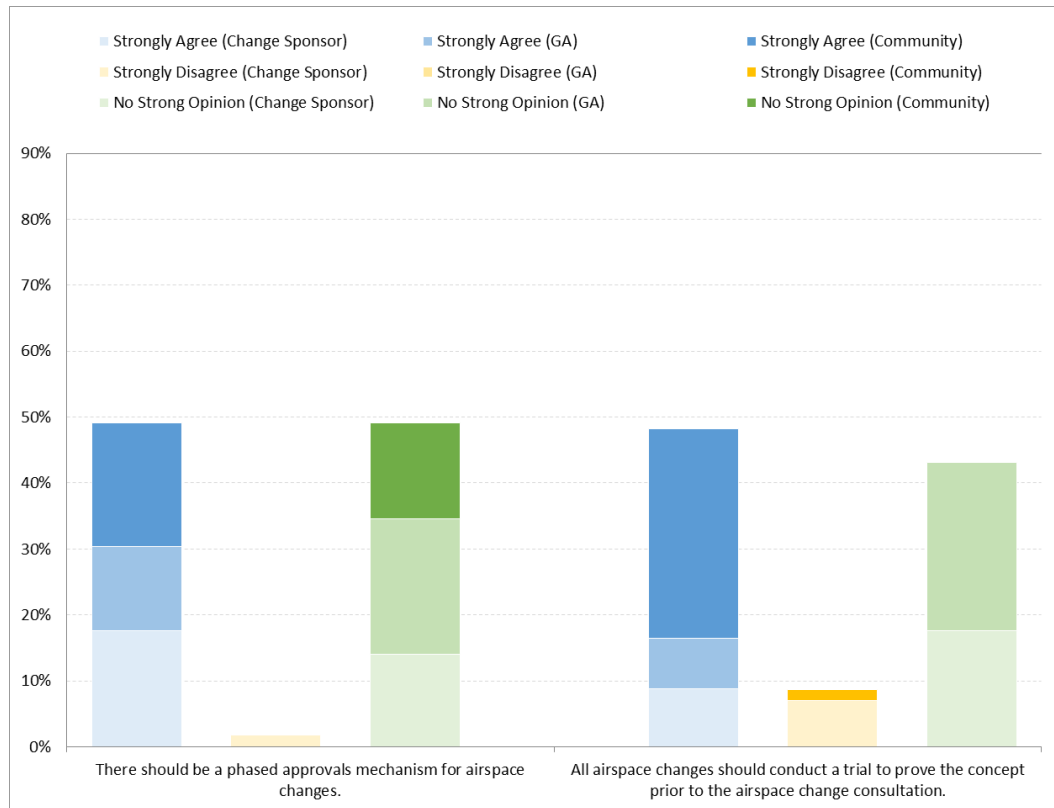
Figure 23 – Hypotheses for reducing the risk for change sponsors within the AC process

Change sponsors stated they wanted to reduce the risk of the AC process by knowing at each stage they are doing what is required and will not get to the end and then find that they need to repeat a task. Some suggested that the CAA verify the consultation documentation prior to conducting the consultation.

At the GA and community workshops, participants could see the benefit of the CAA approving the consultation material prior to the consultation commencing. A more "hands on" approach from the CAA was described by some as being beneficial.

Some community representatives felt that airspace trials could be a valuable addition to airspace change proposals so that both the sponsor and communities can understand the full impact.

Volume of controlled airspace
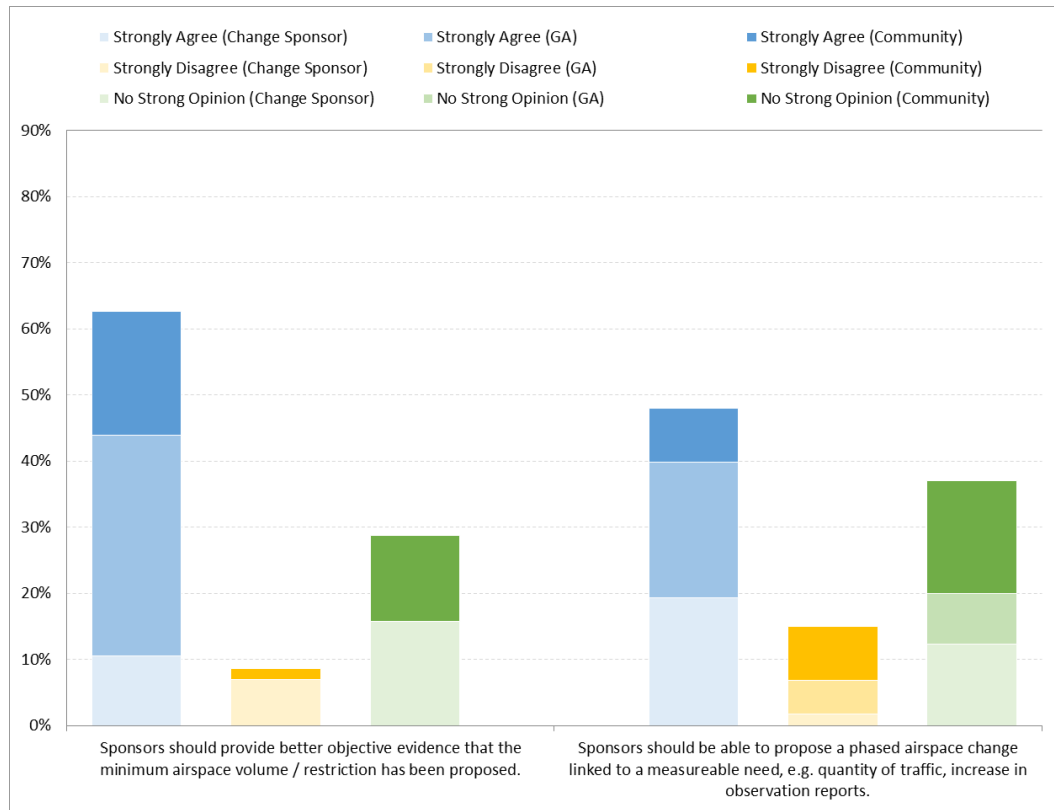
Figure 24 – Hypotheses for ensuring the ACP does not "oversize" the proposed airspace

Both at the GA workshop and at the individual meetings a number of concerns about the size and volume of airspace sought by sponsors was raised. GA was concerned that sponsors do not consider the negative impacts of taking large volumes of airspace. The representatives also felt there have been a number of cases where a sponsor's justification has not been robust. They wanted to see greater scrutiny of the justification for controlled airspace and for the external impacts of that airspace to be accurately considered.

Scope of PIR
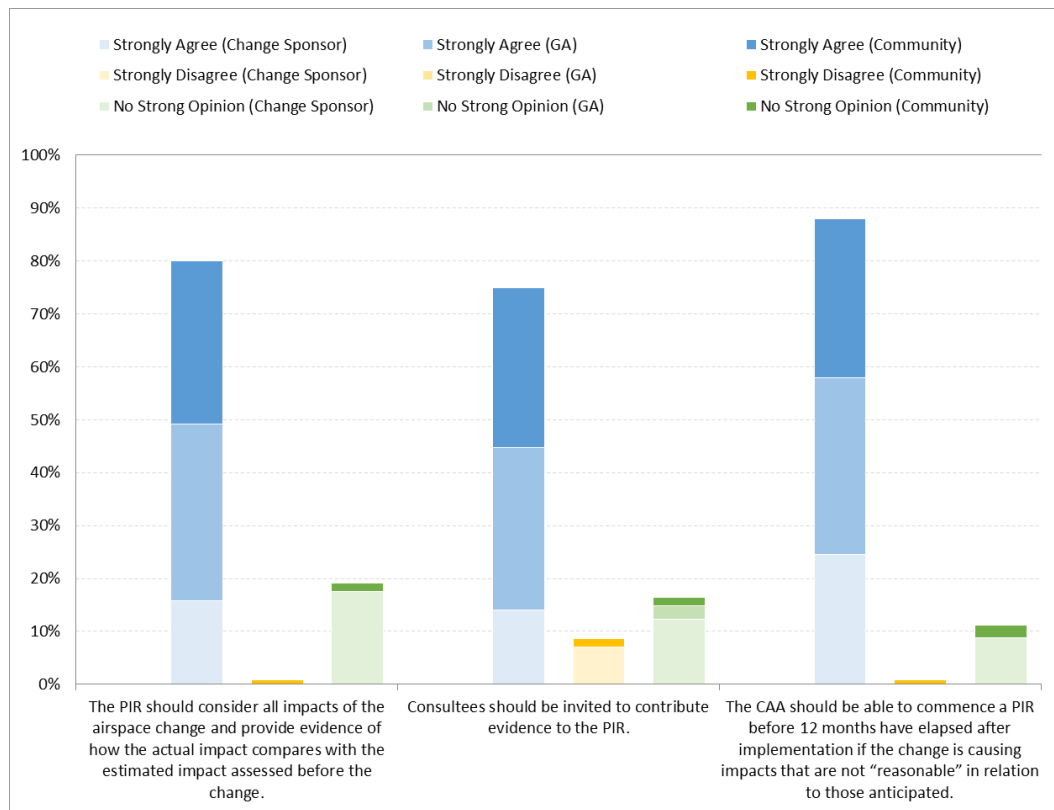
Figure 25 – Hypotheses for improving the scope of the PIR

As per Figure 25, there is general support for expanding the scope of the PIR, allowing communities to be involved and for them to commence prior to 12 months. Some stakeholders suggested that the PIR must commence within 18 months after the AC implementation.

The view from communities is that they most certainly feel their experience following the implementation of an AC should be part of the PIR. They also expressed dissatisfaction at the time it sometimes takes before a PIR is started and particularly at how long the PIR takes in its own right.

GA stakeholders were keen that PIRs were not delayed year after year. They expressed the view that if a change sponsor has not been able to gather sufficient evidence following the implementation of an AC within 12 months then the PIR should not be delayed, as the lack of evidence in itself is sufficient reason to hold the PIR.

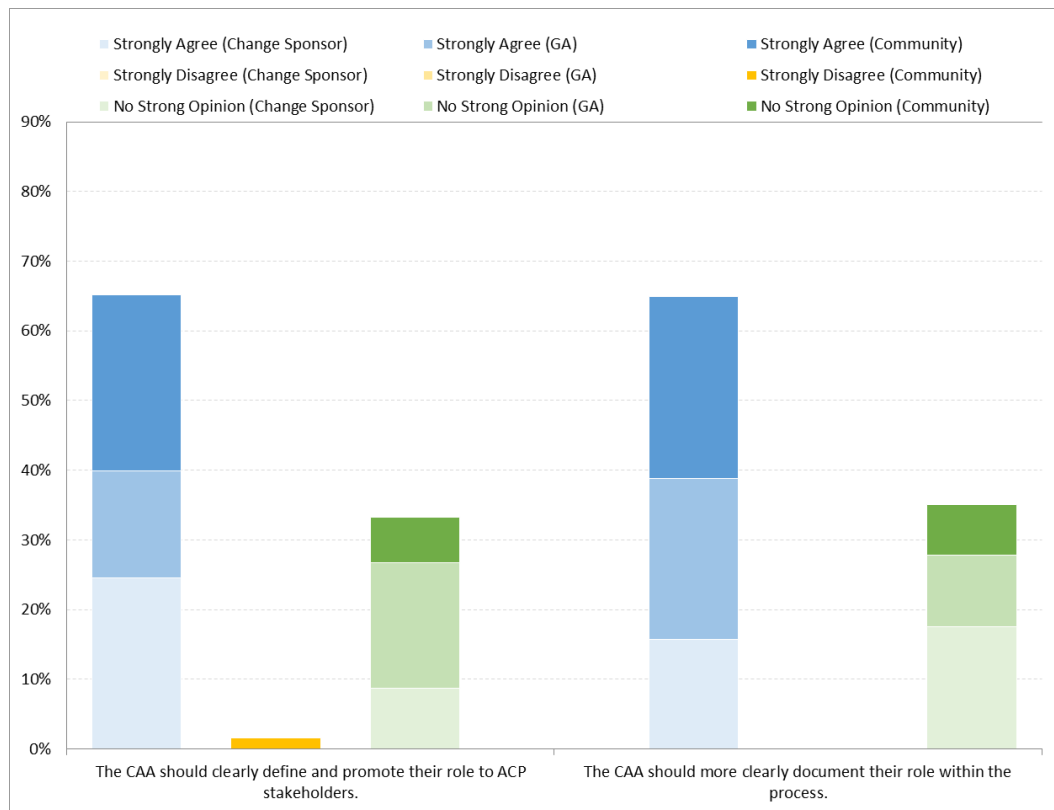### B.2.9 Role of the CAA within the AC process

The survey requested respondents to select the 2 most important observations to them; respondents were not able to select more than 2.
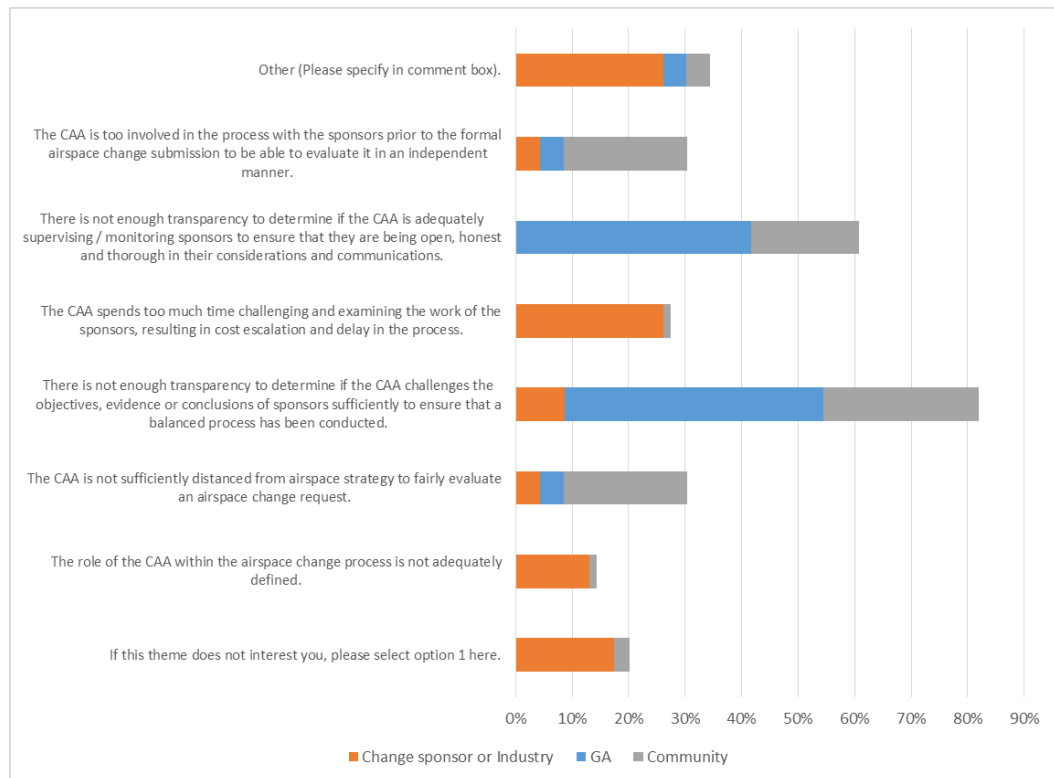
Figure 26 – Role of the CAA – importance of observations to stakeholders

Over the three stakeholder groups, the overriding opinion we recorded was that there is a lack of transparency as to what the CAA's role is and what activities it is already undertaking. The change sponsors were concerned about the *large amount* of scrutiny they felt the CAA undertake. GA and communities were concerned about the apparent *lack* of *s*crutiny undertaken by the CAA.

Definition and awareness

Figure 27 – Hypotheses for improving the understanding of the CAA's role within the AC process

From all our engagements, there was all round support for the CAA to clearly define and promote their role within the process. Everyone wants to be able to understand what the CAA's role is and how it ensures independence and objectivity in their relationships with change sponsors and reviewing ACPs.

Role of the CAA
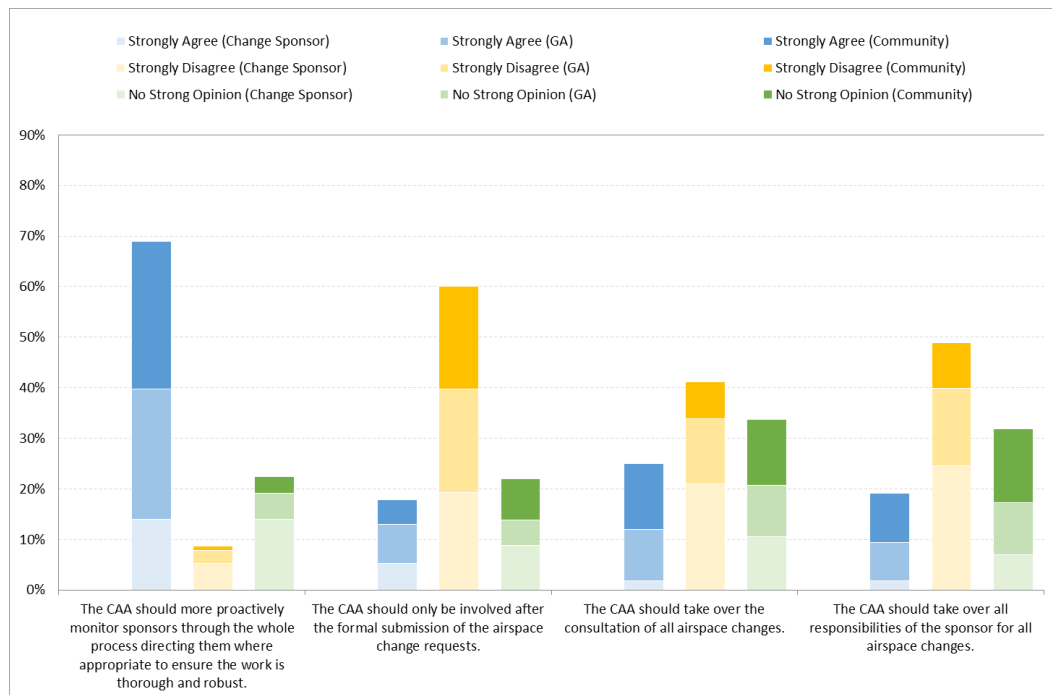
Figure 28 – Hypotheses for how to change the role of the CAA within the AC process

Figure 28 mirrors the conversation at the workshops. We recorded the views from workshops that:

- change sponsors would accept greater monitoring and guidance from the CAA if it reduces the risk of them wasting time and money;

- GA and communities are keen that the CAA monitors sponsors at all stages to ensure that the AC process is applied in a fair and balanced manner.

The only concern expressed by all three groups was that if the CAA were to be more "hands on" then they would need additional resources. Change sponsors and communities complained about the time it takes the CAA to respond to questions or conduct their elements of the process. Sponsors in particular pointed to the CAA taking more than 16 weeks to consider an ACP and the fact that the CAA "stops the clock" whenever it asks for further information. Communities on the other hand tend raised concerns at delays in conducting and reporting on PIRs.

B.2.10 Guidance prepared and provided by the CAA

The survey requested respondents to select the 2 most important observations to them; respondents were not able to select more than 2.
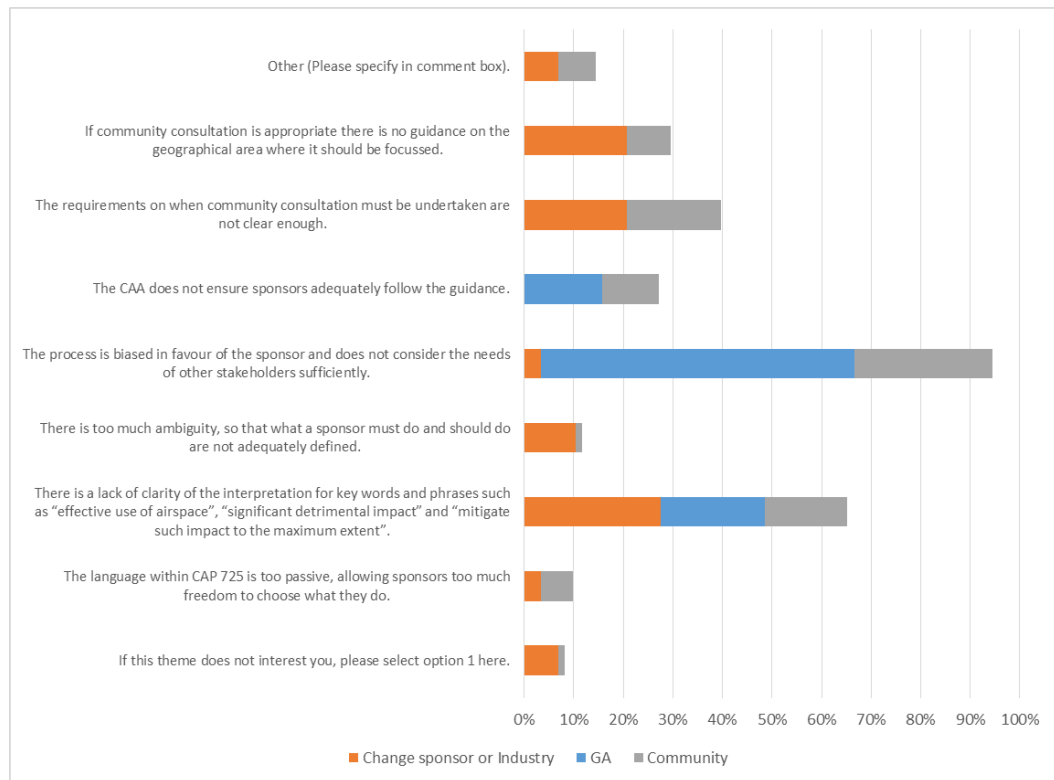

Figure 29 – CAA Guidance – importance of observations to stakeholders

At the workshops, several change sponsors stated that they would like greater clarity of exactly what they need to do. Several said that the fact that CAP 725 contains many optional activities is not helpful, since it would be clearer to have a smaller group of mandatory ones. In addition, better understanding of the interpretation of key words and phrases would reduce the risk for sponsors when planning and design an AC.

The GA stakeholders at their workshop stated that many of the issues with the CAA guidance would be resolved if the other issues already discussed were resolved.

At the communities' workshop, a strong view was expressed that the Government should provide more definition around their policies and that if does not then the CAA should take the lead and do it. Some stated that the current CAP 725 is so loose that sponsors can achieve almost anything they want. The view was also expressed that the impacts of an AC should be monetised in an economic case, and that the CAA should provide guidance as to how this would be done.

Language and requirements
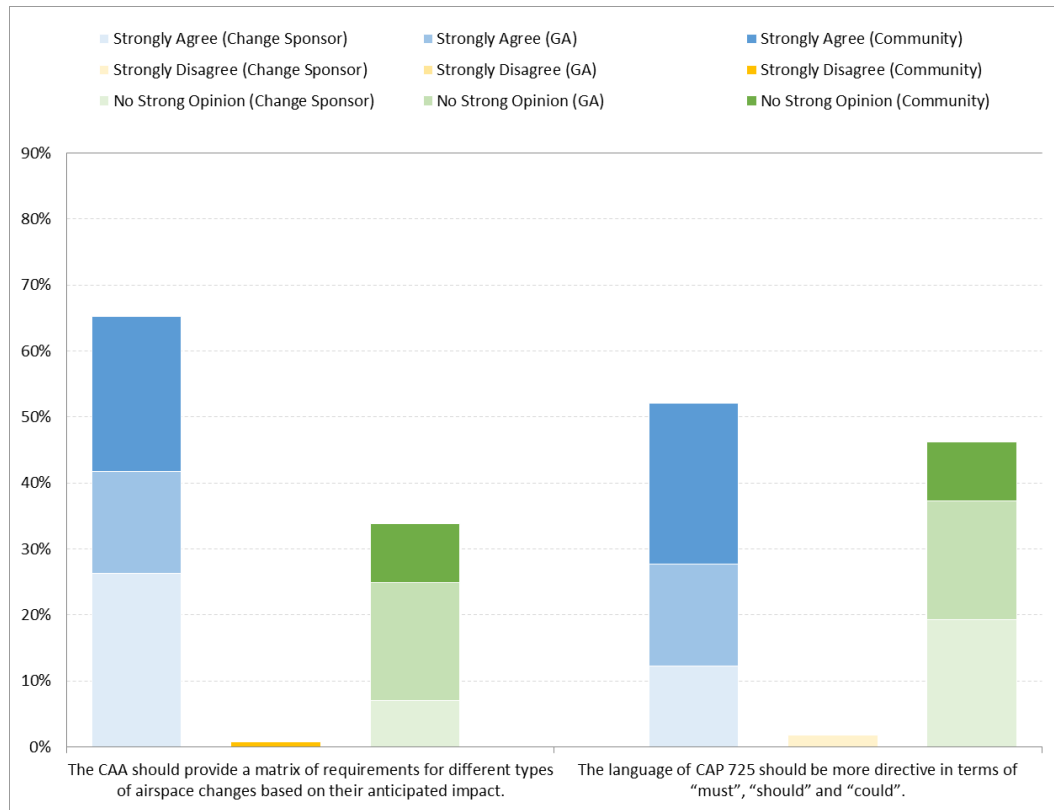
Figure 30 – Hypotheses for how the language and requirements within CAA guidance documentation could be enhanced

The ability to ensure that the process is flexible (so that it is proportionate to the impact of an ACP) was supported by the three stakeholder groups in the survey and generally at the workshops.

A number of different stakeholders, in meetings and at the workshops, said the current CAP 725 document is too vague. GA and communities wanted it to be more specific so that sponsors can be better held to account and the change sponsors would like greater clarity of what they need to do in the process.
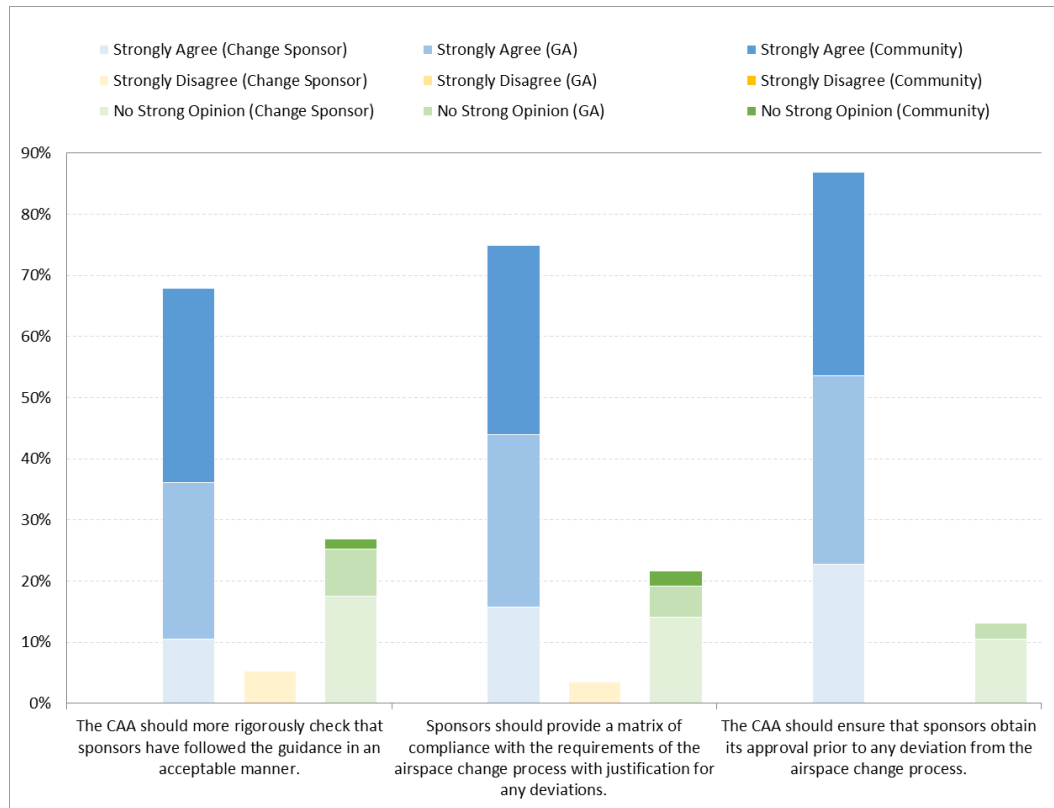
Understanding
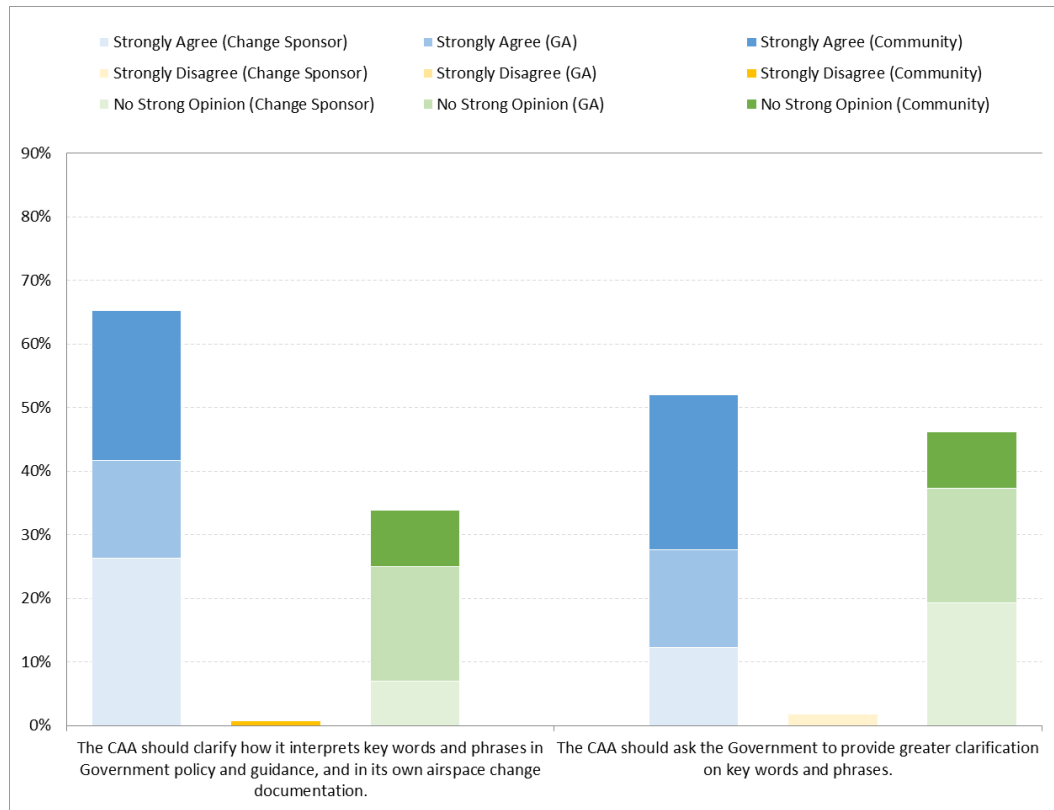
Figure 31 – Hypotheses to improve the understanding of key words and phrases within policy and guidance

In a similar manner to the language used in CAP 725 all stakeholders that held a strong opinion felt the understanding of the current process and its interpretation could be improved.

Application of guidance

Figure 32 – Hypotheses on how to improve visibility that the CAA is applying the AC process in a proportional and effective manner

There general agreement at the workshops and in the survey results that greater visibility of the governance of the process would be beneficial.