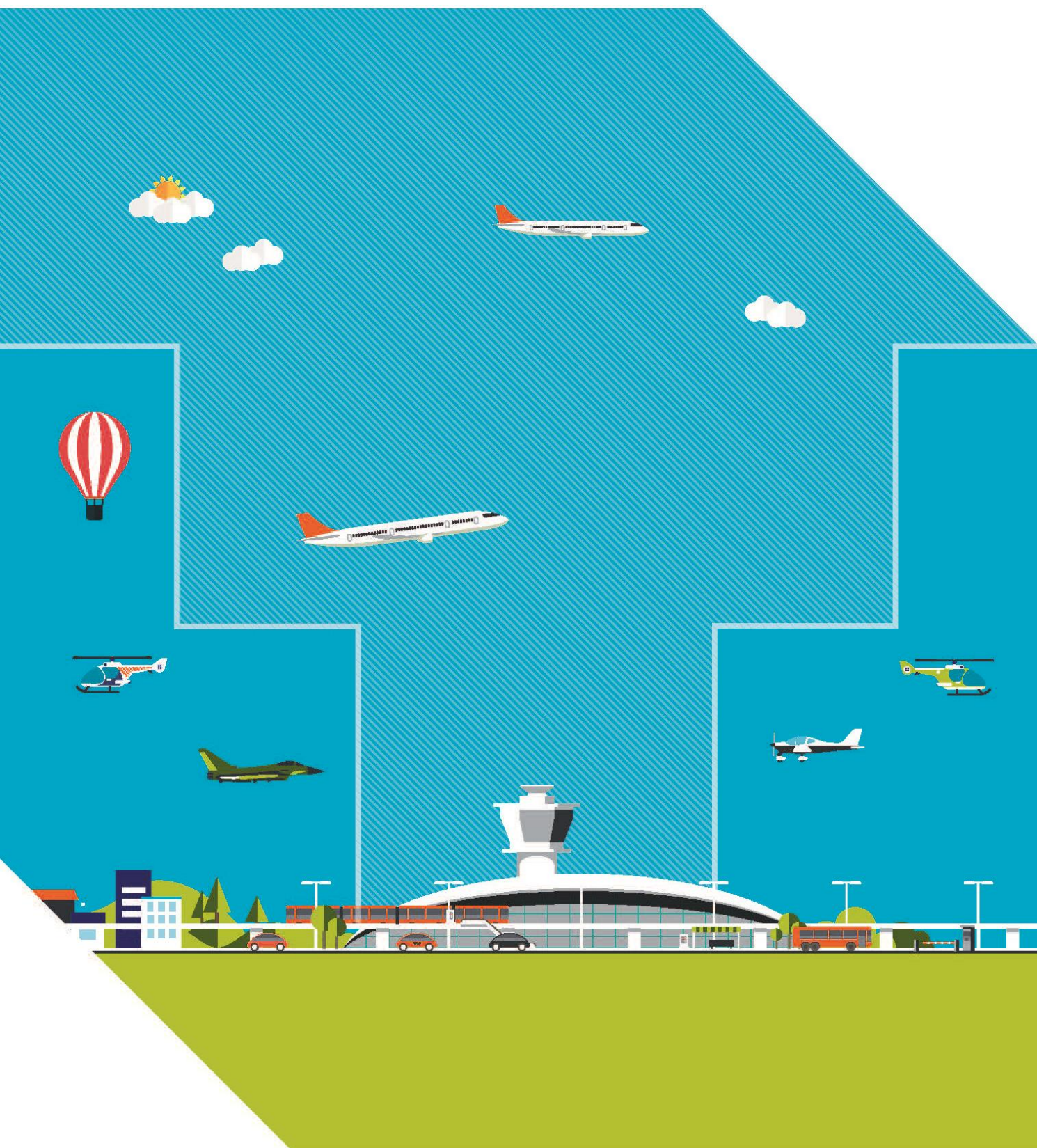


Draft airspace design guidance – consultation

Annex 2: Tier 2 airspace change

CAP 1522



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Tier 2 airspace change

The text in this document refers to the policy proposals and draft guidance on which the Department for Transport is currently consulting (click [here](#) for details). Should Government Directions, policy and guidance change after the consultation, this could alter the content of this document.

Background

The Government's proposed new process for Tier 2 changes

1. The Government's consultation on airspace policy published in February 2017 (click [here](#) for details) proposes a three-tier structure for categorising changes to the design of airspace or the way airspace is used. This is set out in Table 1 (Categories of airspace change) of our consultation document.
2. As part of this categorisation, the Government proposes a wholly new category of 'Tier 2' airspace changes, on which they would direct the CAA to have a decision-making role. These types of changes happen when there is a permanent and planned redistribution of air traffic, but not a change in the actual airspace design as published in the UK Aeronautical Information Publication.¹

Purpose of this document

3. This document sets out:
 - what the Government's consultation documents say
 - the CAA's potential role
 - some questions giving you the opportunity to give us your views, which will help us to develop our thinking further, should the Government decide to go ahead with its proposals.

¹ www.ais.org.uk

We are not yet in a position to consult on draft guidance about a process for Tier 2 changes

4. The Government's proposals set out that they will direct us to devise policy and process relating to Tier 2 changes. However, we are not consulting on draft guidance for Tier 2 changes at the present time. This is because the Government may change its policy proposals in the light of consultation, and this could significantly change the role given to the CAA and how we might then design the associated process. Once the outcome of the Government's consultation is known, the CAA will consult formally on draft guidance for a Tier 2 airspace change process.

What the Government consultation documents say about its proposed new process for Tier 2 changes

5. In the following pages we quote extracts from the Department for Transport's consultation document and draft Air Navigation Guidance – including the footnotes in those documents – about its proposals for a new category of Tier 2 airspace change and the process that it envisages that the CAA will apply. These extracts are reproduced here for ease of reference, but you are strongly advised to read the Government consultation documents in full.

UK Airspace Policy: A framework for balanced decisions on the design and use of airspace, Department for Transport, February 2017 – all text on this page is extracted from Chapter 4: Changes to Airspace of the DfT consultation document

4. Changes to Airspace

4.1 There is a range of decisions which are taken about airspace. Other events, such as changes in demand, can also affect its use. It is important that there are the right levels of clarity and transparency in place in order to ensure that there are the right levels of clarity and transparency in place in order to ensure the needs of passengers, industry and communities on the ground. For communities, it is particularly important that changes to airspace which make changes to their airspace are clearly communicated and that decisions are made with their input. As the market evolves, there is not a clear set of decisions which provide for suitable levels of clarity and engagement for the different types of changes which occur in airspace.

4.2 The Government recognises that when any change occurs to the noise levels that a community experiences, it is not necessarily important to that community how the change came about. Airspace is hugely complex and there are many layers of structures and procedures. However, the Government is clear that there should be suitable and proportionate levels of local engagement and transparency for the various types of changes that come about.

4.3 To help set suitable policies in these areas, we have described three tiers of airspace-related changes and the processes we would expect to be associated with them.

- **Tier 1:** Changes to the permanent structure of UK airspace – these changes are already covered by the CAA's formal airspace change process, which is currently undergoing significant improvements to ensure suitable and further improvements to the process in the consultation, such as the introduction of ECAN, and guidance on how to assess significant noise impacts.
- **Tier 2:** Planned and permanent changes to ATC's day-to-day operational procedures (e.g. vectoring practices) – these procedural changes can have a very similar effect to changes to the permanent airspace structure because they may result in planned and permanent redistributions of aircraft traffic (PPR). Our objective is for there to be a suitable and proportionate change process in place for these changes and we set out detailed proposals on these kinds of changes, below.
- **Tier 3:** Changes to operations – for example significant shifts in the distribution of flights on particular routes. These may not be covered by changes to the use of airspace, but shifts over time and in response to changes in demand. However, to help set policies in these areas, we have described three tiers of airspace-related changes and the processes we would expect to be associated with them.

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4.4 This chapter deals with who the decision makers should be, and how suitable processes should be established in respect of each of these three tiers of change.

Current Situation

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Current Situation

Tier 1 airspace changes

4.5 The CAA determines the process which must be undertaken by sponsors of an airspace change proposal. The Government influences the content of that process via its Conditions to the CAA on air navigation and its guidance to them on how to take into account their environmental objectives. The process involves the sponsor must engage with all interested and impacted parties, and details how the CAA makes its decisions to approve or reject proposals within the legal and policy framework set by Government, and in accordance with ECAC and EASA requirements.

4.6 The Secretary of State (SoS) currently has no role in Tier 1 airspace changes, although an airspace change proposal which is anticipated to have significant detrimental effect on the environment. This limits involvement of the SoS in any specific circumstances, and does not reflect the full range of central Government's strategic national interests in airspace change. In addition, the legal framework for such an airspace change is not clear, as there is no guidance on what would be considered a significant detrimental effect on the environment.

Tier 2 airspace changes

4.7 Air traffic controllers give instructions to pilots on the exact route they should take. This practice is called "vectoring" and it usually happens near the beginning and towards the end of a flight, to get aircraft going in the right direction, or to bring them in to land. The practice is illustrated in more detail in the diagram on page 18.

4.8 Vectoring patterns are to some extent random, as they depend on the specific circumstances on the day, for example the weather, the time of day, the volume and location of air traffic, and the individual decisions of air traffic controllers. However, each air navigation service provider (ANSP) has a locally specific manual (MATS Pt II) which underpins how its air traffic controllers manage aircraft, and in turn influences their vectoring decisions. This manual heavily influences the consistent patterns of aircraft traffic that are created by vectoring.

4.9 Recently, several communities have raised concerns as to why changes to the formal airspace structure are subject to the CAA's airspace change process, and need to be consulted on, whereas changes to consistent vectoring practices can be implemented without any need to consult. This can be the case even when the noise impacts may be similar.

Tier 3 airspace changes

4.10 There are no formal arrangements currently in place for these airspace changes within the Government framework. We are aware of both good practice in this area, and examples of where lack of changes have caused issues for communities in terms of the noise they experience.

Analysis

Role of the CAA in airspace change

4.11 The CAA is the UK's independent regulator of airports, and the Government believes that it should continue to do so. The CAA is the only body with the expertise to effectively balance all the factors which must be considered in regulatory airspace. These factors are set out in detail in section 10 of the Transport Act 2000 (see Annex A), which gives the CAA its statutory duty in relation to air navigation functions. This

Tier 2 airspace changes

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UK Airspace Policy: A framework for balanced decisions on the design and use of airspace, Department for Transport, February 2017 – all text on this page is extracted from Chapter 4: Changes to Airspace of the DfT consultation document

18. Airspace Policy: A framework for balanced decisions on the design and use of airspace

requires the CAA to give priority to safety and then to balance the needs of everyone affected by airspace change, including a duty to take into account the guidance on environmental objectives we provide.

4.10 We recognise that in recent years, some groups have expressed their mistrust of the CAA and argued to focus on environmental impacts. We also recognise the CAA's own work to address these issues. Our aim is to better support the CAA to put in place processes and rules which are clear, robust and proportionate, and which allow for balanced decisions in the regulation of airspace.

4.11 With this in mind, we ask the CAA to having a better airspace changes falling within each of the tiers set out above. Our draft guidance provides detail on how we expect these rules to be carried out and an underlying principle, that is, through the publication of an environmental statement with their decisions, to help communities understand how different factors have been weighed against one another.

Tier 1 airspace change

4.12 We acknowledge the need for an updated role for the DfT in tier 1 airspace change. Our overall objective is to develop a strategic role for the DfT, consistent with our vision for the decision-making system as described on page 27, to provide clarity for industry and improve the speed of decision-making. We also need to be a priority to many of the DfT's other work, which the DfT would be involved in airspace change and how the decision would be taken.

4.13 The role of the DfT in tier 1 airspace changes should be:

- Proportionate;
- Transparent; and
- Defined.

4.14 The DfT's role should also be restricted to cases that are considered to be of strategic national importance. This is because the CAA is best placed to make decisions on airspace changes in most cases. It has the required expertise to assess and balance the impacts of changes on safety, operations and the environment, and to balance the needs of all those affected. Furthermore, we are strengthening our guidance to the CAA, including on the Government's environmental priorities, which must be factored into decision-making. This will help where Government intervention adds value over and above the CAA falling its role to matters where the national interest comes into play.

Tier 2 airspace change

4.15 The Government will commission when local communities should be engaged with about change that is not considered to be of strategic national importance. We will also set out what kind of change process should apply. We accept that the current situation does not provide an appropriate level of engagement.

4.16 We also recognise that vectoring by controllers is essential for the operation of the aviation sector, and will need to continue to be used and updated to meet the needs of the aviation sector, and will need to continue to be used and updated to meet the needs of the aviation sector. It is expected that as airspace modernisation progresses, there will be greater systemisation, and we can expect the use of vectoring practices to decline. For example, trials of new navigational technology (PBN) have shown that intervention by controllers at the early stages of the departure flight path are much reduced, possibly by as much as 90%. So there would be a gradual reduction in the overall amount of vectoring as modern routes are implemented on departures, and the potential realised for much less direct controller intervention on arrivals in the future.

Analysis

Role of the CAA in airspace change

Tier 2 airspace changes

4.17 The Government has considered when local communities should be engaged with about changes to vectoring practices which may affect the level of noise they hear, and what kind of change process should apply. *We accept that the current situation does not provide an appropriate level of transparency.*

4.18 We also recognise that vectoring by controllers is essential for the operation of the aviation sector, and will need to continue unless and until systemisation can offer viable alternatives. It is expected that as airspace modernisation progresses, there will be greater systemisation, and we can expect the use of vectoring practices to decline. For example, trials of new navigational technology (PBN) have shown that intervention by controllers at the early stages of the departure flight path are much reduced, possibly by as much as 90%. So there would be a gradual reduction in the overall amount of vectoring as modern routes are implemented on departures, and the potential realised for much less direct controller intervention on arrivals in the future.

vectoring as modern routes are implemented on departures, and the potential realised for much less direct controller intervention on arrivals in the future.

4.19 Overall, we have concluded that a proportionate change process for when ANSPs amend their procedures would help to:

- Ensure that local communities are better informed by ANSPs of their current and future vectoring practices, thereby increasing transparency in how vectoring areas are being used;
- Increase the level of oversight undertaken by the CAA of changes to air traffic procedures that redistribute aircraft tracks and noise impact;
- Ensure that the needs of communities affected by aircraft noise are properly balanced with the needs of industry and passengers in decisions on PPRs; and
- Remove the anomaly in engagement levels caused by technical differences between different types of changes.

Tier 3 airspace change

4.20 This is to be the most level of changes, the Government believes that industry should take the lead in the most level of changes associated with these routes and should take them into due consideration in communicating with its stakeholders, including local communities. There are situations in which we can help with this, such as through Consultative Committees and other relevant groups used to engage and inform their communities as appropriate.

4.21 The Government would not wish to unduly constrain development of new routes or reduce efficiency unnecessarily by over-regulating tier 3 airspace changes. Rather, the approach here must be proportionate, taking into account the impacts of the changes and the local circumstances. For example, it can make more allowances to local communities to ensure all change is taken into account in the planning system, and how that implementation could take place. As in the planning system, noise management agreements, airports should give due consideration to tier 3 airspace changes and whether any mitigations would be appropriate. Any such mitigations must be clearly brought through, and discussed with local communities, to avoid creating additional unintended consequences.

Proposals

Tier 1 airspace change

4.22 Our proposals to create a new call-in role for the DfT, and to ensure that the criteria to trigger this is set at a level which means that it would be only for airspace changes deemed to be of national importance. This would make the first function for Government, retaining the DfT's important role in determining the most significant proposals where necessary. Government intervention through the call-in role is clear when and how that implementation could take place. As in the planning system, there would be no obligation on the CAA to open to a specific airspace change application, unless it would be at the end of the decision.

4.23 It is proposed that the only environmental trigger would be the likely noise impact on local communities. This is because noise is a key priority in airspace change proposals below 7000 feet above the terrain and below 7000 feet above the terrain. Environmental factors other than noise may be important to an airspace proposal, but these would only be a factor in a call-in decision if their impact was

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- Remove the anomaly in engagement levels caused by technical differences between different types of changes.

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4.26 If the proposal was not called in, the CAA would continue its process to conclude and its decision would be final. For a call-in proposal, the CAA would be expected to carry out a full analysis and provide an expert opinion, but the final decision would be left to the SFT in relation to the proposal. It is expected that the SFT would also issue guidance (see Chapter 6 for more detail) for its role with the consideration of any noise aspects of the proposal. The content of the proposal would also have an opportunity to make their views known to the SFT on why they think the airspace change should be approved. More information on the proposed process can be found in the draft guidance published alongside this consultation document.

4.27 The call-in role would need to be exercised within the context of any relevant planning guidance already agreed. In such cases, the airspace change process will need to consider whether the planning consent is suitable in relation to the proposed change. If it is not, the assumption is that the airspace change process should not override the original planning consent, but would seek to work with the relevant parties to the planning consent. For example, in developing an application for a Development Consent Order (DCO) for its proposed new runway, Heathrow Airport Limited is expected to consider noise abatement measures, which will be considered and decided upon by the SFT. The independent consideration of the airspace arrangements for a noise remedy by the SFT would not exceed what was agreed at the DCO stage, but would examine the further detail that had been developed in light of the planning agreement.

4.28 It is recognised that the call-in option has some drawbacks, such as:

- adding costs and delay to some airspace change processes; and
- creating uncertainty as a result of the possibility that the SFT may in some cases balance competing factors differently from the CAA in the national interest.

4.29 We acknowledge that delay and uncertainty are significant disadvantages for change sponsors and communities alike, and we would not want to delay the benefits of a change, including noise reductions. It is considered that some of these drawbacks can be mitigated where the process for the call-in function works ensuring that the key advantages of retaining a direct role for the SFT in the airspace change process is retained.

4.30 Overall, a call-in would continue to provide a strategic role for the SFT and domestic accountability in the airspace change process. It would enable the SFT to determine whether an airspace change proposal should be approved or not if the substance of that application is considered particularly important to it, if that role differs for call-in.

Tier 2 airspace changes

4.31 The Government considers that it is right for ANSPs to assess whether a proposal to amend MATS Pt II could amend vectored practices in such a way as to lead to a permanent and planned redistribution of aircraft (PPR) and create a certain level of noise impact below 7000 feet amsl. ANSPs should engage with affected communities as appropriate on the proposal.

• When changes are likely to cause a PPR and create a certain level of noise impact below 7000 feet amsl, ANSPs should engage with affected communities as appropriate on the proposal.

• The CAA should assess the proposal in terms of the factors set out at s70 of the Transport Act 2000, and in terms of sufficient engagement activity having been conducted. The CAA should give its approval for the procedural change before it is implemented; and

• The CAA should establish a policy on an appropriate change process for tier 2 airspace changes in line with their duties under the Transport Act 2000, and to be consistent with better regulation principles and practices. This will include the level of engagement which is considered suitable, including where consultation is appropriate.

Proposals

Tier 2 airspace changes

4.31 The Government considers that it is right for ANSPs to assess whether a proposal to amend MATS Pt II could amend vectored practices in such a way as to lead to a permanent and planned redistribution of aircraft (PPR). We therefore propose that:

- When changes are likely to cause a PPR and create a certain level of noise impact below 7000 feet amsl, ANSPs should engage with affected communities as appropriate on the proposal;
- The CAA should assess the proposal in terms of the factors set out at s70 of the Transport Act 2000, and in terms of sufficient engagement activity having been conducted. The CAA should give its approval for the procedural change before it is implemented; and
- The CAA should establish a policy on an appropriate change process for tier 2 airspace changes in line with their duties under the Transport Act 2000, and to be consistent with better regulation principles and practices. This will include the level of engagement which is considered suitable, including where consultation is appropriate.

4.32 It is recognised that the suggested approach needs to be proportionate. Most changes to air traffic control procedures do not markedly affect the distribution or impact of noise and a balance does need to be made to ensure that the proposed increase in regulatory requirements does not have unintended consequences, particularly for smaller airports and their ANSPs.

4.33 We therefore propose to put in place a number of exclusions to reflect these concerns, including when there is an overriding need to maintain air safety, purely short-term airspace requirements, or military air activities. In addition, in order to provide clarity for ANSPs, we propose to provide guidance which will assist ANSPs and the CAA in determining when a PPR may create an impact that would mean it should be subject to consultation/engagement. More detail, including on the proposed exclusions, can be found in the draft guidance published alongside this consultation document.

Tier 3 airspace changes

4.34 The Government proposes that the CAA should put in place a suitable policy for industry to follow in respect of tier 3 airspace changes. This should include setting out expectations on transparency and engagement with communities, including on potential noise and other adverse impacts. We wish to see the CAA take a light touch approach here, working in conjunction with the new Independent Commission on Civil Aviation, to determine best practice and improve transparency where necessary. This is included in the draft guidance published alongside this consultation document.

Summary

Tier	Decision-Maker	Process
1	CAA (in respect of noise)	Change process established by the CAA under Government's Consultation and Review
1	CAA (in respect of safety)	Call-in process established by the Government
2	CAA (in respect of noise)	Change process established by the CAA under Government's Consultation and Review
2	CAA (in respect of safety)	Call-in process established by the Government

Proposed Airspace Change Processes

Compensation in Airspace Change

4.35 Industry should always take the best noise outcome possible in airspace change, taking into account the full range of factors which must be considered. Our policies on noise assessment, set out in the next Chapter are designed to assist with this. But there will sometimes be compensation which is adversely impacted by noise as a result of airspace changes. As a first step, members of the industry can seek to mitigate the impacts through compensation. Our priority is that the right balance can be struck between the economic and environmental effects of airspace change.

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Air Navigation Guidance: Guidance on airspace & noise management and environmental objectives (draft), Department for Transport, February 2017 – all text on this page is extracted from Section 2 of the DfT draft guidance

2. Airspace Change

Introduction

2.1 A key function of the CAA is to act as the UK's independent airspace regulator and to oversee the UK's airspace change process. To assist the CAA in the exercise of its duties, the Government has established the following three-tier approach to airspace in the UK which the CAA should respect:

- a. Tier 1: Changes to the notified structure of UK airspace. Permanent changes to the structure are already covered by the CAA formal airspace change process. We expect the consideration of cases within this corridor to be further streamlined by the structure of the CAA and guidance on how to submit noise impacts. Within this tier, we also expect temporary airspace amendments and operational test or operational change arrangements which require minor amendments to the structure of UK airspace are for a limited period of time. In such cases, the CAA is able to issue a Notice to Airmen (NTA) to provide that will be followed before the CAA decides whether to agree to the temporary arrangements, including the amount of permitting which is required before they are implemented.
- b. Tier 2: Changes to air traffic control procedures for air navigation service providers. As these procedural changes can have a very similar effect to changes in the permanent structure of UK airspace, and they can result in planned and permanent redistribution (PPR) of aircraft traffic,⁵ we expect to see a suitable and proportionate change process in place for them.
- c. Tier 3: Changes to air operations. This could include, for example, noticeable shifts in the distribution of flights on particular routes over a period of time which may be the result of, for example, various safety and/or operational factors or year on year increase in traffic volumes.

⁵ A PPR of air traffic is when a change in air traffic control (ATC) procedures results in the redistribution of air traffic which has a noticeable impact on noise. This could be, for instance, a procedural change in the instrument landing system joining point or if there was a decision by an airport to amend its runway alternation arrangements with a consequent change in ATC procedures.

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b. Tier 2 – Changes to air traffic control procedures by air navigation service providers. As these procedural changes can have a very similar effect to changes in the permanent structure of UK airspace, since they can result in the planned and permanent redistribution (PPR) of aircraft traffic,⁵ we expect to see a suitable and proportionate change process in place for them.

5 A PPR of air traffic is when a change in air traffic control (ATC) procedures results in the redistribution of air traffic which has a noticeable impact on noise. This could be, for instance, a procedural change in the instrument landing system joining point or if there was a decision by an airport to amend its runway alternation arrangements with a consequent change in ATC procedures.

14. Operational airspace trials should not be seen by airspace change sponsors as a means to avoid following the airspace change process. It is imperative that sufficient engagement is carried out before implementation and that noise constraints are monitored carefully during the trial. If the basis of the noise constraints, and not just their number, suggests to the CAA that the airspace change sponsor has failed to engage properly or that the trial is proving unsuccessful, it should seek to end the trial as soon as it is safe and practicable to do so.

Tier 2 - Changes to ATC procedures which result in Permanent and Planned Redistribution of air traffic (PPR)

2.15 Under the provisions of the Standardised European Rules of the Air (SERA), and the Rules of the Air and the Air Navigation Order, air traffic controllers are free to give instructions to pilots on the exact route they should take. This practice is called "vectoring"¹⁰ and usually happens at the beginning and the end of a flight, to get aircraft going in the right direction, or to bring them in to land. The Government recognises that vectoring by controllers is essential for the operation of the aviation sector, and will need to continue unless and until systemisation can offer viable alternatives. However, the Government considers that it is also right that Air Navigation Service Providers (ANSPs) need to consider a proposal to amend operational practices in their Manual of Air Traffic Services Part II (MATS Pt II) might lead to a permanent and planned redistribution of aircraft (PPR). If so, we want to ensure that the potential environmental impact of the PPR is considered before it is implemented. When changes to MATS Pt II give rise to a PPR, we want to ensure that the ANSP has assessed the expected noise impact of their proposed procedural change and carried out sufficient engagement activities before a PPR change can be implemented.

2.17 We therefore look to the CAA to require ANSPs to consult their local communities on all planned and permanent changes to their air traffic procedures which, due to anticipated redistribution of aircraft tracks, have a defined noise impact below 7,000 feet.

2.18 As we recognise the need to be proportionate, the CAA should determine what it considers to be an appropriate change process for PPRs, in line with their duties to

¹⁰ More details on vectoring can be found in Chapter 1 of "Description of Today's ATC Route Structure and Operational Techniques", CAP 1379, CAA, March 2016. <https://publicapps.caa.co.uk/docs/33/CAP%201379%20final%20March%202016.pdf>.

Tier 2 – Changes to ATC procedures which result in Permanent and Planned Redistribution of air traffic (PPR)

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10 More details on vectoring can be found in Chapter 1 of "Description of Today's ATC Route Structure and Operational Techniques", CAP 1379, CAA, March 2016. <https://publicapps.caa.co.uk/docs/33/CAP%201379%20final%20March%202016.pdf>.

Air Navigation Guidance: Guidance on airspace & noise management and environmental objectives (draft), Department for Transport, February 2017 – all text on this page is extracted from Section 2 of the DfT draft guidance

taken to verify recent the airspace concerned to its original state if and when it becomes clear that the CAA is not going to approve the permanent change requested.

2.14 Operational airspace trials should not be seen as airspace change operations as it means to avoid following the airspace change process. It is imperative that sufficient engagement is carried out before operational changes are made. Noise considerations are monitored carefully during the trial. If the basis of the noise complaints, and not just their number, suggests to the CAA that the permanent change assessed has failed to engage properly or that the trial is proving unsuccessful, it should seek to end the trial as soon as it is safe and practicable to do so.

Tier 2 - Changes to ATC procedures which result in Permanent and Planned Redistribution of air traffic (PPR)

2.15 Under the provisions of the Standardised European Rules of the Air (SERAs), and the Rules of the Air and the Air Navigation Order, air traffic controllers are free to give instructions to pilots on the exact route they should take. This practice is called "vectoring" and usually happens at the request and the trial of flight to get aircraft going in the right direction. It is a normal part of the operation of the aviation sector and will need to continue to be used in order to support the most viable alternatives. However, the Government considers that it is also right that Air Navigation Order Provisions (ANSPs) need to be updated where a process to amend operational conditions in their Manual of Air Traffic Services Part II (MATS Part II) might need to be completed and their responsibilities for PPRs. It is, we would like to ensure that the potential environmental impact of the PPR is considered before it is implemented. When changes to MATS Part II give rise to a PPR and create a certain level of noise impact to be determined by the CAA, ANSPs will need to consult their communities as appropriate on the proposed before the CAA gives its approval for the change to procedures to be implemented.

2.16 The Government recognises that there is an issue of proportionality here and that it is not appropriate that ANSPs should engage widely on all possible changes to vectoring practices or that they should be required to follow the full requirements of the CAA's airspace change process. Nevertheless, we expect that the CAA should ensure that the ANSP has assessed the expected noise impact of their proposed procedural change and carried out sufficient engagement activities before a PPR change can be implemented.

2.17 We therefore look to the CAA to require ANSPs to consult their local communities on all planned and permanent changes to their air traffic procedures which, due to anticipated redistribution of aircraft tracks, have a defined noise impact below 7,000 feet.

2.18 As we recognise the need to be proportionate, the CAA should determine what it considers to be an appropriate change process for PPRs, in line with their duties to be consistent with better regulation principles and practices and with the overriding need to maintain a high level of safety, to enable purely short-term operational airspace requirements, and for military air activities to continue. This should include the use of WebTAG by ANSPs for all anticipated PPRs below 4,000 feet.

2.19 In the interests of proportionality and national defence, the CAA's process for handling PPR should take into account the following exclusions from the expectations/requirements for PPRs: military air traffic control units and any civilian ANSPs working exclusively for the military;¹¹

• ANSPs based at airports which handle less than 50,000 movements a year;¹²

• changes which are anticipated to last for a period of less than 90 days duration with at least a 12 month break period thereafter before being reused;¹³

• the existing vectoring arrangements as set out in the noise abatement procedures for the designated airports of Heathrow, Gatwick and Stansted would continue until amended; and

• any procedural change linked solely to the maintenance of a high standard of air safety.

Tier 3 - Changes to air operations

2.20 There are numerous reasons why over time the distribution of aircraft may change. These include the introduction of new destinations, where operators update their fleets with aircraft that have different operational characteristics, increasing demand by airspace users, and the introduction of new technology. Such developments do not require the specific approval of the CAA. The CAA should not impose a separate policy for industry to follow with respect of Tier 3 airspace changes. This should include setting out expectations on transparency and engagement with communities, including on consultation to improve decision making. The CAA should take a light touch approach, working in conjunction with the new Independent Commission on Airports. Noise by itself is not a reason for exclusion and requires the same approach as necessary. The objective of the policy which CAA establishes should be that local communities are best informed of relevant changes which are likely to lead to a noticeable change in impacts, where practicable, and that suitable mitigations are considered. The CAA should ensure that its policy does not stifle Tier 3 changes, as this could affect the development of new markets. Rather, the focus should be on enabling sustainable development.

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11 Due to the nature of their air operations military aerodromes make extensive use of vectoring practices which they consider to be essential to their activities. It is therefore considered that they should not be included within these new requirements.

12 It is considered appropriate that small airports and their ANSPs should not fall within the scope of these requirements although we would encourage them to adopt the proposed new arrangements on a voluntary basis. The airports, based on 2015 airport data produced by the CAA, which would be included within requirements are Heathrow, Gatwick, Stansted, Manchester, Edinburgh, Glasgow, Birmingham, Bristol, Aberdeen, London City, Luton, and East Midlands. These airports handled a total of 1.7 million flights in 2015.

13 This is to avoid including special arrangements for events such as the Olympics or changes anticipated to be of short duration. We would still expect communities to be informed on a voluntary basis of such changes.

Air Navigation Guidance: Guidance on airspace & noise management and environmental objectives (draft), Department for Transport, February 2017 – all text on this page is extracted from Section 3 of the DfT draft guidance

3. Development and assessment of airspace change options

Introduction

3.1 When decisions on permanent airspace changes (Tier 1 as set out in Section 2 of the Guidance) are being made by the CAA, it is required to identify the various factors listed within section 70 of the Transport Act 2000. To ensure this is done correctly, sponsors should be required to demonstrate how they have assessed the different impacts and taken on board the views of different parties when developing options for airspace changes. This section details the requirements for engaging communities in the change process and assessing the impacts associated with different options.

Altitude Based Priorities

3.2 To assist the CAA and airspace change sponsors, the Government has assigned the altitude-based priorities which should be followed when considering airspace changes. These priorities are intended solely to inform those responsible for considering and implementing changes to the structure of airspace under the CAA's airspace change process and to make decisions to implement Permanent and Planned Redistribution (PPR) of air traffic (Tier 1 and Tier 2 airspace changes), and not for day to day air operations.

3.3 The long standing view with which the Government continues to agree, is that noise from aircraft flying at or above 4,000 feet is much less likely to affect the key noise sensitive uses for government and in the past has been considered to be a "significant" community impact and as aircraft continue to climb above this altitude their noise impact reduces. Set against this, there is also a need to ensure that aircraft operations are efficient and that emissions are minimised. So when considering requests to change the airspace change structure and to agree to PPRs, the CAA should keep in mind all of the following altitude-based priorities of the Government:

- in the airspace from the ground to 4,000 feet the Government's environmental priority is to minimise the noise impact of aircraft and the number of people on the ground affected by it, particularly with regard to noise disturbance above 55dB L_{Aeq}(1hr) or 45dB L_{night}.

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Note: These extracts are reproduced here for ease of reference, but you are strongly advised to read the Government consultation documents in full.

The CAA's potential role for Tier 2 changes

Amendments to MATS Part II

6. Each air navigation service provider has a locally specific manual known as the Manual of Air Traffic Services Part II (MATS Pt II), which underpins how its air traffic controllers manage aircraft, and in turn influences their decisions. This manual heavily influences the patterns of air traffic that are created by air traffic control practices.
7. The Department for Transport's consultation document (paragraph 4.31) and draft Air Navigation Guidance (paragraph 2.15) say that an air navigation service provider should assess whether a proposal to amend MATS Pt II could lead to a Tier 2 change.
8. There are a number of changes to air traffic control procedures which may give rise to a Tier 2 change. The Government's consultation focuses on the way aircraft are vectored by air traffic controllers [[link to CAA website](#)], but there may be other examples.

New CAA function

9. The Government's consultation document proposes to give the CAA a new function to approve Tier 2 proposals. However, the precise nature of that function is dependent on the outcome of the Government's consultation.

Changes to which the process does not apply

10. The Government's consultation document (paragraph 4.33) and draft Air Navigation Guidance (paragraph 2.19) propose that some specific types of Tier 2 changes would not be required to go through the process, in the interests of safety, national defence and proportionality.

Your views

11. We are seeking your views on how the CAA might implement the Government's proposal for the proposed new Tier 2 category of airspace change, should the Government decide to go ahead with its proposal.
12. Your views will help us to design a fair, transparent and user-friendly Tier 2 process later on, should the Government direct us to introduce one. The process would need to strike the right balance between the interests of passengers and the aviation industry, and the people affected by aircraft noise. Your views on these proposals are therefore important to us. We hope that you can find the time to tell us what you think.
13. At this early stage, before the Government policies are formalised, we have set out some general questions on Tier 2 as part of our separate consultation document seeking views on the draft airspace design guidance. These Tier 2 questions are also set out below for convenience.

How to respond

14. You can respond to these questions using the dedicated consultation website at www.consultations.caa.co.uk. We are asking for comments before 30 June 2017 and we cannot commit to taking into account comments received after this date.
15. If you would like to discuss anything about how to respond, please email airspace.policy@caa.co.uk or telephone Trevor Metson on 020 7453 6230.


Next steps

16. Should the Government formalise its policy and give us a new decision-making role requiring a new Tier 2 process, the CAA will take into account your views and will then publicly consult again on draft guidance specific to that new Tier 2 process. That would then be incorporated into the CAA's airspace design guidance. The timescales for this will depend on

when the Government announces the outcome of its own policy consultation.

Consultation questions

Tier 2: Permanent and planned redistribution




Question 18: The Government proposals talk about a Tier 2 change as one which is likely to alter traffic patterns below 7,000 feet over a populated area and which therefore could have a potential noise impact for those on the ground. The key requirement is that the air navigation service provider must demonstrate that it has assessed the noise impact of the proposed change and engaged with affected communities as appropriate.

Which stages of the Tier 1a airspace change process do you think are necessary for a proposal categorised as a Tier 2 change? Please select all those which apply:

Stage 1 Define	Stage 4 Update and submit	Stage 7 Post-implementation review
Stage 2 Develop and assess	Stage 5 Decide	None of these
Stage 3 Consult	Stage 6 Implement	Don't know


If you wish, please give reasons for your answer.



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Consultation questions

Tier 2: Permanent and planned redistribution




Question 19: The CAA's process for Tier 1a changes is scaled into 'Levels', based on the altitude-based priorities in the Government's Air Navigation Guidance (i.e. where noise impacts are to be prioritised or considered alongside carbon emissions, a more demanding consultation is required).

Could the future Tier 2 process also be scaled?

Yes
No
Don't know

If yes, please explain how?

Question 20: Are there any other comments that you would like to make about the CAA's potential Tier 2 process?



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