

Response ID ANON-15MF-1QZX-D

Submitted to Consultation on the Revised Airspace Change Process Guidance (CAP1616)
Submitted on 2023-03-19 16:07:23

About you

1 Are you responding as a:

Community noise group

Other (please specify what type of respondent you are)::

Structure

High Level Proposal : Simplifying the structure of CAP1616

3 Please indicate if you agree, disagree or are not sure about the options.

DocStructure - Option 1: Produce separate publications(s) for related guidance:
Disagree

DocStructure - Option 2: Produce separate publications for different parts of CAP1616:
Disagree

DocStructure - Options 3: Create distinct sections within CAP1616 for different types of ACP or by scaling levels:
Agree

DocStructure - Option 4: Rename parts- We could easily remove the numbering so that each part of the document simply includes a title:
Disagree

DocStructure - Option 5: Do nothing:
Disagree

4 Please tell us how the options described above may impact you (either positively or negatively)?

Use the box to type in how the options have impacted you:

Option 4. Numbering is important for cross-referencing and sequencing of material

High Level Proposal: Proportionate scaling of assessment

High Level Proposal: Review scaling levels for ACPs

5 Please indicate if you agree, disagree or are not sure about the options:

Scaling: Review scaling Levels for ACPs - Option 1: Modify the scaling levels:
Agree

Scaling: Review scaling Levels for ACPs - Option 2: Extend the definition of Level 0:
Agree

Scaling: Review scaling Levels for ACPs - Option 3: Do Nothing:
Disagree

High Level Proposal: Assessment of the baseline

6 Please indicate if you agree, disagree or are not sure about the following options:

Scaling: Baseline assessment - Option 1: The current day scenario (baseline) should be fully described at Stage 1 (Define):
Agree

Scaling: Baseline assessment - Option 2: Do nothing- The requirement to fully describe and assess the baseline remains at Step 2B (Options Appraisal):
Disagree

7 Please tell us how any of the high-level proposals for scaling may impact you (positively or negatively). You can also use this space to explain or express thoughts about your responses to questions in this section.

Use the box to tell us how the proposals for scaling may impact you . You can use this space to to explain or express thoughts about your responses to the questions in this section:

Statement of Need

1. Stage/Step 1a defines Need. Our experience of CAP 1616 proposals is that Need is poorly defined and evidenced and moreover there is no engagement with stakeholders or facility for stakeholders to discuss or challenge the Statement of Need. The requirements of CAP 1616 Appendix A - Information for Statement of Need are inadequate and as far as we can see are not being adhered to by Sponsors. There needs to be scoping and scenarios for Do Nothing, Do Minimum, etc. so that stakeholders can understand why there is a proposal and buy into it. Otherwise, communities will have no trust in the process. Communities need see that over the next 5, 10 and 15 years etc. there will be a clear reduction in noise impact from both less noisy aircraft and their less noisy use of the airspace. Without this assurance, communities will have good reason to question the intent of an ACP.
2. Capacity: It is important that Need differentiates between an increase in capacity to provide for better safety, punctuality, resilience and efficiency and an increase for greater traffic volumes. These outcomes should be quantified. CAP 1616 does not require capacity to be addressed but should do so.
3. Multiple Airports. The particular issue of communities affected by flight paths from multiple airports is not properly addressed by CAP 1616. Communities are not usually engaged by more than one airport in overlapping ACPs but can be affected either directly either by flights from another airport or indirectly by these flights affecting flights from the immediate airport. This is relevant to the Statement of Need and other stages of the CAP 1616 process.
4. Environment: Communities have long expressed the Need to reduce noise impact on health and well-being but this is not meaningfully addressed by the Statement of Need. It is hard to imagine any project in business or the public realm that starts out in the absence of any Statement of Need meaningful to all relevant stakeholders. CAP 1616 seriously fails the test. It is far too late in the process to produce an Impact Assessment or cost/benefit analysis after the design has been completed and claim this addresses Need.
5. The Statement of Need should also state the spatial Study Area and the time horizon (e.g. 2035?).

Stages, Steps and Gateways

High Level Proposals: What happens within stages and steps in the process (1)

8 Please indicate if you agree, disagree or are not sure about the options below:

SSG DPs - Option 1: Inclusion of mandatory (core/required) and discretionary (optional/suggested) design principles:

Agree

SSG DPs - Option 2: Requirement to test the DPs at each stage of the Options Appraisal:

Agree

SSG DPs - Option 3: Do nothing:

Disagree

9 Please tell us whether, in principle, you agree with the proposal for removal of requirements (development of DPs, design options and/or application of the options appraisals process) for certain types of ACPs.

Please use the box below to write how you'd improve the way we use design principles are part of the ACP process:

No- I do not agree with this proposal

10 Which type of ACP do you think the removal of the requirements above could apply to?

use the box to tell us what type of ACP the removal of the requirements could apply to?:

Design Principals

1. Community Noise Objective

CAP 1616 does not require a Community Noise Objective but one is permitted as a Local noise objective under Air Navigation Guidance 2017 provisions. Design Principles should flow from the noise objective and are no substitute for an objective. There needs to be a noise objective that addresses the allocation of noise across communities in a fair and equitable manner. The Community Noise Objective needs to address two broad scenarios (a) where there is a reduction in noise energy at source and (b) where the reduction in noise energy at source is exceeded by increased noise energy from increased traffic. Also, the evaluation of options needs to consider both the Total impact on health and well-being and the Distribution across households. It is essential that options are considered on an absolute basis and incremental basis compared to the legacy noise climate, since wholly different conclusions can be drawn. In the absence of a Community Noise Objective, concentration and dispersion and respite cannot be properly assessed. The result is conflicting DPs, which communities can only assume Sponsors will pick and choose to suit their own objectives.

High Level Proposals: What happens within stages and steps in the process (2)

11 Should we remove the requirement to develop a 'comprehensive list' of design options (including 'radical options')?

Yes

12 Should we remove the requirement for engagement in Stage 2?

No

13 Please use this space to explain or express thoughts about your responses to the questions about high level proposals to remove/review the requirement for comprehensive list of options and engagement in Stage 2:

Type in your views in the box :

Options

1. Legacy Approach to option development.

In the case of Airspace Modernisation (i.e. multiple flight paths) we believe issues with the legacy airspace should be identified (such as noise hot-spots, reduction in fuel/carbon, use of new technology, air traffic control, etc) and focused options developed for specific issues rather than a blank page approach for option development.

2. Traffic frequency

Traffic frequency allocated to flight paths is decided for commercial and operational reasons by airlines outwith the CAP 1616 process. This makes a nonsense of the CAP 1616 process, since flight path options are designed while ignoring subsequent changes to traffic frequency having a substantial noise impact on local communities. Tier 3 airspace change is high risk for communities. It is imperative this major gap in flight path design is addressed. It is little comfort to communities to be told that Post-implementation Review (CAP 1616 Appendix H) will make sure everything is okay. There is no certainty at all that flight frequencies on flightpaths will not be changed. Traffic numbers are a key determinant of noise impact on health and well-being.

3. The Balanced Approach

The Balanced Approach requires an assessment of populations affected by noise. In the case of airports located in the middle of a large conurbation, population growth is not well addressed by CAP 1616. Forecast population growth may more than offset the reduction in noise at source from less noisy aircraft, thus resulting in increased noise impact on health and well-being.. While CAP 1616 takes into account Government and other Policies, it is unclear whether assumptions on population growth are recognised. CAP 1616 tends to reflect more limited local authority approved planning developments. We believe it essential that under the circumstances and the application of the Balanced Approach priorities, consideration of restrictions is effectively built into the CAP 1616 process, which is not the case at present.

14 Please tell us your views on proposals to introduce a checklist of requirements for sponsors separated by regulatory areas for each stage of the ACP process:

Use the box to type in your response:

We support the use of a checklist of requirements.

High Level Proposals: Modification of ACP stages, steps and gateways (1)

15 Please indicate if you agree, disagree or are not sure about the options below.

SSG_Modifications - Option 1: Remove Stage 1 gateway and move requirements into single gateway at end of Stage 2 (Develop and Assess):
Disagree

SSG_Modifications - Option 2: Move Step 1B (Design Principles) into Stage 2 (Design Options), with a single gateway assessment meeting at the end of Stage 2 .:
Disagree

SSG_Modifications - Option 3: Move Step 2A (Options Development and Design Principle Evaluation) into Stage 1 (Define) as a new Steps 1C and Step 1D:
Disagree

SSG_Modifications - Option 4: Combine Steps 2A (Options Development) and 2B (Options Appraisal) to create simply Stage 2 (Develop and Assess):
Disagree

High Level Proposals: Modification of ACP stages, steps and gateways (2)

16 Please indicate if you agree, disagree or are not sure about the options below:

SSG-2nd questions - Option 5: Remove Step 3D (Collate and Review Responses) from the airspace change process and move current Step 3D requirements to Step 4A (Update Design):
Disagree

SSG-2nd questions - Option 6: Combine Steps 4A (Update Design) and 4B (Submit ACP) within Stage 4:
Disagree

SSG-2nd questions - Option 7: Move requirement to define baseline to Stage 1 (Define) (quantifying where applicable):
Agree

SSG-2nd questions - Option 8: Do nothing- no changes to the CAP1616 stages, steps and gateways as currently described.:

Disagree

High Level Proposals: Modification of ACP stages, steps and gateways (3)

17 Should we consolidate the options appraisal requirements for certain ACPs?

No

18 Please tell us why you have responded in this way.

use the box to type in why you have responded in this way:

Options Appraisal

It is essential that there is a proper Scope and Base case developed at the start of the ACP.

19 Do you have any suggestions about the content or placement of flowcharts in the revised airspace change process (CAP1616)?

Please type in your suggestions about the content and placement of flowcharts in the box below:

Stages, Steps and Gateways- Additional comments/views

20 Please tell us how any of the high-level proposals for stages, steps and gateways may impact you (positively or negatively). You can also use this space to explain or express thoughts about your responses to questions in this section.

type your response in the box:

Engagement, Consultation and Communications

High Level Proposals: Point of contact and the ICCAN toolkit

21 Should we have dedicated CAA point of contact for stakeholders on ACP related enquiries?

No

22 Can you tell us what the impact (positive or negative) would be if we were to establish a dedicated point of contact for ACP related enquiries?

Please use the box below to tell us what the impact (positive or negative) would be if we introduced a dedicated point of contact for ACP related enquiries:

Dedicated Point of Contact. Seemingly this only benefits the Change Sponsor and is not available to Communities.

23 We want to identify which aspects of advice on consultation practice from the toolkit to retain, if any. Please tell why which aspects of the advice you think we should retain and why in the box below.

Please write in the box below to tell us which bits of the ICAAN toolkit to retain:

Retain fully

High Level Proposals: Consultation response categorisation, consultation length and consultation moderation

24 Should the guidance on categorisation in the airspace change process (Appendix C, Table C2 of CAP1616) be retained?

No

25 Should we remove the requirement for an accepted standard of 12 weeks?

No

26 Do you agree or disagree with the proposal to transfer the responsibility of moderating/publishing consultation responses from CAA to change sponsor?

Disagree

27 Please use the box below to tell us what the impact would be on you (positive or negative) if we were to remove the requirement for an accepted standard of 12 weeks and place responsibility for moderation on consultation to the sponsor?

Please use the box below write in what the impact would be if we were to remove the requirement for sponsors to consult for 12 weeks?:

Consultation should be for at least 12 weeks and longer depending on complexity and time involved for Change Sponsor to engage with communities - possibly many over a large area.

High Level Proposal: Better use of airspace change portal/ CAA website

28 Please tell us how we could improve our Airspace Change Portal and/or our website to make it easier to understand and follow.

Use the box below to tell us how we could improve our airspace change portal to make it easier to understand and follow? :

Clarity

High Level Proposal: Clarify assessment requirements

29 Please indicate if you agree, disagree or are not sure about the options below.

Clarity - Option 1: Providing templates for the baseline data collection, environmental assessments, options appraisals:

Agree

Clarity - Option 2: Stating assessment requirements for permanent and temporary ACPs concerning new entrants (Space Operators/UAS):

Agree

Clarity - Option 3: Add requirement to analyse 'other costs' which may arise for airports/ANSPs:

Agree

Clarity - Option 4: Do nothing:

Disagree

High Level Proposals on guidance meetings; briefing meetings at Stage 4 and plans for Stage 6

30 Please use the space below to tell us your views on the suitability of guidance meetings at key points in the ACP process. You can also use this space to tell us more about your views on the suitability of sponsor-led briefing meetings at key points in the ACP process.

Use the box below to write in your views on the proposal to introduce an optional briefing ahead of gateways.:

We support briefings - these need to be minuted and actions followed through to satisfaction of stakeholders even if they agree to disagree

31 We will review the guidance provided within Stage 6 of the CAP1616 airspace change guidance. Is there anything you think we should consider when reviewing Stage 6? Sponsors can also use the response box below to tell us what the impact may be of the change to Aeronautical Information Exchange Model (AIXM) format for AIP entry.

Use the box below to write in what you'd like us to consider when reviewing Stage 6 of the airspace change process?:

We support scoping and decision flow chart with evidence input to each decision (qualitative and quantitative) and risk/sensitivity analysis and with objectives, constraints and decision criteria using both incremental and absolute analysis.

High level proposals on scoping flowchart and decision criteria

32 We would welcome your views on whether an airspace change scope flowchart should be developed and introduced:

Use the box to write in your views about the proposal to introduce an airspace change scope flowchart. :

33 Would examples of types of characteristics (similar to the one provided in Table G1 in Appendix G of the CAP1616 process) be useful to change sponsors to gauge to what extent their proposal is consistent with the Airspace Modernisation Strategy?

Not Sure

Please tell us why you have responded in this way?:

Instrument Flight Procedures (IFP)

34 We recognise that IFP is a technical subject that some respondents may not wish to give responses on. Do you wish to give your views about IFP?

No

Temporary Airspace Changes/Airspace Trials

High Level Proposals: Removal of references to 'consultation'; criteria for affected communities and broadening noise assessment requirements

37 We propose all references to 'consultation' within the temporary airspace change process to be removed. Please tell us about your views on this proposal in the box below:

Use the box below to write in your views on the proposal to remove all references to 'consultation' in the temporary airspace change process. :

Disagree. Due process would be weakened

38 Please give us your views on proposals to replicate the requirements of the airspace trials process on to the temporary airspace change process. Should we introduce the requirement to use 65 db L_{Amax} footprints within the temporary airspace change process?

Yes

39 Please give us your views on proposals to broaden the noise assessments for temporary ACPs/trials (when a permanent change is likely to follow). How will this proposal impact you (positively or negatively)?

Please write your response in the box below:

Use same metrics as for permanent change

Rejected Options

40 The consultation document details options that we have rejected at this stage. We are keen to understand, what impacts and effects the removal of any of the options described will have on you or your stakeholders. Please use the box below to tell us of any impacts (positive or negative):

Use the box to write in any impact/effect as a result of rejecting options, as set out in the consultation document. :

Communities need to be consulted and reasons given for option rejection

Alternative or Additional Options

41 Are there any additional options you would suggest? Please use the space below to describe them and why you would like to see them in place.

Use the box to write in any additional comments you may have or suggest any additional options.:

Legacy airspace (see response to Q13)

42 Are there any other comments you'd like to share with us with regards to the CAP1616 Airspace Change process? Please share them below:

Additional comments:

Other comments

We appreciate some of the following comments are policy issues and not directly controlled by CAP 1616.

1. Results of consultations need to be made available to communities with the opportunity to question the results and seek additional information. This is not adequately provided for by CAP 1616. There needs to be much greater opportunity for stakeholders to review the responses (statistically if necessary) and Change Sponsor's conclusions from public consultation and indeed the veracity of the consultation itself.

2. WHO Guidelines are not on a legal footing but should be. Government has resisted this for 30 years. There needs to be improved evidence on the health impact of aviation noise and pollution.

3. PBN technology that concentrates flight paths very accurately has the potential to concentrate noise on the ground. While we can understand there are operational benefits of PBN, it is the noise costs that have not been properly assessed. This is a gaping hole in the current evidence base. Respite is usually said to be of benefit to communities but in so doing it is forgotten that there is a cost in densely populated areas. Someone's gain is another's loss and there is often just not sufficient separation for meaningful respite over populated areas.

4. The TAG evaluation tool needs to be revised for aviation to optimise average (mean) impact on health and well-being across communities and not Total impact which results in concentration. Total optimisation might be okay for road and rail but not for aviation with multiple flight paths. Total impact is still required for analytical purposes.

5. Overflight tool is being wrongly used by Sponsors to gauge noise impact.

6. The Gunning Principles for consultation are rejected by some airports because they believe they are not public bodies in this regard. This results in a gaping hole in engagement (especially in the major failure of there being pre-determined decisions - Option finalisation tends to be too late in the CAP1616 process. Communities do not know what the flight paths will be until they have been decided by the sponsor's "blackbox").

7. The 7,000 foot breakpoint in airspace design priorities should be 10,000 feet.

8. While Environmental Issues and Assessments are incorporated into CAP 1616 and the CAA's Regulatory Requirements, we are concerned that environmental issues are treated by the CAA as constraints and not objectives on equal footing with passenger and industry objectives. It seems to us that the CAA places growth and low ticket prices ahead of the environment. We would like to see greater emphasis on the polluter pays principle (i.e. the passenger). For example, CO2 costs should be internalised by market based or taxed based schemes (even though this would increase ticket prices) rather than trading off carbon with noise mitigation.

43 May we have your permission to publish parts of your response that are not personally identifiable?

Yes, you may publish parts of my response that are not personally identifiable.