

**Draft Airspace Design Guidance - Consultation by the CAA closed 2 July 2017 (CAP 1520)
Richmond Heathrow Campaign (RHC) Response**

Background

The draft Guidance covers the process for Tier 1 changes to UK airspace.

Airspace changes are divided into 3 tiers: **Tier 1** - Permanent Change to 'Notified' Airspace Design; **Tier 2** - Change to air traffic control operational procedures by an air navigation service provider causing a permanent and planned redistribution of air traffic, without changing the 'notified' airspace design; **Tier 3** - Change in airline or airport operations as a result of weather, commercial decisions (such as routes flown or aircraft type), changing traffic volumes or magnetic variation, causing a noticeable shift in the distribution of flights over a period of time. Tier 1 changes are further divided into Tier 1a - as defined above, Tier 1b - temporary change to notified airspace (< 90 days) and Tier 1c - Trial related to notified airspace. Tier 1 is essentially about the lateral structure of flight paths within altitude bands.

The change sponsor (e.g. Heathrow) owns the change proposal and is required by the draft Guidance to: define the need, scale the proposal, choose the design principles, prepare the design, identify and evaluate options, consult stakeholders, implement the change and prepare a post-implementation review, as well as propose and adhere to a timetable and prepare safety and environmental assessments. The CAA is required by law and Transport Secretary of State (SOS) Guidance on Environmental Objectives to ensure the process uses best practice and is fair, transparent, consistent, proportionate and comprehensive. The CAA decides the change, subject to SOS Call-in.

Besides Tier 1 Guidance, the Consultation sought views on Tiers 2 and 3 to assist the CAA draw up Guidance for Tiers 2 and 3, although the CAA has no formal involvement in Tier 3 other than seeking best practice. RHC chose not to respond on Tiers 2 and 3 since their presentation by the CAA was insufficiently advanced and would have diluted the response on Tier 1. However, Tiers 2 and 3 are very important to local communities affected by aircraft noise as pointed out below.

The Government's Future Airspace Strategy (FAS 2011) seeks to improve airspace efficiency and to increase capacity. In principle, RHC supports increased airspace capacity to provide resilience from more headroom between existing use (legally limited to 480,000 flight a year) and capacity. RHC is wholly opposed to increasing capacity for more flights, as is made clear in RHC responses to this and other CAA and DfT consultations. The draft Guidance supports capacity increase for both purposes.

In summary, RHC' response to the consultation on the draft Guidance is as follows (it focusses on Heathrow):

1. **The Guidance is not fit for purpose:**
 - a. **Guidance should cover all 3 tiers and not just Tier 1, as proposed.** Tiers 2 and 3 are less regulated and yet potentially more harmful to people's health and quality of life than Tier 1.
 - b. **The draft Guidance fails to deal with the cumulative impact of multiple airspace changes such as anticipated by Future Airspace Strategy (FAS) modernisation and Heathrow expansion (should it occur).** Heathrow has 30 departure and arrival flight paths and modernisation and expansion would likely involve a large number of Tier 1, 2 and 3 changes. Modernisation is essentially about re-distribution of flight paths and hence noise, which would be highly contentious among communities. Expansion is worse by adding to the re-design impact a 50% increase in noise energy. The multiple airspace change process would need to cover a large area over London with consultation of perhaps 1 million people, many of whom might experience aircraft noise for the first time and even then this would exclude the new communities arising in the future from London's rapid growth. The proposed process is designed for single flight path changes and cannot be scaled up to the multiple flight path

changes. Under these circumstances, Government would need to be involved from the start and not as a last resort Call-in by the Secretary of State as the draft Guidance proposes.

2. **It is of grave concern that the Government is seeking determination of the NPS in the next few months before parliament or local communities have been notified of the airspace changes sought for an expanded Heathrow and without an airspace change process that is fit for purpose.**
3. **The CAA and Government have declared their support for airspace change and Heathrow expansion and therefore their judgement in making airspace decisions is inevitably biased.**
4. **RHC proposes that the 7,000 feet limit in the definition of Level 1 scaling should be amended to 10,000 feet and that when applying the altitude test to the airspace change process noise should be the priority up to 10,000 feet and not compromised with carbon between 4,000 and 7,000 feet as stated in the draft Guidance.** There are references to 4,000 and 7,000 feet throughout the draft Guidance - all of which need changing to 10,000 feet. Altitude based design principles are part of the airspace change process and in particular in scaling the change proposal. The Government's Air Navigation Guidance states 'noise is the priority below 4,000 feet whereas noise and carbon should be balance priorities between 4,000 and 7,000 feet. Above 7,000 feet noise is no longer a priority.'
5. **RHC's believes that Heathrow should not decide the Design Principles as proposed by the draft Guidance but that a facilitator should be engaged.** This might be the Independent Commission for Civil Aviation Noise (ICCAN), if it were to be independent. The Principles include flight concentration, dispersion, multiple flight paths and respite, and rates of ascent to name just a few.
6. **As discussed in RHC's responses to the NPS and Airspace Consultations, the environmental objectives on which the draft Guidance is based are seriously flawed and RHC is not confident the revisions promised by the Government will be in the right direction or go far enough to deal with the environmental pollution from aviation. RHC is especially concerned that a decision to expand Heathrow will be taken before the objectives have been revised.** We appreciate the environmental objectives are an input into the airspace change process and not decided by the process itself. The National Aviation Policy Framework and SOS Guidance to the CAA on Environmental Objectives and the FAS all need to be changed with improved objectives.
7. **When choosing and evaluating the design options RHC have several concerns with the draft Guidance:**
 - a. **It is essential the Do-minimum case be taken forward to the final decision and not prematurely discarded, and that it be carefully defined so as to avoid the Do-something options taking benefit for outcomes that would arise in any event. The draft Guidance is ambiguous on these points.**
 - b. **It is essential the decision is not based only on incremental values (i.e. option less Base case) as proposed by the draft Guidance but also considers absolute values in order to avoid distorted assessment of the options and risk.**
 - c. **It is essential the decision is not based only on net benefit (i.e. benefit less cost) as proposed by the draft Guidance but is based on line by line comparison of benefits and costs.**
 - d. **Uncertainty is barely mentioned in the draft Guidance ; it is essential uncertainty and risk be accounted for.**

- e. **The draft Guidance refers to a minimum time horizon of 10 years for evaluation but RHC believes that in the case of Heathrow expansion and airspace modernisation this should be at least 30 years.**
 - f. **Table E2 suggests a Qualitative analysis is all that is required for air quality assessment. RHC disagrees and believes a quantitative analysis is essential given the strict legal quantitative limit values that apply to nitrogen dioxide.**
 - g. **The draft Guidance suggests “real” monetary values be used for assessment. RHC agrees for the most part but recommend “nominal” values be reported also.**
 - h. **The draft Guidance is very weak on variables not under the direct control of Heathrow, such as traffic numbers, destinations, types of aircraft and technology. These variables are outside Tier 1 and instead in Tiers 2 or 3 and yet they can have large impact on the environmental impact of the local community.**
8. **RHC believes that when considering noise impact there needs to be dis-aggregation from broad contours to specific flight paths, single event, hourly, daily and annual metrics.** These all rely on some degree of averaging but the range enables people to gauge the period and time of exposure that affects them. On the limit levels the Government has acknowledged that 57 LAeq is too high a threshold and increasingly lower levels are being measured and modelled. **However, there remains a failure by Government to take on board the WHO Guidelines values.**
 9. **Stakeholder Consultation on airspace design for Heathrow expansion should not be undertaken by Heathrow, as proposed by the draft Guidance, but by an independent body.**
 10. **We support engagement of Heathrow with communities but the draft Guidance seemingly gives the impression this is tantamount to agreement when the parties almost inevitably will be fundamentally in conflict on the subject of noise. There are significant deficiencies in the engagement process outlined in the draft Guidance. In particular these include numbers of people affected by airspace change and how they might be affected, how individuals and communities might assess and input their concerns regarding noise into the decision process and how and on what basis can conflicts can be resolved.**
 11. **The draft Guidance does not adequately deal with potential conflicts of interest and the several contracts such as Statements of Principles (Heathrow/DfT) and commercial contracts between NATS, the CAA and sponsors.**
 12. **One of the tests for Call-in by the Secretary of State is where the proposal could result in a net increase of 10,000 people being negatively effected. There should be no netting off and the threshold should be below 54 decibels recommended by the draft Guidance.**

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