

CAA Consultation Assessment

Title of airspace change proposal	Future Combat Airspace for Military Collective Training
Change sponsor	The Ministry of Defence
Project reference	ACP 2020 - 026
Account Manager	[REDACTED]
Case study commencement date	30 October 2023
Case study report as at	7 November 2023
<p><i>Instructions</i></p> <p>In providing a response for each question, please ensure that the 'status' column is completed using the following options:</p> <ul style="list-style-type: none"> • YES • NO • PARTIALLY • N/A <p>To aid the SARG Lead it may be useful that each question is also highlighted accordingly to illustrate what is:</p> <p>resolved YES not resolved PARTIALLY not compliant NO</p>	

Executive Summary

This airspace change proposal (ACP) is sponsored by the Ministry of Defence (MoD) who are seeking to secure segregated airspace in the form of a Danger Area (DA) for use by the UK and coalition partners during training exercises. These exercises are described by the sponsor as large scale and highly complex Large Force Exercises (LFE) (more than 10 aircraft simultaneously participating) involving different aircraft types that are used to prepare aircrews for operational service.

The sponsor consulted on one option, the establishment of a DA from Flight Level (FL) 85 to FL 660 with a lateral extent of 90 x 160 nautical miles (nm) situated towards the NorthEast of the UK predominantly above the high seas area but with an overland portion on its shortest edge. The area contains 3 existing DAs used by the MoD to conduct air combat training, experimentation and high energy manoeuvres and contains the Temporary Reserved Areas (TRA) (Gliding) Northumbria Areas (North and South). The consultation was conducted over 13 weeks and 1 day. The sponsor received 6 consultation responses. This proposal has progressed as a Level M1 airspace change.

The sponsor decided that no changes to the airspace design were required on account of stakeholder feedback. The final proposal is for a volume of airspace that is identical in both lateral and vertical dimensions to the DA approved via the temporary activation of TDA EGD597 (ACP 2021 – 048) that

would be activated by Notice to Air Missions (NOTAM) and specify a 5nm Flight Buffer Zone (FBZ). The sponsor has sought dispensation from the CAA's Special Use Airspace - Safety Buffer Policy for Airspace Design Purposes. In response to consultation feedback, the sponsor has addressed operational issues including provision of notice period and time of activation and has submitted a draft Letter of Agreement (LoA) articulating Air Traffic Control (ATC) management of potentially hazardous activities, dynamic Air Traffic Management (ATM) procedures, use of internal DA deconfliction patterns and holding areas for certain traffic plus airspace sharing arrangements.

PART A – Summary of Airspace Change Process to date

A.1	Airspace change proposal public view (caa.co.uk)	
A.2	Stage 1 DEFINE Gateway	
A.2.1	The required documentation was presented on time. The sponsor was required to complete a post-gateway action regarding engagement. This was satisfactorily completed. We were satisfied that the change sponsor had met the requirements of the Process up to that point. Progress to the next Step of the Process was therefore approved.	
A.3	Stage 2 DEVELOP & ASSESS Gateway	
A.3.1	The required documentation was presented on time. The sponsor did not initially progress through the Gateway. At a subsequent Gateway the sponsor was required to complete environmental and options appraisal post-gateway actions. These were satisfactorily completed. We were satisfied that the change sponsor had met the requirements of the Process up to that point. Progress to the next Step of the Process was therefore approved.	
A.3	Stage 3 CONSULT Gateway	
A.3.2	The required documentation was presented on time. The sponsor did not initially progress through the Gateway. The sponsor was required to complete technical, consultation, environmental and economic actions. At a subsequent Gateway we were satisfied that the change sponsor had met the requirements of the Process up to that point. Progress to the next Step of the Process was therefore approved.	
A.4	Stage 4 UPDATE & SUBMIT	
A.4.1	The sponsor formally submitted their proposal, which included all of the required documentation. The sponsor was requested to provide supplementary/clarificatory information. This action was completed.	

PART B – Consultation Assessment

B.1	AUDIENCE	
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B.1.1	Did the consultation target the right audience?	Yes
	<p>The sponsor identified key stakeholders as Air Navigation Service Providers (ANSPs) and those airports in the Northeast of the UK whose traffic has the potential to be directly affected by this proposal. The sponsor grouped their stakeholders as follows:</p> <ol style="list-style-type: none"> 1. Primary stakeholders (8) – these stakeholders had all been involved in the airspace design process via the trial (ACP 2020 – 042) and temporary airspace change proposals (ACP 2021 – 007 and ACP 2021 – 048 (TDA extension)). This group comprised Newcastle, Aberdeen, Edinburgh, Teesside and Dundee International Airports, the Firth of Forth ACP sponsor, Scottish Terminal Control Area ACP sponsor and The Borders Gliding Club Milfield. 2. All NATMAC organisations (38) including NATS. 3. Internal MoD stakeholders (15) that were identified by Defence Airspace and Air Traffic Management (DAATM) through the Military Airspace Users Working Group (MAUWG). As well as DAATM this group comprised: 2 Group DAAM, HQ 22 Group, RAF Spadeadam, 19 and 20 Squadron (RAF Boulmer), Military Airspace Management Cell (MAMC), HQ 1 Group, US Air Forces in Europe (USAFE), Leuchars Diversion Airfield, 78 Squadron (RAF Swanwick), Military Aviation Authority (MAA), HQ 2 Group, RAF Boulmer, RAF Coningsby and RAF Safety Centre. <p>In total 61 stakeholders, from within the 3 groups detailed above, were targeted. From the above groups, stakeholders with “high interest, high influence” in the ACP were identified as NATS, 78 Squadron (RAF Swanwick), 19 and 20 Squadron (RAF Boulmer), USAFE, Teesside and Newcastle International Airports.</p> <p>The sponsor stated in their consultation strategy that they would primarily be consulting with those stakeholders engaged during the previous stages of the airspace change process. While acknowledging that the proposal might affect civil air traffic, the change was not expected to alter traffic patterns below 7,000 ft and as a result the sponsor did not target communities. However by using the citizen space online platform via the CAA’s airspace change portal, the sponsor did provide the wider public with an opportunity to participate in the consultation.</p> <p>The sponsor did not identify any seldom-heard audiences but used a variety of communication channels to maximise reach, namely online, face to face meetings as required and via provision of paper copies of the consultation document and feedback form.</p> <p>The sponsor made the assumption within their consultation strategy that NATMAC organisations, as national over-arching bodies would cascade information to representatives at an appropriate level. It has not been possible to verify whether any NATMAC organisations did so.</p>	
B.1.2	Please provide a summary of responses below	
	<p>Responses were received via the citizen space online platform from the NATMAC organisation Light Aircraft Association (LAA) and aviation stakeholders Dundee Airport, Borders Gliding Club Milfield, Newcastle Airport, NATS plus a response via DAATM from BAE Systems Warton. One stakeholder requested an extension to the consultation duration. Although the consultation</p>	

duration was not formally extended, the stakeholder's response, which was received 4 days after the consultation closed, was accepted and analysed by the sponsor.

Feedback questions 1 to 6 dealt with preliminary/identification matters. Questions 7 to 23 invited responses on the proposal using questions aimed at obtaining both quantitative and qualitative response data. Where the sponsor received quantitative data and answers to closed questions, the summary of responses is set out here. Question B5.4 below addresses the themes arising from qualitative data obtained from free-text responses to the remainder of the survey questions.

Question 7 Do you support the preferred airspace design? 4 respondents (66.6%) answered yes to this question, 2 respondents (33.3%) namely Newcastle and Dundee Airports answered no.

Question 8 – Do you agree with the reasoning behind the selection of the preferred design? 4 respondents (66.6%) answered yes to this question, 1 answered no (16.6%) and 1 said that they were unsure (16.6%)

Question 10 – Co-ordination meetings occur well in advance of planned activation, in order to ensure deconfliction with your requirements. Do you require an invite to these forums? 3 respondents (50%) answered yes, 3 (50%) answered no.

Question 11 – How much notice regarding activations of Future Combat Airspace would you require? 2 respondents (33.33%) namely LAA and Warton answered 1 day, 1 (16.67%) namely Dundee Airport sought 1 month and the remaining 3 respondents sought (50%) 6 months.

Question 12 – Which activation periods will cause greatest impact for your operations? 5 respondents (83.3%) stated that the Summer would cause greatest impact, and 1 (16.6%), namely Borders Gliding Club Milfield responded Autumn.

Question 13 – Is there a particular time of the day that would create a lesser impact on your business? 4 respondents (66.6%) stated yes and 2 (33.33%) stated no.

Question 17 – If the airspace change was permanently introduced, would there be an increased training or infrastructure burden upon your operation? 5 respondents (83.3%) stated yes and the LAA (16.6%) stated no.

Question 19 – Do you agree that the preferred design option for the identified airspace is suitably “future proofed” and will allow airlines to fully take advantage of Free Route Airspace and therefore minimise fuel burn? 1 respondent (16.6%) answered yes, 4 (66.6%) answered no and 1 (16.67%) stated they were unsure.

The sponsor received email feedback from the British Hang Gliding and ParaGliding Association (BHPA) which the sponsor stated did not align with the framework of the citizen space feedback form and could therefore not be manually uploaded. On reviewing the email correspondence provided between the sponsor and the BHPA, the latter did not answer consultation questions but sought confirmation regarding the base FL of the proposed design, signposted the sponsor to the BHPA's electronic conspicuity position paper and highlighted that the proposed area when projected to ground may include a number of hang gliding and paragliding sites with potential multiple soaring and thermalling aircraft that do not transmit ADS-B. In further email correspondence the BHPA informed the sponsor that hang gliders and paragliders routinely fly and

	<p>spend a significant amount of time above 500 ft Above Ground Level (AGL).The sponsor sought confirmation from the BHPA that the proposal would not impact on their activity. There appears to have been no reply to this email. The sponsor did not include the email trail with BHPA as a consultation response but have included data regarding the BHPA as part of the baseline civil airspace activity within their Final Options Appraisal (FOA) and also referenced elements of the electronic conspicuity position paper within the same document.</p>	
B.2	APPROACH	
B.2.1	<p>Did the change sponsor consult stakeholders in a suitable way?</p>	Yes
	<p>The sponsor conducted their consultation using the citizen space online platform via the CAA’s airspace change portal and as a result their consultation was aligned with CAP 1616 requirements. Stakeholders were also given the opportunity to request paper copies of both the consultation document and the feedback form.</p>	
B.2.2	<p>What steps did the change sponsor take to encourage stakeholders to engage in the consultation?</p>	
	<p>The following steps were taken to encourage stakeholders to engage in the consultation:</p> <ul style="list-style-type: none"> - Stakeholders being directly targeted, i.e., their primary stakeholders, NATMAC members and internal MoD stakeholders were sent a consultation launch email on 6 February 2023. This document contained a link to the consultation on citizen space. Copies of this documentation were also attached to the consultation launch email. - The consultation material, feedback form and FAQ page were accessible via the CAA’s airspace change portal. - Paper copies of the feedback form were available on request and a postal address included within the consultation launch email. - Paper copies of the consultation were available on request via an address included within the consultation document. - Stakeholders were given the option of asking questions by replying to the launch email or by writing to the address contained within it. No responses were received by post. - A reminder email was issued on 6 March 2023, one month after the consultation had commenced, reminding stakeholders of the consultation closing date. Stakeholders were also invited to get in contact with the sponsor if they needed clarification on any issues raised in the consultation and were given the option of requesting a face -to-face meeting. - A second reminder email was issued on 17 April 2023, 10 weeks after the consultation had commenced, reminding stakeholders of the consultation closing date. As for the first prompt notification, stakeholders were invited to get in contact with the sponsor if they needed clarification on any issues raised in the consultation and were given the option of requesting a face -to-face meeting. On this occasion the link to the consultation documents on the citizen space portal 	

	<p>was also provided.</p> <ul style="list-style-type: none"> - During the consultation the sponsor met face-to-face and virtually with Dundee Airport, Newcastle Airport, DAATM and NATS to discuss the proposal. The sponsor has provided documentary evidence in support of these activities. - The sponsor’s consultation record shows that they proactively sought out a response from USAFE Air Traffic Control (ATC) as to whether a meeting was required. No consultation response was received from this stakeholder. <p>Two issues arose during the consultation. The actions taken in response were reasonable:</p> <ul style="list-style-type: none"> - On the 14 February 2023, the CAA notified the sponsor by email that the hyperlink to citizen space from the CAA online portal was not working. A proven version of the hyperlink had been shared with stakeholders via the consultation strategy and targeted email issued on 6 February 2023 at consultation launch. The sponsor refreshed an updated hyperlink to the citizen space page for the airspace change proposal. The sponsor was not informed by any stakeholder that they were unable to access the consultation documentation. - A discrepancy was noted by the sponsor relating to a date specified for a reminder notification. The consultation strategy stated 6 March 2023 but the consultation document stated 20 March 2023. The sponsor issued a reminder notification in line with the date specified within the consultation strategy.
B.2.3	<p>Was the change sponsor required to respond to any unexpected events and/or challenges?</p>
	<p>No, the sponsor was not.</p>
B.3	<p>MATERIALS</p>
B.3.1	<p>What materials were used by the change sponsor during the consultation?</p>
	<p>Consultation document V.2.0 – a 36-page document in which the sponsor explained that an airspace change was required as existing DAs that are suitable for routine flying training are of insufficient volume for modern military flying and the execution of LFE. New aircraft types, weapons and tactics require appropriately sized training to conduct beneficial training and segregated airspace is required on safety grounds due to high energy manoeuvres and unpredictable changes in heading and level taken by participating aircraft. The sponsor explained: the progress of the ACP through the CAP 1616 process, detail of their one proposed design, operating principles including proposed measures to minimise impact on stakeholders, likely pattern and frequency of DA activations, description of the current day scenario and civil aviation activity, assessment of impact on general aviation (GA) traffic and gliding activity in the area, enroute analytics and anticipated consequential environmental impacts on civil air traffic. A glossary of terms was provided. Stakeholders were told how they could respond and next steps. A copy of the feedback form was not attached to the consultation document but stakeholders could access it via the citizen space online platform.</p>

	<p>Consultation strategy V.2.0 – the sponsor set out the progress of their ACP to date including a summary of engagement activity already conducted, a summary of their Statement of Need (SoN), identification of stakeholder audience, planned consultation approach and timeline, the consultation materials to be provided and how they would be made available for stakeholders, sources of data used and post-consultation/next steps.</p> <p>Frequently Asked Questions – a 5-page document explaining the need for the airspace change, detail of the design, proposed activation frequency and potential impacts of the proposal together with an explanation of a LFE and the types of military aircraft that would take part. It has not been possible to verify if this document was treated as a living document and updated during the course of the consultation, as per the plan set out within the consultation strategy.</p> <p>Full Options Appraisal V.2.0 – a 37-page document that addressed the current day scenario and civil aviation activity, general aviation and gliding area activity, traffic forecast for civil airspace users, a summary of stage 2 Initial Options Appraisal (IOA), assessment of consequential environmental impact on civil air traffic and full options appraisal of the sponsor’s one consultation option with comparison against the do-nothing baseline.</p> <p>Feedback form (also referred to by the sponsor as the online questionnaire and the online survey) – the sponsor used a mixture of questions aimed at obtaining quantitative and qualitative responses on their proposal.</p>	
B.3.2	Did the materials provide stakeholders with enough information to ensure that they understood the issue(s) and potential impact(s) on them?	Yes
	<p>The scope of the proposal and objective of consultation were clearly articulated. The language used was in some places of a technical nature, albeit not overly so. The sponsor’s targeted stakeholder audience were aviation experts, used to the technical information presented and many would already have had familiarity with the MoD’s plans due to engagement on previous related proposals. The language used would not have precluded those without technical aviation knowledge from understanding the information presented and providing informed responses.</p> <p>There were a couple of items of feedback regarding a lack of information contained within the consultation materials. NATS provided feedback that there was no detail or analysis on FBZ options within the consultation. The sponsor’s response is that further analysis is deemed disproportionate given that the dimensions of the FBZ were created in consultation with NATS with the previous 5 nm FBZ deemed sufficient. This buffer size was proposed to allow for High Energy Manoeuvres in close proximity to the boundary and is consistent with other DAs. BAE Systems Warton, via DAATM, stated that it was not clear from the proposal whether any activation of the airspace would result in other military assets having to migrate to airspace over the Irish Sea where BAE Systems Warton test and development activity takes place. The sponsor has clarified within their submission that this would be highly unlikely.</p>	

B.4	LENGTH	
B.4.1	Please confirm the start/end dates and the duration of the consultation below	
	Start: 6 February 2023 End: 8 May 2023 Duration: 13 weeks and 1 day	
B.4.2	If duration was less than 12 weeks, what was the justification?	N/A
	N/A	
B.4.3	Was the period of consultation proportionate?	Yes
	The period of consultation was in excess of the accepted standard set out within CAP 1616 that consultations should last for 12 weeks. The sponsor allowed an additional week to take account of the 2023 Easter holiday season, thus consulting for a total of 13 weeks and 1 day. Given the nature of this ACP, the targeted stakeholder audience and the adherence to the CAP 1616 accepted standard on length, the period of consultation was proportionate.	
B.5	GENERAL	
B.5.1	Was the conduct of the consultation aligned with the consultation strategy?	Partially
	<p>The conduct of the consultation was for the most part aligned with the strategy. In some instances it has not been possible to verify whether intended actions were carried out as explained below:</p> <ul style="list-style-type: none"> - FAQs would be a living document and evolve as common queries and feedback became apparent from feedback. The sponsor has not referred to updating the FAQs during the consultation but by comparing the final version uploaded to citizen space with the draft submitted to the stage 3 gateway assessment meeting, the only addition was some pictures of the types of military aircraft that will take part in the training exercises. It has not been possible to verify whether this addition was made before or during the currency of the consultation. - Stakeholders would be alerted to the consultation by the ACP Portal news function and that stakeholders would be encouraged to subscribe via the airspace change portal. It has not been possible to verify that stakeholders were encouraged to subscribe. - Consultation progress would be reassessed during w.c. 20 March 2023. In their Step 4A consultation review document (Table of activity) they refer to this taking place via citizen space. It is likely that this is a reference to reviewing how many responses the sponsor had received up to this point. There is no reference to any actions taken as a result of assessing progress at that time. - All stakeholder airports act as intermediaries with airlines and share details of this proposal with airport users via airspace user-group forums to help reach the widest possible audience of interested parties. It has not been possible to to verify that this was 	

	<p>done.</p> <ul style="list-style-type: none"> - The sponsor did offer a combination of both face to face and virtual briefings as intended, holding bespoke meetings with certain stakeholders. It is noted that the citizen space overview page included references to plans for a face-to-face session that would be held for stakeholders at RAF Waddington “in order to reach those groups that may not have connectivity” scheduled in advance but could be changed depending on level of demand. This appears to be a plan for an event in addition to the bespoke meetings with key stakeholders. There is no evidence to show that this was held. Considering the low level of interest in the proposal as demonstrated by the number of consultation responses submitted, it can be assumed that there was no demand for such an event to be held. <p>Ahead of consultation the sponsor referred to their assumption that on activation of the DA there would be no effect on traffic patterns below 7,000 ft Above Mean Sea Level (AMSL). They stated that if feedback demonstrated this assumption to be incorrect, then they would consider expanding their stakeholder audience accordingly. The sponsor’s conclusion, as outlined within their FOA V1.1, is that no feedback was received to oppose this operational position. The sponsor has explained that the distance between the proposed DA and those airports affected is great enough that operations below 7,000 ft can still depart on notified Standard Instrument Departures (SIDs) and arrive via Standard Arrival Routes (STARs) within existing controlled airspace (CAS) and that the DA has been designed in a way that is sympathetic to these existing structures. A review of feedback confirms that no stakeholders raised this as a concern.</p>	
B.5.2	Has the change sponsor categorised the responses in accordance with CAP 1616?	Yes
	The sponsor submitted their categorisation of consultation responses in accordance with CAP 1616. On reviewing the categorisation, the CAA was satisfied that it had been carried out fairly.	
B.5.3	Has the change sponsor correctly identified all of the issues raised during the consultation and accurately captured them in the consultation response document?	Yes
	The sponsor has identified all issues raised during consultation and captured them within their consultation response document, step 3D categorisation of responses document and step 4B documentation.	
B.5.4	Does the consultation response document detail the change sponsor’s response to the identified issues?	Yes
	<p>Segmentation of DA</p> <p>NATS sought a segmentation of the DA in order to not activate the whole area when not required.</p> <p>Sponsor’s response: The entirety of the design is currently required in order to support LFE. Segmenting this structure into smaller areas will not provide a DA suitable to provide segregation to participating aircraft and safety would be compromised.</p> <p>Suggestion to move/reduce the size of the proposed airspace structure and publication of formal entry and exit gates</p> <p>Dundee Airport stated that the design did not take into account Instrument Flight Rules (IFR) departures off Dundee Runway (RWY) 09</p>	

and that the design had the potential to increase Traffic Collision Avoidance System (TCAS) events for departures off RWY 09. They suggested that the design option be moved 10 nm to the east of its proposed position or that the size of the DA be reduced by 10nm to mitigate the issue. They also suggested publication of entry/exit points for Dundee departures by way of mitigation.

Sponsor's response: Moving or reducing the lateral dimensions of the design would not allow LFEs to meet their training objectives and not provide suitable airspace – a portion of overland airspace is essential to meet this requirement. A suggestion to reduce the size of the design by 10nm was discounted at Stage 2 Initial Options Appraisal (IOA). As part of occurrence reporting, it is expected that any TCAS event should be reported through the routine channels. The sponsor has updated the CAA that conversations are ongoing regarding any publication of entry/exit points.

Request for consideration of other blocks of airspace

While expressing support for the MoD's need for training, Newcastle Airport felt that expansion of other DAs or use of other less utilised airspace blocks should be considered. The Airport felt that the proposal could affect their traffic particularly routing to/from the NorthEast.

Sponsor's response: Expansion of other DAs was investigated but discounted on account of safety considerations. High Energy Manoeuvres will occur during LFE which require segregation from General Air Traffic (GAT) for the protection of both military exercise traffic and civil aviation. The MoD will establish a procedure for notifying activations well in advance so that deconfliction and appropriate notification can be provided. The design does not impact Newcastle Traffic below 7,000 ft AMSL. Aircraft both to and from Newcastle using the network structure can still utilise existing SIDs and STARs which proceed through Newcastle CAS. For certain arrivals and departures, airlines may elect to fly on a more direct route or air traffic controllers will offer a routing that is more efficient.

Displacement of air traffic over the Irish Sea

BAE Systems Warton, via DAATM, questioned whether any activation of the airspace would result in other military assets having to migrate to airspace over the Irish Sea where BAE Systems Warton test and development activity takes place.

Sponsor's response: This would be highly unlikely. Objective analysis has been conducted using ADS-B Exchange focussing on previous temporary activations of the DA. This showed that neither military nor commercial traffic was seen to shift over the Irish Sea as a result of activation of the preferred design option.

Impact on Free Route Airspace (FRA)

BAE Systems Warton, via DAATM, observed that GAT might not be able to make full use of FRA as the establishment of airspace of such a size would preclude full use of FRA protocols, particularly when other airspace restrictions also impact on such protocols.

Sponsor's response: The DA straddles a location that is subject to both FRA and existing route structures. Scottish Control (Prestwick) will manage the safe and efficient flow of GAT around the DA by use of existing route structures and FRA to route around the DA. To assist in the safe and efficient flow of traffic, the UK Airspace Management Cell (AMC) will undertake suppression of specified DAs to enable GAT to flight plan and operate along Conditional Routes, FRA and notified Flight Plan Direct Routings which will avoid the Special Use Airspace

(SUA). Suppression of these areas shall ensure that they are unavailable for booking by any military agency during activation periods associated with this ACP.

Impact on General Aviation.

Borders Gliding Club Milfield stated that there would be a major impact on the operation and future viability of their Club. A significant proportion of their income is gained from Expedition and Flying weeks held in the Spring and Autumn when meteorological conditions enable soaring up to FL240 (with ATC permission) over the Cheviot Hills. They sought mutual cooperation and co-ordination to avoid disruption and conflict with their operations and stated that arrangements in this regard had worked well on implementation of EG TDA 597 (ACP 2021 – 048). They sought 6 months notice of DA activation.

Sponsor's response: There will be some impact to operations that usually occur within the Temporary Restricted Area (TRA) (G) Northumbria North and South areas. The importance of the activity at Borders Gliding Club Milfield is acknowledged. Effective lines of communication have been in place for activations under ACP 2021 – 048. The 6-month notice period requested has been met so far. The sponsor will adhere to this notice period and this early engagement will seek to minimise disruption to peak operational gliding times. During exercise periods the DA will usually be active for up to 4 hours, typically between 0900 and 1300 Co-ordinated Universal Time (UTC). The MoD will request the airspace structure only as and when necessary. Under the Eurocontrol Flexible Use of Airspace (FUA), the airspace will be managed and returned to civil should the DA not be required for reasons including cancellation of aircraft, poor weather and early completion.

Notice period

Newcastle Airport, the Borders Gliding Club Milfield and NATS requested a 6-month notice period with the latter stating that this was sought in order to support their long-term operational planning.

Sponsor's response: A CAA decision on this proposal is expected mid-November 2023 and first activation is planned for February 2024. To minimise impact on the North Atlantic Tracks significant notice of proposed activations will be provided to NATS. The sponsor will employ (whenever operational considerations allow) a 6-month notice period for any planned activations.

Frequency of activations

Newcastle Airport sought assurances to guarantee the maximum hours of DA use per year/month, expressing concerns regarding the potential for more use of the airspace over time and pointing out their aspirations for an airspace change in future with sustainability goals which would be limited by this airspace change.

Sponsor's response: Frequency of activations will follow a similar annual pattern to that of the most recent activations of 25 Exercise A activations in spring/summer, 12 Exercise B activations in spring/summer and 18 Exercise C activations throughout the year. The desire to increase the number of activations up to 55 longer term compared with the analytical assessment based on forecast activations (32 activations) for 2023 is driven by defence requirements and real-world events. Planning around Newcastle's aspiration for an airspace change is not possible and is outside the scope of this proposal.

Timing and notification of activation

Borders Gliding Club Milfield stated activation on weekday mornings would result in the least impact to their operations.

Sponsor's response: Given the scale of effort required in order to generate the LFEs, the structure would only be activated on weekdays. The airspace will be notified via NOTAM provided at least 24-hours in advance.

Operating principles

Newcastle Airport sought the restriction of Exercise Traffic to the confines of the DA.

Sponsor's response: Operating procedures beyond the confines of the DA fall outside this ACP, however it is in the interest of Exercise Traffic to remain within the confines of the DA. Routine ATM procedures will be applied to aircraft that manoeuvre outside the DA and those Exercise participants that transit to and from the DA.

Access to airspace

NATS requested that agreements be put in place to minimise impact on traffic flows and patterns, in particular North Atlantic Tracks, which should be managed through extant procedures.

Sponsor's response: Agreements with the AMC that were employed under temporary activations to minimise impact on traffic flows and patterns, in particular on North Atlantic Tracks, are included as part of the draft LoA for this proposal. To ensure minimum disruption to other airspace users a bespoke service will be provided by 78 Squadron (Swanwick Military) to Newcastle and Teesside International Airports for departures and arrivals that would normally route via reporting point CUTEL as aircraft transit to and from the Copenhagen Flight Information Region (FIR). This mandated service provision will allow the most expeditious routing for non-exercise traffic.

Notification of name change from TDA to DA designator

NATS requested that any name change to the DA designator from the TDA designator be provided in sufficient time to update both NATS internal systems and the EUROCONTROL flight planning system in line with Aeronautical Information Regulation and Control (AIRAC) process prior to implementation.

Sponsor's response: The naming convention for the design option and descriptive suffix is required for ENR 5.1 entry.

Reporting points

NATS stated that agreement on airspace management was required. If the DA was active, the cumulative effect of other activated areas within the Flight Information Region (FIR) needed consideration. NATS would expect the reporting points used within the UK Aeronautical Information Publication (AIP) Supplement for previous trial activations to be included within the UK AIP ENR 4.4 on a permanent basis in order to facilitate re-routings associated to activations.

Sponsor's response: All activations will be implemented by the UK AMC. The AMC will be responsible for managing any perceived cumulative airspace effects from other activated areas. The activation of the proposed DA necessitates changes to a variety of AIPs

	<p>including ENR 4.4 (Name-Code Designator for Significant Points).</p> <p>Existing LoA between Dundee Airport and Leuchars Station</p> <p>Dundee Aiport sought revision of the existing LoA between them and Leuchars Station to ensure Leuchars Lower Airspace Radar Provision (LARS) provision during SUA activation as Leuchars LARS is not currently 24 hours provision.</p> <p>Sponsor’s response: Given the usual activation times for the DA this requirement is largely met and the sponsor will engage with Leuchars to secure, where possible, ad-hoc LARS provision to meet this request.</p> <p>New LoA</p> <p>The sponsor acknowledges that a number of Teesside and Newcastle air traffic movements will be directly affected by activation of the DA. A draft LoA, informed by previous temporary activations, has been submitted aimed at minimising the anticipated disruption. The LoA addresses: ATC management of potentially hazardous activities, dynamic ATM procedures, use of internal DA deconfliction patterns and holding areas for certain traffic plus airspace sharing arrangements. The following stakeholders are parties to the LoA: NATS, Headquarters Air Command (RAF High Wycombe), 78 Squadron Swanwick, Newcastle International Airport and Teesside International Airport. The sponsor must ensure that this LoA is finalised and a condition to this effect is included at B6.2 below.</p>	
B.5.5	Is the change sponsor’s response to the issues raised appropriate/adequate?	Yes
	<p>The sponsor’s response to the issues raised is appropriate.</p> <p>The sponsor articulated their rationale for deciding that no re-consultation is required. This is on the basis that, although some additional actions were required including the development of a Letter of Agreement, there was no stakeholder feedback that significantly affected the final overall design and as a result no issues need to be reconsulted on. A draft LoA has been submitted.</p>	
B.5.6	Is the formal airspace change proposal aligned with the conclusions of the consultation response document?	Yes
	Yes, it is aligned.	
B.5.7	Public Evidence Session Summary	N/A
	N/A	
B.6	RECOMMENDATIONS/CONDITIONS/PIR DATA REQUIREMENTS	
B.6.1	Are there any Recommendations which the change sponsor should try to address either before or after implementation (if approved)? If yes, please list them below.	N/A
	N/A	

B.6.2	Are there any Condition(s) which the change sponsor must fulfil either before or after implementation (if approved)? If yes, please list them below.	Yes
	- Finalise the Letter of Agreement. A copy of the final version must be provided to the CAA along with evidence of the agreement of all parties (either through signatures on the document or alternative information that confirms acceptance by all parties).	
B.6.3	Are there any specific requirements in terms of the data to be collected by the change sponsor for the Post Implementation Review (if approved)? If yes, please list them below.	Yes
	<p><u>STAKEHOLDER OBSERVATIONS</u></p> <p>The change sponsor is required to collate related stakeholder observations (enquiry/complaint data) and present it to the CAA. Any location/area from where more than 10 individuals have made enquiries/complaints must be plotted on separate maps displaying a representative sample of:</p> <ul style="list-style-type: none"> • aircraft track data plots; and • traffic density plots <p>The plots should include a typical days-worth of movements from the last month of each standard calendar quarter (March, June, September, December) from each of the years directly preceding and following implementation of the airspace change proposal.</p>	

PART C – Consultation Assessment Conclusion(s)		
C.1	Does the consultation meet the CAA’s regulatory requirements, the Government’s guidance principles for consultation and the Secretary of State’s Air Navigation Guidance?	Yes
	<p>The fundamental principles of effective consultation are targeting the right audience, communicating in a way that suits them, and giving them the tools to make informative, valuable contributions to the proposals development. I am satisfied that these principles have been applied by the change sponsor before, during and after the consultation. I am also satisfied that the change sponsor has conducted this consultation in accordance with the requirements of CAP 1616, that they have demonstrated the Government’s consultation principles and that the consultation has:</p> <ul style="list-style-type: none"> Taken place when the proposal was at a formative stage – evidenced by the consultation document which stated that the feedback obtained would help to shape the final proposal submitted to the CAA and the seeking of feedback to help shape measures to minimize impact on airspace users and to determine possible deconfliction and notification periods regarding activation. This gunning principle is also evidenced by the questions in the feedback form which were designed to elicit feedback on four specified themes: feedback on the design, perceived effect of the proposal, key stakeholder concerns and suggested mitigations to minimise impact. Presented the consultation material clearly and outlined the potential impacts that needed to be considered – evidenced by clear articulation of the scope of the proposal and objective of consultation. The language used was in some places of a technical nature, albeit not overly so and it would not have precluded those without technical aviation knowledge from understanding the information presented and providing informed responses. Provided a sufficient timeframe to allow considered responses – evidenced by a consultation that was conducted for a duration of 13 weeks and one day and included an allowance of one week due to the consultation falling over the Easter Holiday season. The consultation length was in excess of the accepted standard on length set out within CAP 1616. Taken into account the product of the consultation – although the sponsor did not revise their airspace design on account of feedback, this gunning principle is evidenced by the sponsor’s response to issues raised in the drafting of a LoA addressing air traffic management, use of deconfliction patterns and airspace sharing arrangements. 	

PART D – Consultation Assessment sign-off			
	Name	Signature	Date
Consultation assessment completed by Airspace Regulator (Engagement and Consultation)	[REDACTED]	[REDACTED]	7.11.23
Consultation assessment approved by Manager Airspace Regulation	[REDACTED]	[REDACTED]	13.11.23
Consultation assessment conclusions approved by Head AAA	[REDACTED]	[REDACTED]	27.11.23