

CAA Targeted Engagement Assessment – Temporary Airspace Changes

Title of airspace change proposal	CAELUS Trial D – Lothian region
Change sponsor	AGS Airports Ltd
Project reference	ACP-2022-104
Case study commencement date	23.02.2024
Case study report as at	10.06.2024
<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>	

Targeted Engagement Assessment		
1	Has the change sponsor identified the right audience(s) and provided a rationale for selecting them?	YES
	<p>The change sponsor identified relevant stakeholders based on its experience from earlier CAELUS ACPs, reviewing the NATMAC list, advice from the CAA at the Assessment Meeting, and local knowledge from Edinburgh’s ANSP. There is no specific evidence of any liaison with CAA Flight Ops. In total the sponsor has referenced 58 stakeholders, although 14 of those contacted the sponsor directly rather than having been identified by the sponsor (see below). The sponsor has broken down the identified stakeholders into the following groups:</p> <p>Major airports & ANSPs involved – Edinburgh/ANSL</p> <p>GA excluding Emergency Services – all the GA-focused NATMAC member organisations</p> <p>Smaller airfields, GA Airfields and flying clubs – East of Scotland Microlights, Lanarkshire and Lothian Soaring Club, Scottish Gliding Centre and aerodromes at East Fortune, Sheriffhall, Perth, Archerfield, RAF Kirknewton, Cumbernauld, Fife, Sheriffmuir and Huntlywood. However, there is a discrepancy between the GA stakeholders listed in the submission document and the sponsor’s engagement material, which also listed additional aerodromes at Midlem, Lempitlaw, Charterhall and Latch Farm, as well as Penicuik HLS and the Scottish Aero Club as identified local stakeholders,</p>	

	<p>but these are not mentioned in the submission document and there is no evidence that they were engaged.</p> <p>Emergency services & other helicopter operators – Babcock (operator for both police and air ambulance), PDG, Gama, Offshore Helicopter Services, Bristows/HMCG and Great Northern Air Ambulance (GNAA)</p> <p>Trial Service Customer (NHS) & other stakeholders - NHS</p> <p>National Defence and Safety Critical Organisations – DAATM, UKFSC, UKAB and NATS</p> <p>Of the NATMAC members, the sponsor has provided an acceptable rationale for several organisations that have been excluded from their stakeholder list for this ACP.</p> <p>The sponsor noted that it had not contacted the BMFA or BHPA as they are no longer on the NATMAC list, but the hang-gliding and paragliding community turned out to be a significant stakeholder. A total of 14 stakeholders contacted the sponsor, including the Scottish Hang-gliding and Paragliding Federation, several hang-gliding and paragliding clubs and eight individuals from that community, as well as a RPAS operator that monitors forestry in the area.</p> <p>Update 5.6.24 – in relation to those GA stakeholders listed in the engagement material that are not mentioned in the submission, the sponsor has now stated <i>‘In the initial assessment of Targeted Stakeholder Engagees I assessed that the impact on these aerodromes was negligible and that they would become aware of any activity through membership of organisations on the NATMAC list, AIC and NOTAM and therefore any risk was substantially mitigated. That assessment was based on the distance from the proposed TDA and the limited overall level of activity that they generate. The one exception to that is MIDDLEM which is adjacent to the southern portion of the Proposed ACP but having rang numerous times the phone was never answered and I did not chase them up’</i>. Having reviewed the location of these aerodromes this rationale is accepted.</p>	
2	Has the change sponsor explained the engagement methodology / approach used?	YES
	<p>A pre-engagement briefing session on the overall CAELUS project was held for national representative organisations in 2023 prior to the commencement of the project.</p> <p>The change sponsor then conducted one round of engagement for this ACP by email. Stakeholders were sent a stakeholder briefing pack from a dedicated email address and asked to confirm either if they have no objection to the proposal, or to share any comments/concerns/suggestions. The sponsor said it would respond to feedback either by email or by scheduling a call, and a number of calls were arranged via TEAMS with different stakeholders.</p> <p>A reminder email was sent on 22 January, towards the end of the engagement period.</p>	
3	What materials have been used by the change sponsor during the targeted engagement?	YES

	<p>Stakeholders were sent a stakeholder briefing pack which gave an overview of the CAELUS project, the RPAS to be used, a timeline, the proposed airspace and flight route, intended periods of activation, and a stakeholder list.</p> <p>The material was largely clear and appropriate for the audience, which consisted of aviation stakeholders many of which were already aware of the CAELUS project from engagement on previous ACPs</p>	
4	<p>Does the Engagement Summary Report clearly detail the period of engagement? Please include the start/end date and duration of engagement period along with a summary of the change sponsors rationale for pursuing a shorter/longer engagement (where applicable).</p>	YES
	<p>The sponsor engaged for a period of 7 weeks, between 15 December 2023 and 2 February 2024. It has stated that it considered 6 weeks to be a proportionate engagement window based on its previous experience but added an additional week to account for the Christmas period.</p>	
5	<p>Was the period of engagement appropriate?</p>	YES
	<p>Yes, the period of engagement was appropriate and the sponsor was pro-active in arranging follow up discussions and seeking to address any issues as soon as they became known. However, it may not have given itself enough time between the end of the engagement period and the submission date to the CAA to appropriately consider and respond to all feedback (see Q7 below).</p>	
6	<p>Has the change sponsor accurately summarised what stakeholders have said and identified all the issues raised during the engagement in the stakeholder engagement summary document? Does the stakeholder engagement summary document detail the change sponsor's response to the identified issues?</p>	PARTIALLY
	<p>The change sponsor received responses from 32 stakeholders. The submission includes a summary table that shows which stakeholders responded, what issues and potential revisions were discussed, and whether the stakeholder supported or objected to the proposal. It has then summarised the feedback received, and how it has responded to it. Raw evidence (emails) has also been provided, and the sponsor has accurately summarised the feedback received.</p> <p><u>Feedback that has led to changes to the proposal</u></p> <p>Emergency helicopter operators including Babcock, Gama, GNAA and Bristows all require the ability to access the airspace and the sponsor discussed how this could be facilitated via a TEAMS call with Babcock and Bristows, and email with GNAA and Gama. The content of required LoA(s) has been discussed, but the evidence does not show that final agreement has been reached and finalised copies of the LoAs will be required.</p> <p>Update 5.6.24 – a draft LoA has been provided, but it is unclear if the helicopter operators have been involved in the drafting, or are in agreement with its contents</p>	

MoD / DAATM did not object to the proposal but did indicate that major exercises were planned for July/August and September. While this is after the current planned window for the trial, any delays will mean that further engagement with the MoD is required.

Update 5.6.24 – the change sponsor’s revised submission states that it will not operate on four days in August between 0915-1200 local to deconflict with Exercise STORM WARRIOR, and evidence of engagement with MoD has been provided.

Edinburgh Airport / ANSL requested a weather minima of 5000m visibility and 1500ft cloudbase, based on Edinburgh’s METAR, which is reflected in the draft LoA with Edinburgh. The evidence provided shows that engagement with Edinburgh/ANSL has continued, but the appropriate conclusion of that engagement will be demonstrated by the relevant LoA/TOIs/HAZID.

The hang-gliding and paragliding community provided extensive feedback including from the Scottish Hang-gliding and Paragliding Federation, several hang-gliding and paragliding clubs and individual flyers. The main concern raised was the impact on cross-country flying from the Edinburgh to Borders route during the peak flying season, and stakeholders provided the sponsor with information about flying sites, including Eildon Hill which is located inside the TDA. The sponsor discussed the concerns with several different stakeholders from the community, and agreed to limit the use of the route in question to 7am to 10am, which is before most cross-country flying takes place. It also adjusted the route slightly to avoid the site at Eildon Hill. These changes were welcomed by stakeholders.

Feedback that did not lead to changes to the proposal

The LAA objected to the proposal on several grounds, including questioning the benefit of the trial and the business case for it, the lack of a crossing service, and that it was disruptive and unsafe to manned aviation, without providing more specifics. The sponsor responded to all points, including explaining that a crossing service was not practical due to terrain.

Microlight operations from East Fortune – feedback was received from East of Scotland Microlights (EOSM), which was also on behalf of the BMAA and East Fortune airfield. It was explained that the airspace available for both training and leisure flying was constrained by Edinburgh’s airspace to the west, terrain to the south and the Firth of Forth to the north, meaning that most flying takes place in an area bounded by North Berwick, Dunbar, Haddington and Musselburgh. It stated that May and June are the training school’s busiest time of the year, with typically 8 hours a day of flying training flights. In terms of this ACP, EOSM explained that the Edinburgh to Borders route would greatly impact their ability to conduct specific low-level navigation exercises, while the Edinburgh to East Lothian route would impact routing along the Firth of Forth shoreline, which is popular with air experience flight customers, and the standard route to East Fortune when transiting the Edinburgh Control Zone. When that route turns south east away from the coast, it impacts more of the airspace available for training.

In order to mitigate the impact, EOSM suggested that the Borders route would have significantly less impact if it was moved more to the west,

ideally to the west side of the A7 trunk road, and proposed an alternative route to East Lothian which would follow the Borders route until just south of Pathhead, and then route north east to Haddington, which would keep the whole of the coastal area clear and remove the block to the west of East Fortune.

This feedback was received on 2 February, which the sponsor has noted in its submission was 'hours before requested feedback deadline'. The sponsor responded on 5 February, the next working day, explaining the changes that had been made to accommodate the hang-gliding and paragliding community, including changing the operating hours so that the Edinburgh to Borders route would only be flown between 0700-1000 and the Edinburgh to East Lothian route would only be flown between 1300-1700, that there would be no flying at weekends, and that there would be a maximum of 20 flying days. The sponsor stated that *'hopefully this will mitigate some of your concerns'* without responding directly to EOSM's concerns or the specific route amendments suggested, and stating that *'your activities over water...we don't think will be overly affected'*. It did offer further discussions *'so that your views can be captured in the Airspace Change Proposal that will be submitted to the CAA on 12 February'*, i.e., in one week's time.

EOSM responded with two emails on 7 February and 8 February, asking if the sponsor's response meant that it would not be considering the amendments suggested, and that, if so, this was a 'call for representations', not engagement. They also raised concerns that stakeholders were being asked to comment on a proposal that has already been modified from what has been presented to them, and that the sponsor had misunderstood the impact in relation to their flights that follow the coastline of the Firth of Forth. The sponsor responded to these emails by offering a telephone discussion on 8 February.

Following that discussion the sponsor and EOSM exchanged further emails between 8 and 11 February which are increasingly argumentative, with EOSM raising concerns about the fairness of engagement process, accusing the sponsor of not fully considering their feedback because it was submitted just before the deadline date and of not having any intention of making changes to the coastal route that has the greatest impact on EOSM. The sponsor responded, denying that EOSM's response had been considered any differently due to when it was submitted, and stating that *'any change of the route between Musselburgh and Aberlady would increase ground risk when compared with the recommended routing over the sea, contrary to CAA guidance'*. It reiterated that it would be making its submission on 12 February, and *'should the CAA instruct project CAELUS to revisit elements of the ACP submission'* then it would re-engage with EOSM at that point. In response, EOSM said that the sponsor had described the current TDA route as 'the optimum route' and suggested that the sponsor had shown no interest in any discussion about alternatives and therefore it had not been 'consulted' in any meaningful way.

In the submission document, the change sponsor has stated that *'The specific route adjustments requested by the stakeholder were significant and would compromise the mitigation to ground risk by not using the sea route available'*. It went on to state three reasons as to why it decided not to make any adjustments as requested by EOSM:

- a) *CAELUS have reduced the activation time on the BGH route to minimum viable to conduct a return flight, so even though it is possible that some GA pilots might wishing to operate in that area, the amount of such cases between 07:00-10:00 is assumed to be minimal .*
- b) *TDA to East Lothian is mostly along the shoreline with ceiling of 1000 ft and MSA (based on 500 ft above highest terrain obstacle within 2nm is 1100 ft), so aircraft can fly above the TDA. Given proximity of water and built-up areas we do not expect single-engine crewed aircraft to fly any lower.*
- c) *With weather limitation agreed with Edinburgh for cloud base of at least 1500 ft, there is space to safely remain above the TDA even in deteriorating weather.*

Update 5.6.24 – the change sponsor has provided further explanation:

BMAA/East of Scotland Microlights objected to the TDA activation as an entity but were particularly concerned about the Edinburgh to East Lothian Hospital route as it extended over the sea and potentially impinged on their operation. We accepted that view and reviewed the situation in terms of moving the route inland and determined the following:

- o The proposed BVLOS activity does not prevent The East of Scotland Microlights (EOSM) from operating.*
- o Any change of there normal routine would only be affected for 3 hours per afternoon for 20 days and only in a limited way.*
- o As Skyports articulated before: "Skyports has planned this route in line with its operations manual and safety management system that has been approve a number of times by the CAA. Within these documents, rules for route planning are set out which are adhered to by all of our pilots and route planners. Given this, Skyports is proceeding with the route suggested due to the lower ground risk associated with that route compared to flying over land.*
- o In summary the existing planned route has minimal impact on EOSM operations and significantly does not stop them operating, the TDA activation times have already been altered and reduced in light of engagement with GA community in the Borders to their satisfaction and most importantly the coastal route carries less risk over the direct route in line with CAA approved planning methodology in the Skyports Operations Manual.*

Update 10.6.24 – the change sponsor has stated that the route proposed by EOSM was ‘revisited again on 6 June 2024 in conjunction with the CAA’. It has stated that the more southerly route proposed has been rejected on the basis that:

- The route goes over land rather than sea so ground risk cannot be mitigated to ALARP***
- The route is longer, so higher risk (ground and air, even though in a TDA) through longer "exposure".***
- As the proposed new routing is longer, it would mean that battery swaps on would be required on both sides of the route and can't do return missions which impacts on the commercial viability significantly as more equipment, people required***
- The Approach path from proposed route is more challenging, requiring a tight turn and descent with short back transition leg.***

	<p><u>Changes made as a result of feedback</u></p> <p>Following engagement the sponsor has made the following changes to the proposal:</p> <ul style="list-style-type: none"> • Agreed access procedures for Emergency Services (although LoAs need to be finalised) • Limited operations on the Edinburgh - Borders route to 07:00-10:00 only, to limit impact on hang-gliding and paragliding • Redesigned TDA in the vicinity of Borders General Hospital to avoid Eildon Hill Site, to limit impact on hang-gliding and paragliding • Implemented weather minima of 5000m visibility and 1500ft cloudbase. 	
7	Is the change sponsor's response to the issues raised appropriate/adequate?	NO
	<p>The change sponsor has engaged effectively with some stakeholders, notably the hang-gliding and paragliding community, and made changes to the proposal to mitigate their concerns. However, the engagement with East of Scotland Microlights (EOSM), whose feedback was received at the very end of the engagement period, was far less effective. The sponsor did not demonstrate a willingness to consider a mutually acceptable solution, initially pointing to the mitigations already agreed to accommodate other stakeholders, and did not appear to have fully considered whether the alternative routes proposed by EOSM, or any other options, would be feasible until required to by the CAA. It initially stated that the suggestion would 'increase ground risk' and would be 'contrary to CAA guidance', without offering more explanation, but a review of the suggested route on Google Earth suggests that it would be largely, if not entirely, over unpopulated areas. The sponsor also did not provide any evidence of having considered any other mitigations (e.g., could a SUACS be provided for the East Lothian route?), and was unable to reach any form of agreement with EOSM in the short time between the engagement window closing and making its submission to the CAA.</p> <p>Update 10.6.24 - following feedback from the CAA the change sponsor has provided a slightly more detailed justification (above) as to why the alternative route suggested by EOSM was not suitable, but the rationale is still fairly limited and no evidence has been provided. As detailed in the operational assessment the change sponsor's rationale for the choice of route, and why the rejected route is considered to have an increased ground risk, are not sufficiently robust and are not accepted. As a result, the change sponsor has not demonstrated that it has appropriately responded to the feedback from EOSM.</p>	
8	Has the change sponsor set out how they will collate, monitor, and report to the CAA on the level and content of the complaints?	YES
	Yes, the change sponsor has explained that it will continue to use the same dedicated email address that it has used for engagement on this ACP to date and this will be detailed in the AIC and in its communications to stakeholders informing them of the CAA's decision on the ACP. It has also stated that all complaints will be addressed and recorded accordingly, and reported to the CAA.	

9	Is the proposal likely to affect traffic operating below 7000ft over an inhabited area? If yes, has the change sponsor provided the brief impact analysis to explain the likely impacts and explained how they will inform relevant community stakeholders?	YES	
	The sponsor has stated that there will be no change to established aircraft routes below 7000ft. It has provided an analysis of the noise impact from the RPAS itself, stating that Skyports 'do not envisage any adverse impact on tranquillity when operating over inhabited areas'. It has also explained that when cruising at 200ft a similar RPAS has been measured as virtually undetectable from the ground, and the RPAS to be used for this trial is smaller and lighter so the noise impact will be similar, if not lower. It has analysed the take-off and landing points, which are located away from residential areas, and concluded that the noise impact will be minimal.		
10	Taking the above considerations into account, does the SME recommend that this proposal has met the engagement requirements of the Temporary Airspace Change process?	PARTIALLY	
	<p>Whether the change sponsor has met the engagement requirements for this ACP largely hinges on how it dealt with the feedback from EOSM about the impact of the TDA on their operations. Having made changes to reduce the impact on the hang-gliding and paragliding community, the change sponsor was much less receptive or accommodating in relation to the feedback from EOSM. Little justification was provided for rejecting the alternative route proposed and the evidence suggests that this feedback was treated differently because it was received at the very end of the engagement period. Following feedback from the CAA, the change sponsor provided further rationale for rejecting that route and continuing with the originally proposed coastal route. However, as detailed in the operational assessment this rationale is not sufficiently robust, and not backed up by any evidence. This feedback relates to the Lothian route, and the change sponsor has met the engagement requirements of the process in relation to the route to Borders General Hospital.</p> <p>The other outstanding issue, the agreement of an LoA with the HEMS operators, can be dealt with by way of a condition.</p>		
11	Are there any Condition(s) which the change sponsor must fulfil before activation (if approved)? If yes, please list them.	YES	
	<ul style="list-style-type: none"> • If the final Decision is to approve the ACP, finalised and signed copies of the LOA mentioned in the final submission between the sponsor and HEMS operators will be required before activation of the airspace. • The change sponsor should inform the stakeholders of the decision (when published), likely impacts and what will happen next. • The sponsor is required to collate, monitor, and report to the CAA on the level and contents of feedback received during the period of the TDA. The CAA expect reporting on the level and contents of any stakeholder feedback received on a fortnightly basis throughout the duration of the trial (this should include nil returns). The sponsor should send these reports to the assigned Account Manager/Case Officer. 		
Targeted Engagement Assessment sign-off			
	Name	Signature	Date

Assessment completed by Airspace Regulator (Engagement and Consultation)	[REDACTED]	[REDACTED]	10.6.24
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