

CAA Consultation Assessment

Title of airspace change proposal	SAIP AD5
Change Sponsor	NATS NERL
Project Reference	ACP 2017 77
SARG Lead	██████████
Case study commencement date	7 June 2019
Case study report as at	4 July 2019
<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>	
<p>Executive Summary</p> <p>This assessment concerns the consultation undertaken by NATS in support of their proposals to develop the distinct areas of LAC west airspace set out below in order to reduce complexity in the West End sectors by providing streamlined procedures for optimal routing and flight planning options:</p> <ul style="list-style-type: none"> - Establish appropriate CAS and ATS Routes for Birmingham arrivals and departures via the MOSUN area - Provision of offload route and appropriate CAS for some traffic inbound to Heathrow - Establish or revise a number of high-level ATS Routes in the West End Sector Group - Amend the boundary of TRA 002, in conjunction with the MoD <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 proposal's 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 and that they have demonstrated the Government's consultation principles.</p>	

PART A – Summary of Airspace Change Process to date		
A.1	https://airspacechange.caa.co.uk/PublicProposalArea?pID=31	
A.2	Stage 1 DEFINE Gateway	28.09.18
A.2.1	The required documentation was presented on time and 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	21.12.18
A.2.1	The required documentation was presented on time and 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	25.01.19
A.3.2	The required documentation was presented on time and 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	20.05.19
A.4.1	The change sponsor formally submitted their proposal, which included all the required documentation.	
PART B – Consultation Assessment		
B.1	AUDIENCE	
B.1.1	Did the consultation target the right audience?	YES
	<p>NATS conducted pre-engagement work with the IAA (Irish Aviation Authority) which included one-to-one briefings and workshops on the proposed changes.</p> <p>NATS provided a list of stakeholders that they engaged with in Annex A to their document entitled Step 3 D Collate and Review Responses. The stakeholders were split into “key” and “other” stakeholders. The key stakeholders were specifically engaged during Stages 1 and 2 and were involved in the development of the consultation strategy. The key stakeholders included:</p> <p>A4A - Airspace 4 all (formally FASVIG) BAATL - Birmingham Airport Air Traffic Limited BAL - Birmingham Airport Limited GAA - General Aviation Alliance representing a partnership of GA organisations</p>	

HAL - Heathrow Airport Limited
IAG GBS - International Airlines Group Global Business Services
MoD - Ministry of Defence via Defence Airspace & Air Traffic Management (DAATM)
MoD - RAF Brize Norton
MoD - RAF (U) Swanwick
AAL - American Airlines
ACA - Air Canada
BAW - British Airways
BEE - Flybe
DAL - Delta Airlines
EXS - Jet2
RYP - Ryanair
STK - Stobart Air
TCX - Thomas Cook
TOM - Thomson
TUI - Group
UAL- United Airlines
VIR - Virgin Atlantic

NATs consulted with both key stakeholders listed above and other stakeholders during their Stage 3 consultation. Their list of other stakeholders included members and organisations of the National Air Traffic Management Advisory Committee (NATMAC) together with the following airfields:

GA Airfields:

EGBE Coventry
EGBJ Gloucester
EGBO Halfpenny Green
EGBP Cotswold Kemble
EGBS Shobdon
EGTK Oxford
EGBW Wellesbourne

	<p><u>Local Airfield:</u> EGNX East Midlands</p> <p>The change sponsor claims that there will be no change to commercial aircraft traffic patterns below 7,000 feet but could potentially impact a small number of general aviation aircraft descending below the base of Flight Level 65 for the controlled airspace that is being proposed for Birmingham. As part of their Stage 2 work, the change sponsor determined that “there would be no discernible change in impact on noise, tranquillity or biodiversity” as a consequence of the implementation of their proposal (see Consultation Document Para 5.2).</p> <p>Taking the above into consideration, the CAA agreed to NATS’ proposal to undertake a targeted aviation stakeholder consultation for this airspace change proposal.</p> <p>That being said, the change sponsor acknowledged that consultation was not exclusive to the targeted aviation stakeholders. Links to the consultation were placed on the NATS Customer website and on the NATS Public website, whilst the consultation was conducted on the CAA’s public facing Airspace Change Portal thereby allowing all stakeholders to participate in the consultation (see Section 6 of consultation document).</p> <p>The sponsor’s Document 3D Collate and Review Responses set out the same Annex A as in Step 3A Consultation Strategy – i.e. using the terminology “links to the consultation <i>will</i> be placed” but not actually stating that those stakeholders had been consulted.</p>
B.1.2	Please provide a summary of responses below
	<p>A total of thirteen responses were received over the course of the 11-week consultation. 12 were submitted via the Airspace Change Portal (Citizen Space) and 1 was submitted via email correspondence. 12 responses came from the targeted aviation stakeholders, whilst 1 response came from an individual who requested anonymity.</p> <p>Twelve of the Thirteen responses (92%) fully supported the proposed changes and one objected (8%). Responses were sought to the question “Do you support the airspace changes in this proposal?”</p> <p>The responses for the four options were presented by NATS in their document 3D Collate and Review as set out below:</p> <p>For Birmingham arrivals and departures, 54% of respondents strongly supported or supported the specific elements of the proposal, 37% of respondents were neutral and 4 persons objected.</p> <p>For the Heathrow offload route, 82% of all responses strongly supported or supported the proposal, 4 responses were neutral (12%) and there were 2 objections.</p> <p>For the proposed high-level ATS routes in the West End Sector Group, 58% of responses strongly supported or supported the proposal, there were 9 neutral responses (17%) and 1 objection.</p>

	For the TRA002 Boundary 55% of all responses strongly supported or supported the proposal, there were 5 neutral responses (45%) and 1 objection.	
B.2	APPROACH	
B.2.1	Did the change sponsor consult stakeholders in a suitable way?	YES
	The change sponsor utilised the CAA's airspace change Citizen Space webpage to consult with stakeholders during the stage 3 consultation and consequently their approach was aligned with the requirements of CAP1616.	
B.2.2	What steps did the change sponsor take to encourage stakeholders to engage in the consultation?	
	<p>Targeted aviation stakeholders were sent an email prior to the consultation launch to inform them of its imminent commencement. This email included the consultation document and guidance on how to respond via the online portal.</p> <p>A link to the online portal was placed on the NATS Customer Affairs website (this website is used to exchange information between NATS and customer airlines). Follow up emails were sent to all targeted stakeholders, who had not submitted a consultation response, at the mid-point and on the final week of the consultation which included a link to the online consultation portal to prompt responses. It has not been possible to validate the sending of the emails referred to by the sponsor or the dates they were sent, as copy emails have not yet been provided.</p> <p>The sponsor's consultation strategy stated they would develop FAQ's based on common queries and upload these to the portal if responses contained requests for clarification.</p> <p>In their Document 3A Consultation Strategy, the sponsor stated that a link to the consultation would be placed on the NATS.aero website which is available to the public. The sponsor has not provided any evidence to demonstrate that this was done.</p>	
B.2.3	Was the change sponsor required to respond to any unexpected events and/or challenges?	YES
	<ol style="list-style-type: none"> 1. During the consultation, the MOD asked for clarification on statistics provided for Birmingham departures in the consultation document. The document was subsequently updated to accurately describe the data as being for all Birmingham departures, and additional data was provided solely for MOSUN departures. The sponsor has not provided any evidence to show that they informed all stakeholders that the consultation document had been updated. 2. Shortly before the production of document Step 3D Collate and Review Responses an error was found in the consultation material, which overstated the predicted fuel benefits for one of the high-level ATS routes. Their approach was agreed with the CAA and they identified the relevant key North American stakeholders (United Airlines, American, Air Canada and Delta), and contacted them directly to explain the situation. Updated benefit figures for the high-level ATS routes which would change slightly for network connectivity and sector flow purposes were provided. This additional feedback was summarised separately at paragraph 4.8 in document Step 3D Collate and Review responses. United 	

	<p>Airlines responded to this re-engagement.</p> <p>3. A slight inaccuracy in the charts in the consultation material showing Birmingham departure routes at low level were noticed. Further details, correction and clarifications were produced in document 4A Update Design</p>	
B.3	MATERIALS	
B.3.1	What materials were used by the change sponsor during the consultation?	
	<p>As documented above the change sponsor utilised the CAA's airspace change Citizen Space webpage to create an associated consultation page. The webpage provided an overview of SAIP AD5 clearly articulating the scope of the consultation by grouping the proposals into four distinct areas and provided supporting graphics.</p> <p>Respondents were also able to submit a postal response.</p> <p>The 35-page consultation document was embedded on the Portal and included the following sections:</p> <ul style="list-style-type: none"> - Introduction - About this consultation - Current airspace and usage - Proposed changes including rationale and justification - Benefits and impacts of this airspace change proposal - Consultation participation and next steps - Annex's – table of new waypoints and proposed ATS route diagrams <p>The consultation document was referred to as "Draft consultation document" v.1.1 approved 11.01.19 and published onto Citizen Space.</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 change sponsor clearly set out their rationale (reduce complexity in the West End sectors by providing streamlined procedures for optimal routing and flight planning options) for pursuing an airspace change proposal in their consultation document. The document also included a "Benefits and Impacts of this proposal" which provided associated narrative under the following headings:</p> <p>Capacity Noise and visual intrusion Fuel and CO2 Proposed route usage by traffic flow</p>	

B.4	LENGTH	
B.4.1	Please confirm the start/end dates and the duration of the consultation below	
	Start date: Thursday 31 January 2019 End date: Thursday 18 April 2019 Duration:11 weeks	
B.4.2	If duration was less than 12 weeks, what was the justification?	YES
	<p>The duration of the consultation was 11 weeks. Whilst the change sponsor acknowledged that 12-weeks is the accepted standard for formal consultation, they stated that such a period would push the ACP-timeline beyond the fixed/agreed target implementation date. The justification given was as follows:</p> <p>A period of 12 weeks would result in implementation beyond the target implementation date of 7 November 2019 (which fits in with the overall NATS change programme, including target AIP and AIRAC dates) and potentially impact on other projects.</p> <p>A period of 11 weeks would be sufficient due to the “significant stakeholder engagement activities” that had been undertaken prior to the formal consultation being launched and the “well-informed” stakeholders that were targeted.</p>	
B.4.3	Was the period of consultation proportionate?	YES
	The CAA considered at the Stage 3 gateway that an 11-week consultation (1-week less than the accepted standard) was entirely appropriate and proportionate for the scale and impact of the change. Audiences were responding from an informed position (based on all the engagement work undertaken to date).	
B.5	GENERAL	
B.5.1	Was the conduct of the consultation aligned with the consultation strategy?	PARTIALLY
	<p>For the most part, the delivery of the consultation was aligned with the consultation strategy. The stakeholder engaged with both “key” and “other” stakeholders identified during stages 1 and 2. NATs utilised the CAA’s airspace change Citizen Space webpage to create an associated consultation page and included text explaining why the sponsor was consulting, provided access to the consultation document and embedded airspace charts onto the webpage.</p> <p>The consultation strategy stated that links to the Airspace Change Portal will be placed on the NATS Customer Affairs website and the NATS.aero website, but the ‘Step 3D Collate and Review Responses’ document only references the Customer Affairs website.</p>	

	The consultation strategy set out that any FAQ's received during the consultation would be added to the online consultation portal to ensure all stakeholders could see them. It has not been possible to validate the provision of the FAQ's to stakeholders as no evidence has been provided to confirm that this was done.	
B.5.2	Has the change sponsor categorised the responses in accordance with CAP 1616?	YES
	Thirteen responses were received. The responses were categorised in accordance with the requirements of CAP 1616. The change sponsor adopted a "We asked, you said, we did" approach. Some comments had several different elements. The elements were categorised into two types: those which may lead to changes of the proposed design and those which do not. The sponsor identified 12 response "elements" from 6 stakeholders and determined that these had the potential to impact the final proposal. Responses and/or elements of responses from 8 stakeholders were captured as not having an impact on the final proposal.	
B.5.3	Has the change sponsor correctly identified all of the issues raised during the consultation?	YES
	The change sponsor has fairly and adequately identified all the key themes, issues and concerns raised by the consultees in their Step 3D Collate and Review Responses document (see Table 2).	
B.5.4	Does the consultation feedback report accurately capture all the issues raised during the consultation?	YES
	The change sponsor has fairly and adequately transposed relevant feedback from the consultees in their Step 3D Collate and Review Responses document (see Table 2).	
B.5.5	Does the consultation feedback report detail the change sponsor's response to the identified issues?	YES
	Of the 'elements' of feedback which the change sponsor determined may impact the final proposal, they simply state that they will " <i>progress this item to Step 4A for further consideration</i> " in their Step 3D Collate and Review Responses document (see Table 2). The change sponsor sets out their final response to this feedback in their Step 4A Update Design document (see Table 1).	
B.5.6	Is the change sponsor's response to the issues raised appropriate/adequate?	YES
	Of the 12 elements identified as having the potential to impact the final proposal, 8 have been either fully or partially (where compromises were appropriate) progressed whilst the remaining 4 were not progressed. The change sponsor has clearly articulated their rationale within their Step 4A Update Design document (see Table 1). For example, the concern was expressed that CAS does not get lowered below FL175 and FL 145 at some future date. This is being partially progressed and FL 145 is being removed from the proposal (element 6). For example, the MoD objected to airspace timings but would have no objection if it was adjusted by one hour (0900 local	

	instead of 1000 local). This is being progressed. For example, an anonymous individual did not see any justification in creating new CAS and suggested that pilots file flight plans in order to remain inside existing CAS if their concern was leaving CAS. This is not being progressed as the proposed CAS would be FUA and is being further reduced in both overall size and daily duration.	
B.5.7	Is the formal airspace change proposal aligned with the conclusions of the consultation feedback report?	YES
	The sponsor's step 4A document Update Design has been cross checked with their document 4B Airspace Change Proposal. The actions the sponsor states they will take in step 4A are adequately reflected in their formal airspace change submission.	
B.6	RECOMMENDATIONS/CONDITIONS/PIR DATA REQUIREMENTS	
B.6.1	Are there any Recommendations which the change sponsor <u>should try</u> to address either before or after implementation (if approved)? If yes, please list them below.	NO
	N/A	
B.6.2	Are there any Condition(s) which the change sponsor <u>must fulfil</u> either before or after implementation (if approved)? If yes, please list them below.	YES
	The MOD listed 12 caveats in their letter to NATS dated 4 April 2019 and were of the view that most of their caveats could be captured by a letter of agreement between the MOD and NAT's. Whilst we note that this is being addressed we will need to ensure that this is completed before implementation.	
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. If the implementation of this airspace change proposal affects air traffic below 7,000 feet, 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 proposal’s 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 post consultation modifications that were made to the airspace change proposal (see section B.5.6 above). • Presented the consultation material clearly and outlined the potential impacts that needed to be considered – evidenced by the Citizen Space consultation webpage which provided an overview of SAIP AD5, whilst clearly articulating the scope of the consultation by grouping the proposals into four distinct areas and providing supporting graphics. Also, evidenced by the 35-page consultation document which clearly set out the purpose/scope of the consultation, current airspace arrangements, the proposed changes and their benefits/impacts. • Provided a sufficient timeframe to allow considered responses – evidenced by the change sponsor applying the maximum amount of time possible (11-weeks – 1-week less than the accepted standard) for the consultation period in the circumstances. It is also worth noting that the change sponsor had undertaken significant stakeholder engagement activities prior to the formal consultation being launched and that targeted stakeholders were therefore well-informed. • Taken into account the product of the consultation – evidenced by the post consultation modifications that were made to the airspace change proposal (see section B.5.6 above). 		

PART D – Consultation Assessment Approval

	Name	Signature	Date
Consultation assessment completed by (Airspace Regulator – Communities & Coordination))	██████████	████████████████████	4 July 2019
Consultation assessment approved by (Manager Airspace Regulation)	██████████	████████████████████	2 August 2019

PART E – Head of Airspace, ATM and Aerodromes – Comment/Approval

Approved

Name	Signature	Date
[REDACTED] Head of Airspace, ATM and Aerodromes	[REDACTED]	6 August 2019