

## Response ID ANON-HVP3-66AB-G

Submitted to **Proposals for a revised airspace change process**

Submitted on **2016-03-31 17:27:34**

### About you

#### A What is your name?

**Name:**

John Stewart

#### B What is your email address?

**Email:**

johnstewart2@btconnect.com

#### C Where do you live?

South East

#### D Are you answering this consultation as:

Resident affected by aviation

#### E Are you affiliated with any organisation? If so, please enter the name of the organisation here:

**Please enter the name of the organisation in the text box:**

HACAN

Yes

#### F Is there anything else that you would like us to know about you regarding this consultation?

**Please enter any further details:**

#### G Do you consent for your response to be published?

Yes, with identifying information

## CHAPTER 4: How the CAA is considering revising the airspace change process

### 1 Will the new process gateways improve the airspace change process?

Yes

**Please give reasons for your answer.:**

They will make the process more transparent and will allow more engagement and involvement of stakeholders, particularly local communities and organisations representing them.

### Proposals for Stage 1

### 2 Should the sponsor engage local stakeholders to agree design principles for the airspace change?

Yes

**Please give reasons for your answer.:**

The earlier local stakeholders are engaged the better (even if they don't always end up agreeing the design principles).

### 3 What types of data would you find it useful for the sponsor to provide when engaging local stakeholders about design principles? How should this data be presented?

**Please enter your comments:**

As much information as is possible at this early stage of the impact on a range of stakeholders, including local communities. Critically, this should include the number of flights that could be expected over any particular community.

That information to be presented as clearly as possible in language the layperson understands.

**4 In addition to specific detail, what general background information would you find it useful for the sponsor to provide as context for its proposals?**

**Please enter your comments:**

What Government policy says

Why this change is proposed

How it fits into Government policy

**5 Overall, will Stage 1 improve the airspace change process?**

Yes

**Please give your reasons and any other views on Stage 1.:**

It is possible that common priorities could be agreed at this stage, which would be a significant base on which to build.

**Proposals for Stage 2**

**6 Will introducing the options appraisal we propose improve the airspace change process?**

Yes

Indicative

**Please provide your reasons:**

We'd be inclined to go for 'indicative' as it is probably too early to expect a full appraisal of options. But there is an important caveat to our choice: 'indicative' must include sufficient information for people to get a meaningful understanding of what the options entail.

**7 Overall, will Stage 2 improve the airspace change process?**

Yes

**Please give your reasons and any other views on Stage 2.:**

Options nearly always improve any process because 1. people don't become frustrated and angry that something is being forced upon them and 2. it forces the promoter to think through the scheme more thoroughly.

**Proposals for Stage 3**

**8 Would an independent third-party facilitator make a sponsor's consultation more effective?**

Yes

**If so, should a facilitator be a mandatory requirement for certain types of airspace change? Please give your reasons and any other views (including benefits and disbenefits) on facilitators.:**

We ticked 'yes' because we think that it should be an option. We are not convinced that the Oversight Committee is needed. (That is the sort of role IANA could play). But, the option of retaining the option of an independent facilitator should be retained. So, for example, if trust between the parties had not been established or was in danger of falling apart, an independent facilitator could play a useful role. In short, it should be mandatory to have one, but an option that is available.

**9 Should the CAA publish all consultation responses in full, except to moderate them for unacceptable content?**

Yes

**Please give reasons for your answer.:**

The more information published, in general the more transparent the process.

**10 Should the CAA publish airspace change consultation responses as they are submitted, rather than at the end of the consultation period?**

Don't know

**Please give reasons for your answer.:**

We don't have a strong view either way on this.

**11 Should consultation responses be made solely through the online portal?**

No

**Please give reasons for your answer.:**

The option of 'post' needs to remain to allow any consultation to be truly inclusive but the online portal should be encouraged.

**12 Do you think that the consultation process proposed in Stage 3 achieves the right balance between fairness, transparency and proportionality?**

Yes

**Please give reasons for your answer.:**

It looks good.

**13 Overall, will Stage 3 improve the airspace change process?**

Yes

**Please give your reasons and any other views on Stage 3.:**

The critical bullets in dealing with a number of the current failings are these:

who is affected by the change (audience map);

how they will be informed of the consultation (assessment of engagement requirements);

what opportunities they will have to engage and respond (channels used)

at which times (timetable of activity);

what steps will be taken to minimise the chances of the engagement strategy failing or to generate an appropriate level of engagement and response if the strategy does fall short of expectations (safeguards and further options)..

## **Proposals for Stage 4**

**14 Should sponsors be required to adhere to a standard template for their airspace change submissions?**

No

**Please give reasons for your answer.:**

They should be required to cover key common points in their submissions but we think a standard template would be too restrictive given the different sort of proposals that may be forthcoming.

**15 Is it reasonable for the CAA to publish a redacted version of the submission, with commercially sensitive details removed, as soon as we receive it, before we have assessed it and decided upon it?**

Yes

**Please give reasons for your answer.:**

This would be an important way for people to know what it is you are assessing.

**16 Overall, will Stage 4 improve the airspace change process?**

Yes

**Please give your reasons and any other views on Stage 4.:**

It increases transparency

## **Proposals for Stages 5 and 6 (including Public Evidence Session and Appeal discussions)**

**17 Will introduction of a new Public Evidence Session improve the airspace change process?**

Yes

**Please give reasons for your answer.:**

Important that the public have a give their views directly to CAA face-to-face. We suspect these sessions would work best with an independent facilitator and not to be too tightly prescribed beforehand (eg we would suggest avoid specifying the length of time people could speak; that could be left to each individual meeting).

**18 Is Step 5B (CAA decision) a clear and transparent way of making an airspace change decision?**

Yes

**Please give reasons for your answer:**

Yes, but it should be reviewed every 2 years to ensure that it is working.

**19 Overall, will Stage 5 improve the airspace change process?**

Yes

**Please give your reasons and any other views on Stage 5.:**

Yes but probably as long as no proposals involving changes below 7,000 ft are put in the Level 2 category. There may also be a case for some changes above

7,000 ft being considered Level 1.

**20 What are your views on our proposal not to introduce an appeal against process irregularities into the airspace change process?**

**Please enter your comments below.:**

This is not an easy one. It would not be practicable, as you say, for another body to go through all the detail to see if you made the correct decision. On the other hand, the legal route is too expensive for many organisation for it to be practical option. We suggest that the Independent Noise Authority might have a role here; a group could have the right to ask the Authority to look at whether the process was fair.

**Proposals for Stage 7 (including Oversight Committee discussion)**

**21 What types of data would you find it useful for the sponsor to provide, and in what form, when seeking feedback for its post-implementation review?**

**Please enter your comments below.:**

We think it is not just whether the change is working as planned and proposed but also to look at its impacts on the local community. If these impacts appear unacceptable/were not intended or predicted, then the CAA needs to require the change to be amended or, if necessary, dropped.

**22 Overall, will Stage 7 improve the airspace change process?**

Yes

**Please give your reasons and any other views on Stage 7.:**

But only if Stage 7 includes what we said in answer to question 21: a mechanism to test out the real-life impact of the changes.

**23 Overall, will the airspace change process proposed in Chapter 4 achieve the right balance between fairness, transparency and proportionality?**

Yes

**Please give reasons for your answer.:**

It looks as if they will.

**24 Should the CAA set up an Oversight Committee?**

No

**Please enter your comments:**

We are not sure what it adds to the process, particularly when an Independent Noise Authority has been established.

**Summary of guidance for the proposed process**

**25 Are there any other areas where the CAA should provide guidance?**

Don't know

**Please give reasons for your answer:**

**CHAPTER 5: Scaling the airspace change process**

**26 Does Table 5.1 give sufficient clarity and detail of how the process will be scaled?**

Don't know

**Please give reasons for your answer:**

**27 Do you have (i) any views on the way the Levels are categorised in Table 5.1, (ii) alternative suggestions as to how we might categorise different airspace changes, or (iii) other views about the proposed scaling of the process generally?**

**Please enter your comments below.:**

As we said in response to an earlier question, we feel that all proposals involving a change below 7,000ft should be in Level 1 and that there might be some changes above 7,000 ft that should be Level 1.

**28 Do you agree that the number of airspace change proposals put forward to the CAA is likely to increase in the future?**

Yes

**Please give reasons for your answer:**

**CHAPTER 6: CAA duties when carrying out our airspace functions under section 70 of the Transport Act 2000**

**29 Do you have any views about the CAA's interpretation of section 70 of the Transport Act 2000, as set out in Chapter 6?**

**Please enter your comments below.:**

No comments.

## **CHAPTER 7: CAA cost recovery for administering the airspace change process**

**30 Do you have a preference for either of the long-term options for recovering the CAA's airspace change costs that are set out in Chapter 7? Please give your reasons and any other views on how the CAA recovers its airspace change costs.**

Don't know

**Please enter your comments:**

**31 In the short term the CAA will still have to set up a new statutory charge. On which entity would it be most appropriate to levy this charge? Please give your reasons.**

Don't know

**Please enter your comments:**

## **CHAPTER 8: Transition to a new process**

**32 Are our proposed transition arrangements between the old process and the new process reasonable?**

Yes

**Please provide any further comments or evidence that would inform our proposed transition arrangements.:**

You might want to discourage, as far as is possible, new proposals for change being developed until the new process is in place.

## **CHAPTER 9: Next steps**

**33 Are our timescales for introducing the new process reasonable?**

Yes

**Please give reasons for your answer:**

The soonest you can practically introduce it, the better.

## **Appendix B: A portal for airspace change proposals**

**34 Do you agree with the concept of an online portal?**

Yes

**Please give reasons for your answer.:**

**35 Should the online portal contain any functionality beyond what we describe or documentation other than that shown in Table B1?**

**Please enter your comments below.:**

**36 What are your views on locating the sponsor's consultation on a CAA portal where the sponsor administers the documentation and responses?**

**Please enter your comments below.:**

**37 Is it essential that the online portal is a single website or could different websites (CAA, sponsor, consultation portal) be used for different aspects of the process?**

Not Answered

**Please give reasons for your answer.:**

**38 Do you have any views on the CAA's analysis of the three options for an online portal, bearing in mind that the CAA will need to recover its costs through charges on those it regulates?**

Not Answered

**Please give reasons for your answer.:**

## **Appendix D: The impact of the CAA's proposals**

**39 Is our assessment of the effects of the new process in Table D1 reasonable?**

Don't know

**Please enter your comments:**

**40 We are interested in your views on the additional costs in terms of time and resources that the proposed process will create for all parties. We are particularly interested in estimates of the monetary costs and benefits to sponsors of previous airspace changes and how these would have been affected by the CAA's proposed new process.**

**Please enter your comments below.:**