

Strategic Aviation Special Interest Group (SASIG)

Response to the CAA Consultation on the Airspace Change process

Introduction

1. SASIG is the Strategic Aviation Special Interest Group of the Local Government Association and currently represents 35 local authorities across England; all types of authority - from rural district and county councils to urban metropolitan boroughs and unitary authorities – are involved. SASIG's remit is to provide networking and knowledge sharing opportunities for those working in local authorities whose responsibilities include interface with the aviation sector, and where appropriate to initiate engagement with key policy makers whose decision impact on the sector or respond collectively to formal consultations published by Government parties or their agencies. This consultation on the airspace change process is one such example where SASIG wishes to submit a collective response in addition to the individual responses being made by each of our members.
2. As an over-arching representative body, our focus is naturally on high level generic policy of common interest to all our members, rather than on detailed aspects or issues associated with that policy that may affect individual members differentially. Our response has been circumscribed in this way, and consequently focuses only on those matters in the consultation we believe merit a collective view. It also means we have adopted a free-standing written response as our primary means of replying to the consultation and the online response has been used solely to register our interest and direct you to this response.

Concerns About this Consultation Process and Response Handling

3. Whilst we welcome the opportunity to respond to what is an important and extremely detailed consultation, and are grateful for the time that two members of the CAA's team spent discussing the consultation process and issues with our Environment Airspace and Planning Technical Working Group, we do feel we need to register briefly at the outset our concerns about the way the consultation has been structured and organised.
4. For complex multi-headed organisations, having a single "Survey Monkey" style portal does not make it easy to co-ordinate a collective corporate view and secure the necessary approvals to allow submissions. The facility provided may be efficient for the CAA and suit small organisations or individuals, but there should have been a facility to allow more generic contributions such as this one to be made.

5. The concern we expressed when the TWG met the CAA's representatives about what exactly happens to written textual, as opposed to tick box, responses remains; indeed, if anything it is considered even more justified. The defensiveness shown by one of the CAA representatives at the meeting suggests we were probing in a sensitive area; notably, how our views will be played back to key policy advisors and decision-makers. The insistence on conforming to the online platform structures and the tick box nature of how written contributions are converted into a form that fits that pre-determined form of output, both sit uncomfortably in such a complex policy environment where concepts cannot always be captured by ticking a box. This leaves major question marks in our minds as to whether it is finding the optimum policy and procedures for airspace change that is driving this consultation, rather than the desire to impose a convenient and automated process for generating analysis of consultation responses. Old-fashioned civil service skills such as objective scrutiny, careful evaluation and balanced informed briefing have their value too!
6. It is for this reason that we have submitted this response in conventional form as well as responding electronically in so far as the format on the online platform allows us to do. It should be noted that without exception all members of the Chairman's Advisory Group of SASIG endorsed these views.

SASIG's Position on the Airspace Change Process

7. SASIG's generic concerns about the current airspace change process can be summarised briefly as follows:
 - a. In order to ensure that airspace change proposals are devoid of frippery and naked commercial self-interest, existing air space arrangements should only be subject to change if they are demonstrably unsatisfactory, or if alternative arrangements have been identified that are capable of producing substantially better outcomes for many stakeholder interests and consequently have wide ranging support both industry and local stakeholder communities, amounting to a clear prima facie case for change, before such a process can be initiated.
 - b. Examples might include - significant disturbance to certain populations or sensitive receptors that could be substantially ameliorated; or air space structures and procedures are a key bottleneck preventing airport expansion for which planning approval has already been received. We accept that safety driven changes may need to be expedited and driven by those with relevant expertise.
 - c. The constraints that the airspace change is seeking to address should be clearly defined at the outset, and ideally some form of stakeholder consensus (and this must be demonstrably wider than purely industry interests) is built around the objectives the proposal is seeking to achieve.

- d. Equally environmental constraints ‘on the ground’ (i.e. significant or particularly sensitive receptors – schools, hospitals, built up areas, areas of tranquillity), that need to be respected by any change proposals need to be mapped properly and agreed with stakeholders in advance of any design work, in the same way that safety (aircraft performance, segregation from other users, obstacles, bird strike risk) and operational desiderata (continuous descent, early turns, reduced stacking and delays) are pre-defined.
 - e. We would like to see the flight level at which CO2 reduction is given priority over other environmental considerations (i.e. principally noise and air quality metrics) raised either across the board from 7,000 ft to 8,000 ft, or differentially where this can give flexibility to the way in which other constraints are handled in the design process.
 - f. Air space change sponsors must be required to work much more closely with local communities and their representatives before any formal proposal is submitted, and be able to demonstrate this, as in the Development Consent Order process, before the CAA formally accept a proposal for initial consideration (i.e. the first gateway).
 - g. Transparency throughout the process is essential – it should be possible for all stakeholders to see and comment upon all the evidence submitted by sponsors and other consultees at all stages of the process. The proposed use of an online portal similar to that employed by the planning inspectorate, is prospectively a major step-forward in this regard. Just as important will be to make visible the advice put to decision-makers and their explanation of the way in which they weighed-up the evidence in coming to their conclusions.
8. Much of what the CAA is now proposing addresses these fundamental principles. In particular, the gateway concept gives what is a complicated process a welcome clarity of structure. We also welcome the fact the CAA is willing to take a more ‘hands on’ approach, looking at everything in detail before enabling the next step to be made. This adds a measure of independent integrity, although the absence of an ‘Oversight Committee’ or independent ombudsman will inevitably leave lingering doubts over complete objectivity given the source of CAA’s funding and its heavy top to toe and day to day engagement with the industry.
9. We recognise the CAA’s arguments against this, but do not necessarily agree with them. This is a case of resources being made available to ensure all parties have access to the right technical expertise. Where such provisions have been made, as in the case of large infrastructure projects, the process has run much more smoothly, than where there has not – the CTRL and Crossrail projects are good examples. Reliance on court procedures and the technical determinations of Judicial Review is a far less satisfactory procedure and one that could build time into the change process.

10. Points (b) and (c) amongst our core concerns are aimed squarely at our principle objective of ensuring there is more work undertaken during the community engagement process to draw-up common principles that both sponsors and wider stakeholders support. This seems to have some resonance with what the CAA is proposing.
11. But perhaps our biggest outstanding concern is the issue of the boundary between CAA and DfT responsibilities. Theoretically and simplistically, the CAA airspace change process could only grant approvals where the proposal conforms to Government policy. But we are far from certain that will always be clear and sponsors, consultees and decision-makers would all benefit substantially from greater clarity about the policy principles they are working to, as well as having a better orchestrated change application and decision-making procedure. With the tearing up of the 2003 White Paper and its replacement with the less than satisfactory 2013 Airport Policy Framework, the policy principles, the way in which they are tiered and the boundary between policy-making and procedural decision-making became much more difficult to recognise.

Conclusions

12. Despite our reservations, it is clear to us that CAA are taking seriously the objective of making controversial airspace change decisions more structured, transparent, inclusive and objective. We welcome much of what is proposed with the caveats we have attached above. Ultimately, of course, the industry's desire for this process to be de-politicised cannot happen. Trading environmental impacts against operational efficiency is inevitably a difficult and ultimately political process. This puts the onus firmly on Government to substantially improve the policy framework decisions are taken within; procedural enhancements alone cannot overcome the current shortfall in that regard.

SASIG
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