

Response ID ANON-HVP3-66K4-C

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

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About you

A What is your name?

Name:

Sarah Cousins

B What is your email address?

Email:

info@stopstanstedexpansion.com

C Where do you live?

East of England

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:

Stop Stansted Expansion (SSE)

Yes

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

Please enter any further details:

Stop Stansted Expansion ('SSE') was established in 2002 in response to Government proposals for major expansion at Stansted Airport. We have some 7,500 members and registered online supporters including 150 parish and town councils and local residents' groups and national and local environmental organisations. Our objective is to contain the development of Stansted Airport within tight limits that are truly sustainable and, in this way, to protect the quality of life of residents over wide areas of Cambridgeshire, Essex, Hertfordshire and Suffolk, to preserve our heritage and to protect the natural environment.

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.:

The increased community involvement in the proposed new process is welcomed. It should lead to a better understanding of the reasons for an airspace change, for step by step checks that the process is being correctly followed and for greater clarity on the justification for a chosen solution. But the process must provide clear and quantitative evidence that supports a proposed airspace change. In the recent NATS Stansted departure route change, the benefit of reduced delay was merely an assertion in all the documents published. Nowhere in the NATS proposal or the CAA's decision were any figures given to support this claim or how it was weighted against the increase of the number of people annoyed. This is a good example of a fault of the current process leading to the lack of trust by local communities.

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.:

It is essential for local communities affected by the change to be engaged in the process to agree 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:

The need for the change must be clearly specified and design principles given in quantitative terms. The type of data needed is:

- Policy guidance
- Environmental principles and guidance
- Trade-off and weighting factors

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:

Links with previous airspace changes and those changes likely in the future would be useful as context.

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

Yes

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

No comment.

Proposals for Stage 2

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

Yes

Full

Please provide your reasons:

The appraisal should be as 'full' as possible. The principle should be to provide as much relevant information as possible as early as possible.

Noise assessment must make use of a suite of appropriate noise metrics which include numbers of movements, levels of each aircraft noise event and background noise levels. The 57dB LAeq contour, based as it is on out-of-date surveys in the early 1980's, is wholly inappropriate as the sole measure of the onset of significant community annoyance

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

Yes

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

It should include:

- a baseline case of 'do nothing'
- quantitative figures to support the claimed benefits and impacts
- weighting methods
- monetisation

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.:

One major fault of the current process is the lack of trust between local communities and the aviation industry, NATS and the CAA. If the proposed new process can fully repair this fault and become more open and transparent, it is possible that an independent third party facilitator might not be necessary for small airspace changes. However for significant airspace changes, based on the perceived performance of the sponsor and CAA in recent consultations, there is clearly a requirement for an independent third party to act as a neutral facilitator and to moderate interaction with local communities.

Furthermore, SSE is very concerned that the possibility of removing the Secretary of State's role in airspace changes is being informally consulted upon. SSE believes it essential that some form of democratic control over airspace changes through the Secretary of State is retained. Additionally CAA is proposing not to implement the Helios recommendation for an appeal function. If either the Secretary of State's role were to be removed or an appeal function not introduced – both of which SSE would oppose - then an independent third party facilitator should be a mandatory requirement.

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

Yes

Please give reasons for your answer.:

This would be in line with standard practice and improves transparency.

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

Yes

Please give reasons for your answer.:

Full responses as they are submitted is the better method since it is more transparent and timely.

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

No

Please give reasons for your answer.:

Not everyone in local communities has access to or uses a computer.

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.:

No comment.

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

Yes

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

It should provide better community engagement. The use of FAQs is welcomed.

Proposals for Stage 4

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

Don't know

Please give reasons for your answer.:

Might be appropriate but clearly depends on the scale of the change.

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.:

A major contributor to the lack of trust of NATS and the CAA within local Stansted communities was the consistent refusal of CAA to publish the NATS airspace change proposal for the Stansted departure route change, coupled with the subsequent ICO decision on appeal, in advance of the CAA final decision.

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

Yes

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

No comment.

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.:

This is common practice for planning applications and would be an important improvement in the process for local communities affected by the environmental impacts.

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

Yes

Please give reasons for your answer:

Provided CAA publishes full information.

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

Yes

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

The proposed Public Evidence Session is particularly welcomed.

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.:

SSE's view is that the lack of an appeal function would be perceived as the CAA acting as both judge and jury and providing no avenue for local communities to seek legal recourse other than the extremely expensive route of Judicial Review. This is contrary to natural justice and the institution of an appeal process is necessary. Additionally it could avoid the added burden of a third-party facilitator.

See also our comments under Question 8.

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.:

Quantitative data on the key objectives of the change including:

- Improvements in efficiency/reductions in delay
- Reductions in noise
- Reductions in emission/improvements in air quality

It is SSE's experience that airspace changes result in both 'winners' and 'losers' for environmental issues, most particularly for noise impacts in local communities. It will be important that 'losers' are properly engaged in the post-implementation review to ensure that their interests are fully protected with mitigation measures subsequently put in place through modifications to the design.

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

Yes

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

Provided local communities have sufficient engagement in revisions made to a proposal. See also the comments made above.

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.:

However, the degree of involvement of the local communities is not clear in the proposed Post Implementation Review (PIR) phase. SSE wishes to see sufficient engagement such that local communities are adequately protected in any significant subsequent modifications. See also the comments made above.

24 Should the CAA set up an Oversight Committee?

Yes

Please enter your comments:

It would also help overcome the lack of trust in the current process. Additionally, an Independent Aviation Noise Authority, as proposed by the Airports Commission, would greatly assist the airspace change process by having a role in an Oversight Committee

Summary of guidance for the proposed process

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

Yes

Please give reasons for your answer:

Clearly defined weighting methods and how options are differentiated and compared. It will be important that the right balance is taken in the decision making with robust quantitative evidence in which local communities can have trust.

CHAPTER 5: Scaling the airspace change process

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

Yes

Please give reasons for your answer:

No comment.

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.:

It should be remembered that the altitude based priorities use heights above average mean sea level (amsl) and in general communities will be living under aircraft flying over them at lower heights than amsl. Therefore extra consideration must be given for communities on higher ground.

Furthermore the principle should be that no flight paths should be changed if it places an unbearable noise burden over communities previously not overflown.

Background noise levels must be included in any assessment of noise nuisance.

The introduction of performance based navigation has resulted in more accurate and consistent flight paths with the resultant effect of concentration. The effects of concentration over local community neighbourhoods must be clearly specified. SSE believes that insufficient dose/response surveys, research and noise modelling has been undertaken into the effect of concentrated flight paths. This has led to a lack of evidence for public attitudes to aircraft noise under concentrated routes. Where concentration is a result of any proposed airspace change, including for flight levels above 7,000ft amsl, there must be a clear mitigation strategy either for respite or dispersion.

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

Don't know

Please give reasons for your answer:

If further airspace change proposals are put forward to the CAA, the principle should be that the long term stability of routes is key to facilitate land planning and protect local communities from environmental harms. Flightpaths should not be changed unless there are clear and compelling local environmental benefits

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.:

SSE is very keen to see the Aviation Policy Framework (APF) revisions being consulted upon in the near future to bear down on the environmental harms caused by aircraft operations. SSE will campaign vigorously to ensure that the revised APF and associated DfT Guidance to the Civil Aviation Authority on Environmental Objectives has more protection for local communities than just "to take account of the interests". SSE maintains that environmental impacts should have equal consideration and appropriate weighting as the CAA's objectives for airspace change of securing "the most efficient use of the airspace" and to "satisfy the requirements of airspace users".

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.

No preference

Please enter your comments:

No comment.

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:

No comment other than the principle of the "polluter pays".

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.:

No comment.

CHAPTER 9: Next steps

33 Are our timescales for introducing the new process reasonable?

Yes

Please give reasons for your answer:

No comment.

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.:

No comment.

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.:

It should include weighting criteria and methods for design options and appraisal.

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.:

The use of the CAA portal has merit.

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?

Yes

Please give reasons for your answer.:

SSE's experience of the airspace change process is that it is a very complex and technically based procedure and not easy for the general public to understand. SSE always provides its own guidance to local residents and councils as well as presentations based on an airspace change proposal to help explain the changes and the likely impacts relevant to each particular location. Any steps that help this activity would be welcomed. It is thought that a single website could help simplify this task.

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?

Yes

Please give reasons for your answer.:

Clearly the bespoke option which incorporates all the requirements that CAA has decided to implement from the Helios report is the optimum way forward. It would also be easier in the longer term to be updated as new features are needed arising from future developments, for example the Government's review of airspace policy.

Appendix D: The impact of the CAA's proposals

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

Yes

Please enter your comments:

The effect on SSE is likely to increase the work load but at the same time greatly improve our ability to advise and inform local communities and councils on change proposals as well as welcoming the much higher degree of community involvement in the process.

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.:

See answer to Question 39 above.