

# Changes to the air navigation directions and air navigation guidance

## Your information

Q1. What is your name?

Charles Lloyd

Q2. What is your email address?

charleslloyd2015@hotmail.com

Q3. Are you responding on behalf of an organisation?

Yes

## Organisation details

Q4. What is your organisation's name?

Gatwick Area Conservation Campaign

Q5. What best describes your type of organisation?

**Another type of organisation:**

Community noise and environment group

## Mitigation to the new guidance and implications for airspace change proposals (ACPs) in progress

Q8. Do you agree or disagree with the approach set out in the quoted paragraphs about how the ANG might apply to airspace change proposals (ACPs) that are already underway?

Disagree

## Disagree with proposals

Q9. Why?

We agree that existing ACPs that have completed the Stage 2 gateway under the CAA's CAP1616 process should continue applying the guidance set out in ANG 2017.

For the reasons set out later in our response we do not agree that other ACPs, including any sponsored by UKADS, should apply the proposed ANG 2026 guidance.

## Other issues

Q10. What, if any, other issues in relation to the migration to the new process do you think we should consider?

See our responses to other questions.

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## Strategic prioritisation

Q11. Do you agree or disagree with the proposal to set out the airspace design priorities in order to give clarity on:

	Agree	Agree with conditions	Disagree	Don't know
<b>the prioritisation of efficiency carbon impacts</b>			X	
<b>minimising carbon impacts</b>			X	
<b>minimising noise impacts</b>			X	

### Explain your views.

We disagree with this proposal in the strongest possible terms.

We do not agree that the current altitude priority guidance is confusing or unspecific as the consultation asserts or that it necessarily leads to additional or wasted modelling work. If there is any confusion, which we do not acknowledge, it should be addressed by making the priority to reduce noise up to 7,000 feet with the priority above that level being to reduce carbon emissions per flight. It is precisely in the 4,000 - 7,000 ft altitude band that different flight path options can have the most benefit or disbenefit for communities; removing noise as a consideration at these altitudes is precisely the wrong policy and would be likely to have significant harmful effects for communities under flight paths.

We note that the government has not provided any evidence that amending the altitude priorities in the way proposed would reduce emissions in a material, or indeed any, way. We do not believe it is appropriate or responsible for the government to bring forward proposals that would have material adverse impacts on communities without clear evidence that different policies would have a significant beneficial effect; this is the opposite of evidence based policy making.

The effect of these proposals, if implemented, would be to deprive community stakeholders of any meaningful voice in individual airspace change processes. The consultation explains that most flightpaths are fixed up to /below 4,000ft and proposes that above that level noise would not be a priority, meaning it could be disregarded by UKADS or local sponsors. Virtually nothing that communities could say would therefore have an impact on change proposals. Whilst there might still be engagement and consultation it would in almost all cases be pointless and performative. The programme would explicitly be delivered by the industry, for the industry with no reference to or account of community preferences.

Q12. Do you agree or disagree that minimising:

	Agree	Disagree	Don't know
<b>noise impacts should be prioritised below 4,000 feet (ft)</b>	X		
<b>efficiency, minimising carbon on a per flight basis, should be prioritised at 4,000 ft and above</b>		X	

### If 'disagree' explain why (including your alternative height)?

See our answer to question 9.

## Strategic priorities: other factors

Q13. What, if any, other factors do you think should be considered as part of the strategic priorities and why?

We strongly disagree with the Airspace Design Priorities proposal that "Within the possibilities remaining after prioritising 1 and 2, minimise change to the areas where aircraft noise is currently experienced from aircraft below 4,000 ft.". This would effectively mandate that all aircraft noise would be imposed on communities that currently suffer it irrespective of the amount of growth that occurs or changes in the fleet mix, without any consideration of the health, mental health, economic and other impacts on those people. This would be highly irresponsible and flies in the face of community preferences in many areas.

The priorities should mandate that there must be full compensation for people whose properties are devalued by new or more intensive flight paths. Without compensation people whose properties are impacted would be uniquely discriminated against, in a way that does not happen in any other

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infrastructure sector.

We do not agree with the assertion in the consultation that ACPs and airspace design do not determine the number of flights. At any airport which does not have an effective ATM cap an airspace change could increase the number of flights without proper scrutiny. The directions and guidance therefore need to ensure that any increase in capacity enabled by an ACP is properly and thoroughly scrutinised. We therefore specifically disagree with the proposal that "Where the relevant planning decision places no cap on the number of aircraft movement, the airspace design must enable the safe maximum number of movements, having regard to the demand for air transport, from the runway". This absolute prioritisation of capacity over noise and other environmental impacts in the absence of an effective ATM cap is wholly inappropriate.

We also disagree with the proposal that "Where a planning decision is outstanding, the CAA may use its judgement to allow an airspace design to assume the maximum level of capacity of the planning application". Assuming maximum capacity may eliminate flight path options that are beneficial for communities and the CAA should not be permitted to anticipate planning decisions in this way.

## Environmental

Q14. Have you undertaken a specific environmental assessment required by non-aviation specific legislation, in relation to an airspace change?

No

## Noise Preferential Routes (NPRs)

Q23. Do you think that NPRs are an effective measure of noise control, taking into account the modern navigational capacities of aircraft?

No

## Disagree with NPRs

Q24. Why not?

NPRs have not always been an effective measure of noise control because the government has not taken its responsibility for keeping them up to date and enforcing them seriously.

The suggestion that Government-managed NPRs are "a barrier to the redesign of airspace ..." is clearly nonsense. DfT has long wanted to shed its responsibility for departure routes and using its own ineffectiveness as a pretext for doing so is feeble. Replacing NPRs with an ineffective airspace change process in which community stakeholders have been deprived of a meaningful voice (as a result of changes proposed in the CAA's CAP 1616 consultation and elsewhere in this consultation) would be the wrong thing to do. Either the airspace change process and the air navigation guidance should be strengthened to ensure community views are taken seriously or NPRs should be retained and the processes for updating and enforcing them strengthened.

## NPR at designated airport

Q25. Are you currently affected by an NPR at a designated airport?

Yes with a positive effect

## Effectiveness of NPR at airport

**Q26. What comments, if any, do you have about the effectiveness of the existing NPR?**

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**De-notifying NPRs**

**Q27. Do you agree or disagree with our proposal to de-notify the NPRs?**

Disagree

**De-notifying NPR reasoning**

**Q29. Why?**

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**Track-keeping information**

**Q30. Do you agree or disagree that airports should be required to publish track-keeping information?**

Agree subject to additional conditions

**Track-keeping information conditions**

**Q31. Which conditions?**

There should be an effective mechanism to sanction poor track keeping and to compensate people impacted by it.

**Tracking-keeping information reasoning**

**Q32. Why?**

Information provision without an ability to enforce compliance and to require the industry to bear the costs of non-compliance is pointless.

**New users**

Q33. Do you agree or disagree with the proposal to extend the permitted duration of airspace trials to 3 years?

Disagree

### **Disagree with extending permitted duration**

Q34. Why not?

There must be provision to halt trials rapidly if they have material community impacts. A standard trial length of three years would remove this possibility. Monitoring and reporting of noise complaints during a trial or temporary airspace change does not provide adequate protection for communities.

### **Permitted duration of temporary changes**

Q35. Do you agree or disagree with the proposal to extend the permitted duration of temporary changes to airspace structures for up to 180 days?

Disagree

### **Disagree with permitted duration of temporary changes**

Q36. Why not?

See our answer to question 23.

### **Other permitted duration factors**

Q37. In your view what other factors, if any, should be considered when deciding on extending the permitted durations of routine airspace trials and temporary structures?

There must be provision to terminate trails that have material community impacts.

### **Disregard environmental impact assessments**

Q38. Do you agree or disagree with our proposal to give the CAA the flexibility to disregard the impacts on the environment when considering ACPs for an airspace trial?

Disagree

### **Disagree with disregard environmental impacts**

Q39. Why not?

We do not believe that the environmental and community effects of any airspace change or trial should be disregarded. These effects can be material to communities and the environment and the effects should always be considered by both the change proposer and the CAA. This becomes evermore important if the duration of trials and temporary changes is to be extended as proposed. There must be arrangements for UAS trials and temporary changes to be stopped if they have material impacts.

### **Engagement and decision making in the airspace design process**

Q40. Conceptually do you agree or disagree that the Secretary of State should retain the ability to 'call in' an airspace change?

Agree

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### 'Call in' criteria

Q42. Do you agree or disagree with the criteria proposed for the Secretary of State to call in an airspace change?

Disagree

### Altered criteria

Q43. What, if anything, do you think should be different in the criteria including why?

This question can only be answered once a definition of "strategically important" is provided.

### 'Call in' time limits

Q44. Do you agree or disagree with the proposal to create time limits in relation to requests to call in an airspace change?

Agree

### CAA flexibility

Q46. Do you agree or disagree with our proposal to provide greater flexibility to the CAA and airspace change sponsors on how to best consider locally appropriate flight designs which offer respite?

Disagree

### CAA flexibility reasoning

Q47. Why?

We strongly disagree with this proposal and the reasoning supporting it.

First, we do not agree with the assertion in the consultation that "The ANG 2017 generally encourages airspace design that concentrates aircraft tracks in single routes, rather than dispersing them over multiple routes". There is no such reference in the ANG 2017. Rather it says that "decisions on how aircraft noise is best shared should be informed by local circumstances and consideration of the different options that are deemed to be practicable. This consideration should include the pros and cons of concentrating traffic on single routes which normally reduce the number of people overflown, versus the use of multiple routes which can potentially provide relief or respite from noise but increase the number of people overflown overall" and "This means there will be situations when multiple routes, that expose more people overall to noise but to a lesser extent, may be better from a noise perspective."

We do not agree that "the decision to design airspace with either single or multiple flight routes should be guided by the operational characteristics of airports and individual flight patterns". It is remarkable that the decision criteria set out in the consultation (i.e. essentially that the choice between single or multiple flight path options should be driven by the operational needs of the airport) make no reference whatsoever to the severity of community noise impacts.

For the reasons given in our answer to question 11 we also do not agree that airspace designs developed and proposed by a sponsor should align with the Airspace Design Priorities in the ANG. The Design Priorities would effectively mandate that all aircraft noise would be imposed on communities that currently suffer it irrespective of the amount of growth that occurs or changes in the fleet mix, without any consideration of the health, mental health, economic and other impacts on those people. This would be highly irresponsible and flies in the face of community preferences in many areas.

Q47. Why?

## Consultation process and use of 3rd parties

Q48. What, if any, are your views on the proposal to allow the use of organisations, such as local authorities, as a conduit for the consultation process on behalf of an airspace change sponsor?

This proposal is unclear and we are therefore unable to respond to fully.

We would strongly disagree with any change which enabled change sponsors, including UKADS, to delegate their engagement and consultation responsibilities to third parties. We would also strongly disagree with any change which enabled change sponsors to exclude some categories of stakeholder, such as local community groups, from their engagement and consultation processes. We suspect that is the government's intention.

We support the statement that "The Government also believes that consultation by a sponsor with those affected by an airspace change remains essential" and consider that can only be achieved by direct contact between sponsors and all stakeholders on an equal and non-discriminatory basis.

Q49. Do you agree or disagree with our proposed guidance on engaging and consulting with local communities and others affected by a potential airspace change?

Disagree

## Engaging and consulting reasoning

Q50. Why?

We are not able to comment on this because no coherent guidance on engaging and consulting with local communities and others affected by a potential airspace change has been provided.

## Further opportunities for change

Q51. What, if any, other issues do you think we should consider for the revised ANG and why?

**Comment:**

The ANG should mandate full compensation for loss of property value and other harms to people impacted by airspace changes.

## Options Assessment

Q52. Have you ever undertaken an airspace change?

No

## Final comments

Q64. What, if any, other general comments do you wish to share?

We note that the consultation asks a series of questions about the costs to sponsors of implementing airspace changes but asks no questions about the costs to communities of intensified or new flight paths. This appears to be a very one-sided approach to policy making. The government should take all possible steps to establish community costs from intensified flight paths and ensure they are factored into airspace change option appraisals and assessments.

We also note that the consultation asks for information on the estimated fuel saving of flying a CO2 emissions optimised route compared to a balanced or noise optimised route? It therefore appears that the

**Q64. What, if any, other general comments do you wish to share?**

government has proposed changes in the altitude priorities without any evidence that this would lead to material, or any, emissions savings. This is the opposite of evidence-based policy making.