

# GENERAL AVIATION ALLIANCE

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Partnership in Aviation

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## **DFT CONSULTATION ON REFORMING POLICY ON THE DESIGN AND USE OF UK AIRSPACE - RESPONSE BY THE GENERAL AVIATION ALLIANCE (GAA)**

### **1. The General Aviation Alliance**

The General Aviation Alliance (GAA) is a group of organisations representing the interests of many in the UK General Aviation (GA) industry. It was formed in 2004 to address the need for co-ordinated response to UK regulatory issues.

Members of the GAA include; British Balloon and Airship Club (BBAC); British Gliding Association (BGA); British Hang Gliding and Paragliding Association (BHPA); British Microlight Aircraft Association (BMAA); British Parachute Association (BPA); Helicopter Club of Great Britain (HCGB); Light Aircraft Association (LAA); PPL/IR Europe – European Association of Instrument Rated Private Pilots; Royal Aero Club of the United Kingdom (RAeC). The GAA coordinates about 72,000 subscription paying members of these bodies.

### **2. Our Comments**

The consultation document has an all-encompassing title, but its content is overwhelmingly Commercial Air Transport (CAT) and noise centric with no apparent recognition of either the General Aviation (GA) economic contribution or GA needs. Whether this disparity is just a reflection of an overly ambitious title, or is in fact a reflection of Dft or CAA seeing GA as an irrelevance, is for us a critical point.

The Department of Transport General Aviation Strategy March 2015 is at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/417334/General\\_Aviation\\_Strategy.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/417334/General_Aviation_Strategy.pdf). GAA written evidence to the select committee all party enquiry on airspace management and modernisation, which we believe is highly relevant to this policy consultation, is at <http://www.parliament.uk/business/committees/committees-a-z/commons-select/transport-committee/inquiries/parliament-2015/inquiry1/publications/>

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*British Gliding Association  
British Hang Gliding and Para gliding Association  
British Microlight Aircraft Association  
British Parachute Association*

*Royal Aero Club of the United Kingdom  
Helicopter Club of Great Britain  
Light Aircraft Association  
PPL IR Europe*

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GA in all its forms is critically dependent on access to airspace, and in reading this document which describes itself as “A framework for balanced decisions on the design and use of airspace” we would expect to find at least some reference to GA.

Below we have reproduced *excerpts* from relevant sections of the consultation document and commented on each;

### **Ministerial Foreword**

*“It is my belief that airspace modernisation is overdue. By taking steps now to future-proof this vital infrastructure, we can harness the latest technology to make airspace more efficient, reducing the need for stacking, making journeys faster and more environmentally friendly.”*

GAA Comment;

We agree wholeheartedly and point out that GA plays an important supply and economic role in UK. The Government’s GA Strategy espouses that the UK should be the best place in the world for GA operating as a flourishing, wealth generating and job producing sector of the economy. The total economic impact of GA on the UK economy is around £3 billion of Gross Value Added and supports in excess of 38,000 jobs. The wider aviation sector adds around £20bn a year to the economy and supports 220,000 UK jobs. The UK DfT GA Strategy (2015) includes the following relevant elements described here in precis;

- Proportionate, transparent, risk, and evidence based regulation and only when necessary
- Progress of the Future Airspace Strategy VFR Implementation Group (FAS VIG) deployment plan to deliver tangible benefits to VFR (GA) users.....so as to establish a sustainable future for (GA) operations.
- Ensuring VFR operations are understood and recognised in policy & decision making
- That controlled and regulated airspace is rebalanced to reflect the needs of all including GA
- Flexible management of airspace is widely implemented based on greater engagement with GA operators
- Capacity of airspace structures to accommodate GA operations is measured and maximised
- GA aircraft not excluded from any airspace that is not being utilised for its intended purpose

### **Introduction**

*1.1 The Aviation industry is a positive force for the UK’s economy. It is a major contributor to the economy, brings people together and shows the world Britain is open for business. Indeed, Britain’s aviation sector is a global success story, supporting thousands of jobs and delivering billions of pounds in economic benefits.*

GAA Comment;

We agree, though it would be preferable when referring to “Britain’s aviation sector” to specifically include GA, especially when GA is otherwise excluded or ignored throughout the remainder of the document.

1.16 *The effect of the changes proposed will be that decisions can be made which better support the effective management of airspace and the noise impacts which its use can create. Everyone will have their part to play in making reforms to how airspace is managed a success, including airports, airlines, air navigation service providers, local authorities, community representatives and the CAA.*

GAA Comment;

In matters of design and use of airspace we believe that GA is an important stakeholder and therefore worthy of specific inclusion.

3.2 *In the UK, airspace is either considered to be “controlled” or “uncontrolled”. In controlled airspace, there is a system of structured routes and aircraft are managed by air traffic control services (‘ATCs’). They oversee the airspace and monitor the separation of aircraft in order to keep them safe as they head towards their destinations. Most commercial aircraft operate in controlled airspace. By contrast, a large volume of airspace in the UK is uncontrolled and this is where the pilot of the aircraft **does not receive a service** from the ground but has to “see and avoid” other aircraft and also navigate independently. Most light aircraft and some military and commercial aircraft operate in this airspace. All arrangements for UK airspace follow internationally agreed safety and operational practices and requirements.*

GAA Comment;

The “does not receive a service” statement above is incorrect. Air Traffic Services Outside Controlled Airspace (ATSOCAS) exist specifically for this purpose.

### **Airspace**

3.20 *Airspace changes may, of course, be needed outside of changes to infrastructure. All changes to the formal airspace structures for civil aviation are overseen by the CAA, as the UK’s independent regulator of airspace. The framework provided by Government requires that change proposals must be safe and must balance the needs of those affected, including communities on the ground. The process is informed by formal consultation. The CAA is currently reviewing its process for airspace change and it is expected to bring forward proposals on new guidance later this year. Later in this consultation document, we bring forward proposals on how the full range of changes to airspace use should be handled, such as those brought about when Air Navigation Service Providers (ANSPs) amend their operational procedures.*

GAA Comment;

See comments below re 4.1 and 4.11

### **Changes to Airspace**

4.1 *There is a range of decisions which are taken about airspace. Other events, such as changes in demand, can also affect its use. It is important that there are the right levels of scrutiny and transparency in place in relation to these if we are to be able to balance the needs of passengers, industry and communities on the ground.*

GAA Comment;

There is a clear need to distinguish between the “Changes to Airspace” title and the way in which commercial aircraft are managed within existing airspace structures. The former implies changing the airspace structure ie its extent or its classification, a

process which requires input from all aviation (including GA) and relevant community stakeholders. The latter may well be best dealt with by the limited set of stakeholders (“passengers, industry and communities on the ground”) mentioned.

*4.9 Recently, several communities have raised concerns as to why changes to the formal airspace structure are subject to the CAA’s airspace change process, and need to be consulted on, whereas changes to consistent vectoring practices can be implemented without any need to consult. This can be the case even when the noise impacts may be similar.*

GAA Comment;

We believe that there is reason to carefully examine the practice of vectoring, not only for reasons of ground noise, but to ensure that the well-intentioned efforts of controllers and pilots do not interact in a way that inhibits the achievement of CDAs and CCDs which are to everyone’s benefit as well as minimising the need for controlled airspace.

### **Analysis**

#### Role of the CAA in airspace change

*4.11 The CAA is the UK’s independent regulator of airspace, and the Government believes that it should continue to be so. The CAA is the only body with the expertise to effectively balance all the factors which must be considered in regulating airspace. These factors are set out in detail in section 70 of the Transport Act 2000 (see Annex A), which gives the CAA its statutory duty in relation to its air navigation functions. This requires the CAA to give priority to safety and then to balance the needs of everyone affected by airspace change, including a duty to take into account the guidance on environmental objectives we provide.*

GAA Comment;

No single party (CAA and NATS specifically included) have an overall understanding of all aviation activities in any designated area. To meet its statutory obligation to consider the safety and needs of all aviation stakeholders the CAA must ensure that a holistic approach is taken. That can only be done by the regulator bringing together all parties to create an overall understanding of the operational environment in which change proposals must function, and this action must be undertaken before individual proposers embark on solutions that will simply meet their individual requirements (often to the detriment of other airspace users). Our recent experience of the process is as follows;

- a) Airspace proposers;
  - design a construct that works for them or increases their commercial value
  - follow required consultation processes in CAP725
  - receive feedback from affected stakeholders
  - ignore the feedback or make cosmetic adjustments only before formally proposing the design to CAA
  
- b) The CAA, faced with largely binary options of approving or refusing invariably approve the one-sided design

There is a desperate need to get better designs at the beginning of the process, and we see that this can only be achieved by the CAA actively ensuring that all needs are understood before design starts.

### **Structure and Governance**

*6.18 The Government's lead option is to establish ICCAN as an independent body within the CAA. The major advantages to ICCAN being attached to the CAA would be faster setup and economies of scale for a small organisation. A further advantage is that highly technical aviation noise expertise already exists in the CAA and by moving much of that expertise to ICCAN, it would be well placed for quick and relatively easy operation. Under ICCAN's independent leadership, this would allow those experts to focus on the objectives of ICCAN and build up its knowledge base quickly and efficiently.*

### **GAA Comment;**

We believe that the volume of airspace above the UK should be treated as a finite and strategic national asset; one which should to the greatest possible extent be accessible by all. An independent observer examining how this common asset is designed, managed and used would undoubtedly note the existence of potential governance risk factors;

- NATS is a (by far the largest) air navigation service provider. It is majority owned by the airline industry. By dint of its experience in providing service to commercial aviation it frequently expresses opinions on and forecasts future requirements for airspace and often goes beyond the realms of service provision by adopting positions on policy. Such a structure creates the potential for airline bias within the total field of aviation needs.
- The CAA, as regulator, receives a large part of its funding from NATS and the airlines. Such an arrangement leaves scope for accusations of bias toward the interests of airlines. Placing the proposed independent noise body within the CAA would create similar scope for concern.
- In recent years, we note that airspace change decisions by the CAA have overwhelmingly supported the airport or commercial aviation case, even when robust, logical and evidence based GA objections have been painstakingly provided. Such a track record of decision making, unsupported by rigorous safety-assessment raises further concerns, particularly in cases where the convenience of commercial activities appears to rank more highly than the safety of GA.



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