

Airspace change: outcome of the consultation on a decision-making process for PPR (planned and permanent redistribution of air traffic) proposals

CAP 1867



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Chapter 1

The consultation

Purpose of this document

- 1.1 Earlier this year the CAA sought your views on our proposed decision-making process for PPR proposals. This document explains how we have taken account of your feedback in the final PPR process that we will publish in a revised edition of CAP 1616 in January 2020. We are publishing our response now to give interested parties, particularly air navigation service providers who may be contemplating making a proposal, as much notice as possible about what we have decided.
- 1.2 This document is not seeking further views.

Background

- 1.3 In October 2018, following an earlier consultation on airspace policy, the Government gave the CAA a decision-making role for a wholly new category of airspace change. This category is known as a planned and permanent redistribution of air traffic through changes in air traffic control operational procedure. We refer to this as PPR for short.
- 1.4 The Government originally required the CAA to develop and implement a new PPR decision-making process by 1 November 2019. The Secretary of State subsequently extended this implementation date by three months to 1 February 2020.¹
- 1.5 Between 9 May and 7 July 2019, the CAA carried out a consultation on our proposed decision-making process for PPR proposals. The purpose of this consultation was to seek views on:

¹ By The Civil Aviation Authority (Air Navigation) (Amendment) Directions 2019 dated 29 October 2019. https://www.caa.co.uk/uploadedFiles/CAA/Content/Standard_Content/Commercial_industry/Airspace/Airspace_change/20191030SoSTransporttoCAAirNavigationAmendmenttoDirections2017.pdf

- our proposed principles for a new PPR decision-making process
- our commentary on which changes are likely to fall within the Government's definition of a 'relevant PPR'.

1.6 These principles and the commentary were set out in detail in our consultation document, CAP 1786, Airspace change: consultation on a decision-making process for PPR (planned and permanent redistribution of air traffic) proposals.²

Who responded to the consultation

1.7 We had 103 responses in total, counting multiple official responses from the same organisation as one.

1.8 We asked respondents to self-categorise into one of eight categories:

- resident affected by aviation
- airline passenger
- member of the General Aviation community
- member of the commercial aviation industry
- military
- Government and/or other regulators
- representative/national organisation or institute
- elected political representative.

1.9 The consultation included guidance on how respondents should categorise themselves.³ Despite this, the 'Government and/or other regulators' and 'elected political representative' categories demonstrated so much overlap in

² www.caa.co.uk/cap1786

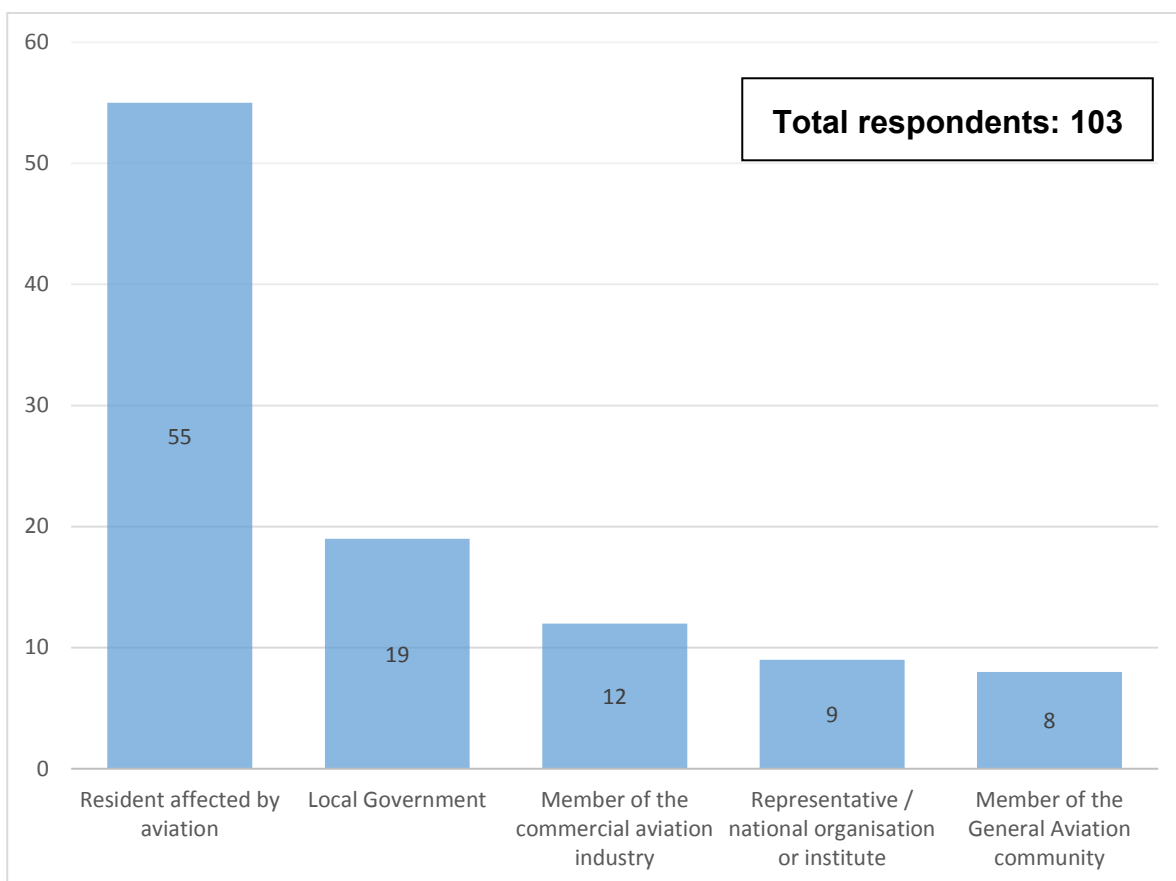
³ The guidance read:

- If you are an employee answering on behalf of a local council or authority, please select "Government and / or other regulators".
- If you are a local councillor, please select "Elected political representative".
- If you are a local residents' association affected by aviation, please select "Resident affected by aviation".
- If you are an airport consultative committee, please select "Representative / national organisation or institute".
- If you are a consultancy firm employed primarily by commercial industry, please select "Commercial industry".
- If there is any supplementary information you would like to add about the category you have selected, you can provide this at question F.

terms of the kinds of organisations choosing them – all were local government bodies – that we recategorised all these respondents as ‘local government’. Had we not done so, the results would have potentially been misleading.

- 1.10 One airport operator and one air navigation service provider categorised themselves as ‘representative or national organisation/institute’. We decided that it would be clearer to categorise both of these responses as ‘commercial aviation industry’. One individual did not categorise themselves, but the response was clearly from a member of the General Aviation community and we therefore categorised it as such. In all other cases we respected the categories that these organisations had selected. We had no responses in the airline passenger or military categories.

Figure 1.1: Responses to the consultation by category of respondent



- 1.11 Of the 103 respondents:

- 55 responses were in the residents affected by aviation category, 21 of which were official responses on behalf of campaign groups

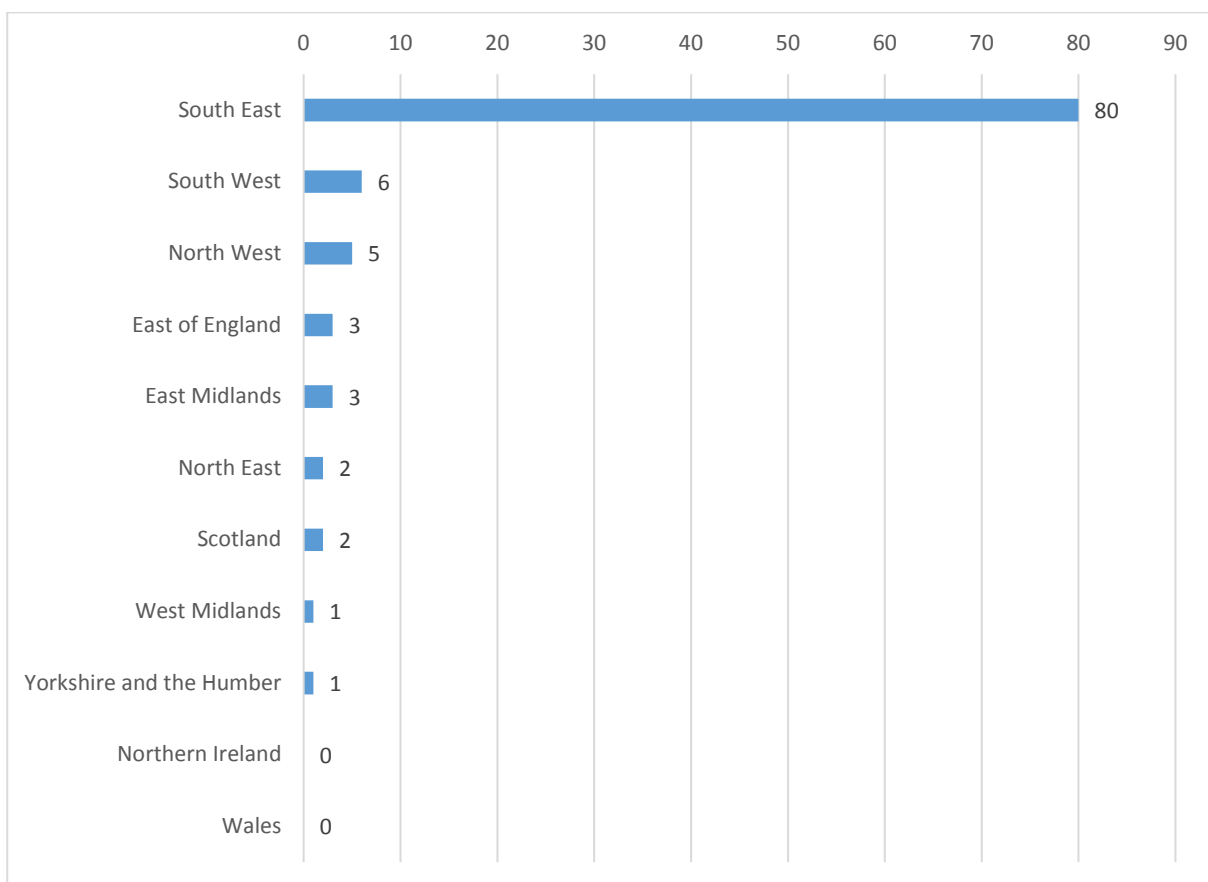
- 19 responses were from local government
- 12 responses were from the commercial aviation industry, of which eight were from airports and air navigation service providers
- 9 responses were from a representative or national organisation or institute
- 8 responses were from members of the General Aviation community.

1.12 A full list of respondents appears at the end of this chapter.

Geographic spread of responses

1.13 Of the 103 responses, 80 identified themselves as resident or based in the South East, six as resident or based in the South West and five in the North West. The remaining 12 respondents were spread between six other parts of the country, with between one and three responses from each.

Figure 1.2: Category of respondent by geographic region



Engagement regarding the consultation

- 1.14 We contacted more than 1,400 individuals and organisations directly about this consultation and used our website and social media to raise broader awareness. We also held two workshops for a cross-section of stakeholders prior to developing the process and launching the consultation, in addition to communicating with other stakeholders individually.

Our analysis of the responses

- 1.15 Of our eight consultation questions, six had both a closed (multiple-choice) and an open (free-text) element, and two were open (free-text) only. Stakeholder groups were not evenly represented in terms of numbers, so where there were differences of opinion we avoided focusing on the overall percentage of respondents favouring or criticising a particular aspect of the proposed process. Instead we considered how individual stakeholder groups had responded and whether they were split as a group or in disagreement with other groups.

Analysis of multiple-choice questions

- 1.16 The multiple-choice questions we asked provided quantitative feedback about the proposed process. The key findings from these questions are detailed in Chapter 3.

Analysis of free-text responses

- 1.17 Each of our eight consultation questions included an 'open' (free-text) element. This means that in addition to answering closed (multiple-choice) questions, respondents were offered an open box to write free text sharing the reasons for their chosen responses and any other views – in particular how the proposed process could be improved. In addition to specific recommendations, we found a number of recurring themes arising in the open-text responses. Chapter 4 details some of the most significant themes revealed by the free-text responses, providing examples where permission has been given by respondents to do so. Chapter 5 details specific recommendations and questions submitted by respondents and the CAA's response.

List of those responding to the consultation by category of respondent

Commercial aviation industry (12)

- Air Navigation Solutions
- British Airways
- Gatwick Airport
- Heathrow Airport
- Humberside Airport
- Industry Coordination for the Airspace Modernisation Strategy (ICAMS)
- Manchester Airport Group
- NATS
- Newcastle Airport
- One airport that preferred not to be identified
- A private jet charter service that preferred not to be identified
- An air traffic controller

Member of the General Aviation community (8)

- Lasham Gliding Society
- Moss Edge Farm Flyers
- Six individuals

Representative or national organisation or institute (9)

- Airport Operators Association
- Aviation Communities Forum
- Aviation Environment Federation
- British Gliding Association and General Aviation Alliance
- British Helicopter Association
- Campaign to Protect Rural England (CPRE) Hampshire Branch
- Guild of Air Traffic Control Officers (GATCO)
- High Wealds Council Aviation Action Group
- Light Aircraft Association

Resident affected by aviation (55)

- Communities Against Gatwick Noise and Emissions (CAGNE)
- Heathrow Association for the Control of Aircraft Noise (HACAN)
- Nutfield Conservation Society
- Plane Hell Action South East
- Residents Against Aircraft Noise
- Richmond Heathrow Campaign
- Stop Stansted Expansion
- Teddington Action Group
- Whitecrook Aircraft Noise Association
- Six campaign groups that preferred not to be identified
- 40 individuals

Local government (19)

- Chiddingstone Parish Council
- Dacorum Borough Council
- Leigh Parish Council
- Local Authorities' Aircraft Noise Council (LAANC)
- London Borough of Hammersmith and Fulham
- London Borough of Newham
- Mottram St Andrew Parish Council
- Nutfield Parish Council
- Parish Councils Airport Association
- Prestbury Parish Council
- Royal Borough of Windsor and Maidenhead
- Salfords and Sidlow Parish Council
- Slinfold Parish Council
- St Albans City and District Council
- Whitehill Town Council
- Wroughton Parish Council
- Three local government bodies that preferred not to be identified

Chapter 2

Outcome of the consultation

Consultation questions

- 2.1 Question 1 in the consultation asked for **overall views** about the proposed PPR decision-making process. Questions 2 and 3 were about **identifying a 'relevant PPR'**. Question 2 asked for comments on the way the CAA proposed to interpret the Government's definition of a 'relevant PPR', and Question 3 asked for views on our proposal that each air navigation service provider introduce an internal 'trigger' process for identifying a relevant PPR.
- 2.2 Questions 4 to 7 asked for views on **specific aspects of the process** (CAP 1616 process elements missing, options appraisal, post-implementation report, and temporary changes). Question 8 asked whether there was anything specific that the CAA could do that would **help implement** the proposed process.

Summary of main changes made as a result of the consultation

Subject	Change
Structure of CAP 1616	We are incorporating the PPR decision-making process into CAP 1616. For clarity we are dividing CAP 1616 into three parts: Part 1: the airspace change process (permanent changes to the notified airspace design), including: - Part 1a: temporary changes to the notified airspace design - Part 1b: airspace trials Part 2: PPR, including: - Part 2a: temporary PPR changes Part 3: Airspace information: transparency about airspace use and aircraft movements

Implementation arrangements	Deferred by the Secretary of State from 1 November 2019 until 1 February 2020. Because a supplementary instruction changing air traffic control operational procedures must normally be notified to the CAA's Safety and Airspace Regulation Group on 30 days' notice, the CAA will begin accepting PPR proposals once the new process is published in January 2020.
Overall PPR decision-making process	We are maintaining, for the most part, the process proposed in our consultation with some minor modifications. The consultation responses, in our view, did not identify alternative proposals that would better balance the needs and expectations of the policy requirements and/or different stakeholders.
CAA interpretation of criteria for a Type 1 'relevant PPR'	Revised chart illustrating what is and is not in scope. Clarification for airports with two parallel runways.
Who needs to apply for PPR approval	Only an air navigation service provider can seek approval for a PPR, but it will be required to confirm on the Statement of Need whether it has the full agreement of any relevant airport operator.
Stakeholder collaboration	Recognition that some PPR change activities may be led by airports or other stakeholders, and that we welcome collaboration between the air navigation service provider and other stakeholders. For example, airports could carry out consultations, and communities could help promote environmentally beneficial changes.
Statement of Need	A Statement of Need is submitted by an air navigation service provider, if necessary on behalf of an airport operator, where: ▪ it identifies a proposed operational procedure change as a relevant PPR ▪ it identifies a proposed operational procedure change as not being a relevant PPR, but wants the CAA's confirmation of that assessment, for example to provide transparency for local residents ▪ it is unsure whether a proposed operational procedure change is a relevant PPR, and is asking the CAA to make a determination under paragraph 15 of the annex to the Air Navigation Directions.

Post-implementation review	Clarification that when the CAA reviews the air navigation service provider's post-implementation report, we will state whether we consider the post-implementation report closed, open, or partially satisfied: ▪ we will consider it closed if the implemented change in operational procedures satisfactorily achieves – within acceptable tolerance limits – the objective of the proposal as it was approved by the CAA ▪ we will consider it open if we are not satisfied with the report (if, for example, we believe the analysis to be inconclusive) and will require the air navigation service provider to rectify the shortcomings in the report ▪ we will consider it partially satisfied if the change in operational procedures requires modification to better achieve the objective of the proposal as it was approved by the CAA. In the third case, the CAA will require that those modifications are then further monitored for effectiveness. Once the modifications have been implemented and operated for a period (approximately six months), there are three further possible outcomes (mirroring the process in Stage 7 of Part 1 of CAP 1616): ▪ noting that the modifications did not better achieve the objective of the proposal as it was approved by the CAA, we may conclude that the original change in procedures was satisfactory and is confirmed; or ▪ noting that the modifications did not better achieve the objective of the proposal as it was approved by the CAA, we may conclude that the original change in procedures was not satisfactory and the original change is not confirmed (in which case, in order to pursue its change in procedures, the air navigation service provider will need to commence a fresh PPR proposal from Stage 1); or ▪ we may conclude that the modifications do better – within acceptable tolerance limits – achieve the objective of the proposal as it was approved by the CAA and so the modified procedures will be confirmed.
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Temporary changes	A shorter and more meaningful process than we originally proposed, in recognition that it would be disproportionate to mirror the existing CAP 1616 process for a temporary change to airspace design. There were concerns that the decision-making process might take longer than the temporary change in operational procedures itself. In recognition of concerns from communities at the six month maximum duration of a temporary PPR, we are requiring the air navigation service provider to provide a short report on the change after three months before we consider extending approval for a further three months.
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Why we have made these changes

- 2.3 The rest of this chapter explains in more detail how we are modifying the PPR decision-making process in the light of the responses we received, and why we have done so. We also include some commentary on suggestions that we are not adopting. We only cover some of these here, because a fuller analysis appears in Chapters 3, 4 and 5. You can also read individual responses, where we had permission to publish them, on our consultation website.⁴

Matters out of scope

- 2.4 A significant number of responses included comments that were out of scope of the consultation because they concerned matters not in the CAA's gift to change. We were very clear in the consultation document that we were not seeking views on the reasons for the new PPR process, nor on the way that the Government has defined a relevant PPR in the Air Navigation Directions, and that we would disregard elements of responses that focused on these areas. We included supporting information as useful background, but the CAA has been directed by the Government to introduce this new process and to use those definitions, and that is something that only the Government can change.
- 2.5 We were also very clear that we would disregard elements of responses to this consultation that focused on:

⁴ <https://consultations.caa.co.uk/policy-development/ppr-decision-making-process/>

- any other aspects of government policy, including
 - the Air Navigation Guidance – the statutory guidance which the Secretary of State gives the CAA on how it should take environmental impacts into account – including policy objectives in respect of people significantly affected by aircraft noise, the concentration, dispersion or alternation of flight paths, or avoidance of tranquil areas
 - ‘noise preferential routes’ designated for aircraft departures by the Secretary of State
 - the standard metrics for quantifying the amount and level of noise
- the existing CAP 1616 airspace change process, specific airspace change proposals going through that process, or specific airspace changes that have already happened or that result from airline commercial decisions.⁵

Question 1: Views about the proposed process overall

Overview

- 2.6 Question 1 asked for views overall on the proposed decision-making process. Most respondents asked for significant modifications, in particular residents affected by aviation. Whereas commercial aviation respondents were split equally between ‘significant modifications’ versus ‘about right’ or ‘minor modifications’.
- 2.7 There were a few common requests for modifications, but for the most part there was considerable variation in the modifications being asked for. Some were diametrically opposed, for example some asking for a shorter and some for a longer process. Some responses related to significant modification of only a specific element of the process rather than the whole.
- 2.8 Despite the consultation document clearly pointing out what was in or out of scope of the consultation, a number of the significant modifications being

⁵ Throughout this consultation response document, we refer to both a ‘change in airspace design’, which requires the airspace change decision-making process set out in the existing CAP 1616, and a ‘change in air traffic control operational procedures’, which may or may not require the new PPR decision-making process.

sought in those responses were out of scope, because they concerned matters not in the CAA's gift to change. We were therefore obliged to disregard those elements of these responses for the purposes of this consultation. These respondents appeared to be using the consultation as a means to express their frustration over aircraft noise or government policy without actually commenting on the PPR process specifically. Some responses seem to have misunderstood the purpose of introducing the PPR process.

- 2.9 **Outcome:** Our conclusion is that the responses to this question, where in scope of the consultation, were generally highlighting specific issues that we were being asked to address. In terms of the overall process, our view is that the responses in general did not identify alternative proposals that would better balance the needs and expectations of the policy requirements and/or different stakeholders. Below is a high-level summary of issues that relate to the process as a whole, while specific issues are dealt with under questions 2 to 8 or in Chapter 5.

Implementation arrangements

- 2.10 There were concerns from industry that they and/or the CAA would not be ready to implement the new decision-making process by 1 November 2019.
- 2.11 **Outcome:** The original date was set by the Air Navigation Directions to the CAA from the Secretary of State. The Secretary of State has since decided to defer the implementation date by three months until 1 February 2020. Because a supplementary instruction changing air traffic control operational procedures must normally be notified to the CAA's Safety and Airspace Regulation Group on 30 days' notice, the CAA will begin accepting PPR proposals once the new process is published in January 2020.

Initiator of a PPR proposal

- 2.12 Airports generally thought that before an air navigation service provider initiated the PPR process, collaboration between the airport and air navigation service provider was essential, and that the airport(s) needed to be consulted and to be in full agreement. Some airports went further and argued strongly that they should be able to initiate a PPR, as well as an air navigation service provider.

There was also a suggestion that other organisations, such as local authorities or community organisations, could be the promoter of a PPR.

- 2.13 **Outcome:** The consultation document made clear (paragraphs 4 and 1.22) that PPR changes can only be proposed by an air navigation service provider. This is because of the wording in the Secretary of State's Directions, which contains the primary obligations on the CAA.⁶
- 2.14 Only a change in air traffic control operational procedures can create a PPR; if those procedures don't change, it is not a PPR. It may be a change in airspace design, or it may be neither.
- 2.15 We fully accept that the impetus for a PPR could come from an airport rather than an air navigation service provider. For example, an airport may observe an issue arising from the vectoring procedures that an air navigation service provider is following, and may commission the air navigation service provider to alter those procedures to address the issue. It is important that the airport and air navigation service provider work together as needed. We have therefore amended the Statement of Need form to include a check box for the air navigation service provider to indicate whether it has the full agreement of the relevant airport operator.
- 2.16 We also accept that the airport may, for example, be better placed (in terms of experience and communication channels) than the air navigation service provider to carry out an effective consultation with relevant stakeholders, particularly local communities and their representatives. There is no reason why the airport should not lead on the consultation on the air navigation service provider's behalf. The PPR application will still have to be owned and submitted by the air navigation service provider (who will act as the interface with the CAA, including on safety aspects), given that it is the operational procedures of

⁶ Direction 9A reads (underlining added):

9A.—(1) The CAA must develop and publish procedures, and guidance on such procedures, for the development, consideration and determination of proposals for relevant PPRs as set out in the Annex to these directions.

(2) A procedure developed and published under paragraph (1) must— (a) be proportionate and reflect published Government policy, and (b) require an ANSP to refer a proposal for a relevant PPR to the CAA for approval before the PPR is implemented.

the air navigation service provider which are driving the change. Also, the regulatory focus is on the air navigation service provider from a safety perspective as well as PPR. This is why the Directions specify that it is the air navigation service provider which must apply to the CAA for approval and go through the PPR process.

- 2.17 Similarly there is no reason why a local authority or community-led initiative for a change in operational procedures could not give rise to a PPR proposal through a collaborative effort with the relevant air navigation service provider and airport. But for the reasons stated above, the air navigation service provider will remain the proposer of the change.
- 2.18 It will be a matter for discussion between the air navigation service provider and the airport which organisation finances the work needed to bring about a change.

Length or complexity of process

- 2.19 On the whole, commercial aviation respondents seemed to accept the logic and necessity of being required to conform to a new regulatory process, but were keen to minimise the burden. Some thought that the process goes too far. In most cases they expressed concern that for certain minor changes the process would not be proportionately scaled, quoting our illustrative timeline of 42 weeks, or that safety-critical changes could be held up or discouraged. They asked for more detail on how the process would be scaled.
- 2.20 Some respondents whose primary concern was environmental impacts thought that the process did not go far enough, or that it missed the point about aviation's impacts. Some thought that it should, at least for the more impactful proposals, mirror the CAP 1616 process, for example by including the Public Evidence Session and draft decision elements that we proposed to omit. They argued that this was logical if the impacts were potentially as great as a significant change in airspace design. Some went further and asked for a more onerous process with more activities than are currently in CAP 1616. Others were generally supportive of the new process and recognised the reasons why we proposed what we did.

- 2.21 **Outcome:** We are maintaining, for the most part, the process proposed in our consultation, with some minor modifications, because the consultation responses, in our view, demonstrate it to be a fair balance between different stakeholders. We are incorporating the process as a new Part 2 in CAP 1616 and numbering the other existing sections accordingly (see the summary table above).
- 2.22 Aircraft noise is a sensitive issue. The views we received from communities were in many cases expressing concerns that go considerably wider than the scope of the new PPR process. The new process puts communities that are exposed or are potentially exposed to noise in a better position than they were before, insofar as an anticipated change in noise impact is caused by a proposed change in air traffic control operational procedure rather than by a proposed change in airspace design. Prior to the PPR process, communities would not have been consulted on the former, and some of those responding acknowledged how much of a concern this has been.
- 2.23 We see no objective justification that PPR proposals are sufficiently different to warrant a more thorough process than CAP 1616. We believe that the process we proposed, scaled appropriately according to what is being proposed, strikes the right balance of proportionality and robustness.
- 2.24 Although we received a lot of comment about the process being too onerous, we had already proposed a process significantly shorter (both in estimated timescales and process stages) than that for a Level 1 airspace design change. Some PPR changes (as with airspace design changes) could require approval yet be relatively benign in their impact on others. In writing the PPR process for CAP 1616 we have stressed that the PPR process should, to a large extent be self-scaling; for example if the impacts are benign then the consultation need not be extensive, could be shortened in length, and so on. The timeline we published was illustrative of how we had cut down the CAP 1616 process to suit the different characteristics of a PPR. The consultation also made clear that the process could be considerably shorter than 42 weeks, or it could potentially be longer. A PPR could potentially have the same impact as a Level 1 proposal for a change in airspace design – for which the equivalent diagram shows 110

weeks. For a PPR proposal we estimated 42 weeks because it will generally be more specific than many airspace change proposals, with fewer design options, and fewer stages in the PPR process.

- 2.25 However, having reviewed comments about our indicative timeline for the process against the equivalent in Part 1 of CAP 1616, we have concluded that for a typical PPR the timeline did not properly reflect the likely time needed for consultation preparation at Step 3a. The air navigation service provider will need to conduct a ‘full’ options appraisal, produce a consultation strategy and all the supporting documentation for a consultation. Also, the ‘Assess and Consult’ gateway after Step 3b is the first in the PPR process. Therefore the indicative timeline we are publishing in Part 2 of CAP 1616 will bring Step 3a into line with Part 1 of CAP 1616 by adding another four weeks, making 24 weeks overall for Stage 3, and therefore 46 for the complete process (rather than 42). We would stress here that we are not lengthening the process, but merely better reflecting in the diagram what a realistic timeframe would be. The actual time taken for Step 3a will of course largely be in the control of the air navigation service provider.
- 2.26 Of the suggestions we received for shortening the process further – from omitting certain aspects, to delegating the process entirely to the air navigation service provider, to waiving the whole process where the local airport community was supportive – there were none that we saw grounds for adopting. One respondent commented that protracted timescales in delivering a PPR risked inferior solutions taking precedence, but the purpose of options appraisal is to weigh up the relative merits of different options and avoid this.
- 2.27 We did, however, see merit in several suggestions (from all sides) that where views on a PPR proposal were broadly aligned, the process should be more streamlined. For example, a proposal might generally benefit and be supported by overflown communities because it reduces noise impacts; or it might reduce emissions or improve network performance with minimal adverse impacts; or it might be a change mandated by regulation. It is not possible simply to dispense with consultation altogether, the point of which is to establish who is affected as well as how, and to give them the opportunity to respond with their views,

including positive views, and point out anything that has been missed before any decisions have been made. But providing there is proper provision of the necessary information and appropriate consultation, we agree that there should be ways of streamlining the consultation process, in part through collaboration and creative solutions. This approach is already set out in CAP 1616 (paragraphs 155 to 158 and Table C1).

- 2.28 What is key is that the impacts are properly assessed. For example, a change optimising airspace use or making better use of technology may reduce delays and increase resilience to disruption, but it could also result in more flights and a worsened noise impact. It is the CAA's job to assess these impacts against our obligations under section 70 of the Transport Act 2000.
- 2.29 We are also adopting the fast-track process for safety-critical PPRs, which received general support. As suggested by one respondent, we are including a definition of 'safety-critical' in Part 2 of CAP 1616.
- 2.30 Some respondents asked us to be more specific about how the PPR process will be scaled. The narrow definition of a relevant PPR means that there is no need to assign a 'Level' to a PPR proposal. However, much of the other guidance published in Part 1 of CAP 1616 will also apply to PPR proposals, in that it may not always be necessary for all PPR proposals to be subjected to each and every element of the process.
- 2.31 General Aviation representatives expressed concern that the CAA was delegating responsibility for oversight of a PPR to the air navigation service providers and airports. This can only refer to two aspects of the process, as the CAA has oversight of other aspects: the air navigation service provider's internal 'trigger' process for identifying a PPR in the first place, and the post-implementation report. These are discussed below.

CAA resourcing and decision timescales

- 2.32 Some responses expressed concern as to whether the CAA was sufficiently resourced to oversee the PPR process, and whether there was a risk of a bottleneck in processing applications. Others asked for CAA commitments on response times.

- 2.33 **Outcome:** It is true that the CAA's Airspace Regulation team – which will process PPR proposals – is currently under a lot of pressure from a recent increase in proposals for changes in airspace design. Although PPR proposals will inevitably add to this workload, we do not currently have a clear idea of the number of PPR proposals that the CAA is likely to receive, despite investigations with industry prior to consultation.
- 2.34 What we do know is that air navigation service providers are likely to avail themselves of paragraph 15 of the annex to the Air Navigation Directions, whereby they (or the airport) are invited to consult the CAA where there is any doubt about whether a proposed PPR meets the criteria for a relevant PPR. While it will provide certainty for air navigation service providers, this could increase the pressure on our resources in providing 'comfort letters'.
- 2.35 As acknowledged in the consultation document, we have increased our staff resource handling airspace regulation, and we have plans to increase it further, which will include managing the PPR decision-making process. Funding for this is provided from the CAA component of the UK en route unit rate, charged to airspace users.⁷
- 2.36 We are specifying in Part 2 of CAP 1616 our expected response times for PPR proposals. A decision on whether a proposal is in scope of a relevant PPR will be a key output from the initial discussion or meeting with the air navigation service provider. Having received the final submission, we will aim to produce our decision within eight weeks of receiving all the information we need; we expect this to be shorter in cases where there are few impacts on other stakeholders, but a case with significant or complex impacts could take longer.
- 2.37 At any one time the CAA will be processing a significant number of proposed changes in airspace design. PPR proposals will not be prioritised over those

⁷ The UK unit rate is comprised of the airspace and air traffic management related costs of NATS (En Route) Plc, the Met Office, the Department for Transport and the CAA and are set on a five-year regulatory cycle. For Reference Period 3 (RP3), the UK determined costs (including the CAA component) are set out in the UK RP3 decision document (www.caa.co.uk/cap1830) and performance plan, published and submitted to the Department for Transport on 30 August 2019.

proposals, but will be sequenced along the same lines, subject to adhering to the framework of the Air Navigation Directions.

- 2.38 The CAA will continue to monitor workloads closely, but it should be recognised that if there is demand for us to put in place resources beyond what is already planned, this will have to be paid for through our charges on industry (our statutory charging scheme, on which we consult annually).

Relevant PPR caused by a change in airspace design or other knock-on effects

- 2.39 Respondents asked for greater clarity around:
- whether PPRs resulting from changes in airspace design need to undergo the PPR process, or whether they are covered by the existing CAP 1616 process for changes in airspace design
 - how the CAA would deal with PPRs prompted by other PPRs.
- 2.40 **Outcome:** As set out in the consultation document, where a proposed change in the notified airspace design requires a corresponding change in air traffic control operational procedures which are within scope of the definition of a relevant PPR, the proposals must be regarded together as a package and both will form part of the proposal for the airspace design change, i.e. be considered together under the process for a Level 1 or 2 change set out in Part 1 of CAP 1616. (The only exception to this is where the change to notified airspace design is Level 0, in which case the air navigation service provider must separately make a PPR proposal and follow the PPR process.)
- 2.41 It is also conceivable that a relevant PPR (probably a lateral-shift, Type 1 change) could require a change in air traffic control operational procedures elsewhere. What is already set out in Appendices B and E of CAP 1616 regarding cumulative effects applies equally to relevant PPRs as it does to associated changes to airspace design. The cumulative effects on communities overflown by more than one airport or indeed of multiple changes on any stakeholders is not a PPR-specific issue.

CAA non-technical information about the process

- 2.42 Despite our efforts to write a consultation document that was understandable to those without a technical background, we did receive some responses suggesting that our description of the proposals was too complicated. We were also asked if the CAA could provide a shortened version for communities.
- 2.43 **Outcome:** In CAP 1615⁸, our response to the consultation that resulted in CAP 1616, we committed to developing additional communications materials to better explain the guidance to audiences who do not have specialist expertise in this area, for example members of communities affected by aviation noise. Our main focus since then has been on introducing the online airspace change portal and improving its functionality. We will be publishing a leaflet explaining the airspace change process which will incorporate a short explanation of PPR. We will also add appropriate material to the airspace change pages on our website in non-technical language.

Question 2: Identifying a relevant PPR

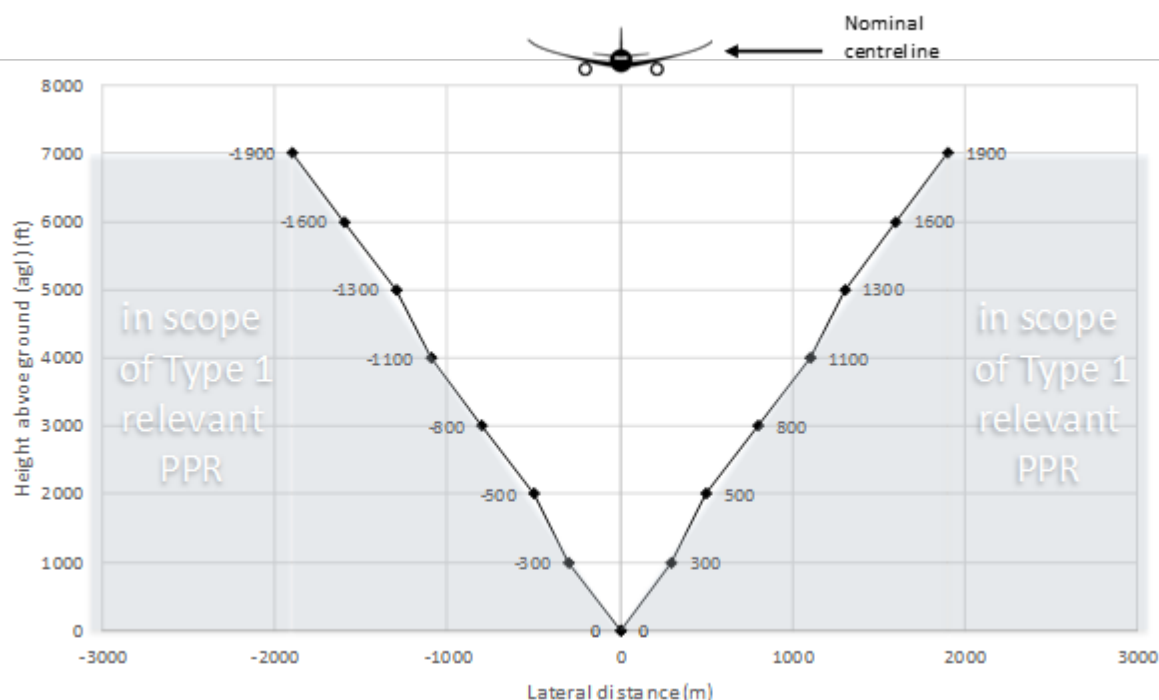
- 2.44 Many respondents had varied comments on the way that a PPR or relevant PPR is defined. This is not surprising, as these definitions are completely new. We list many of these comments in Chapter 5. However, as noted in Chapter 1, these definitions – such as the extent of lateral shift in flight track required for a Type 1 PPR, or the 5,000-movement threshold for a Type 2 PPR – are set out in the Air Navigation Directions, and are not something the CAA can change.
- 2.45 We have reconsidered the way that we interpret some of those definitions. Having reviewed the comments made, we are making a few changes to the interpretation of a Type 1 PPR that we published in the consultation document. We explain these changes below.

⁸ See page 14 of CAP 1615. www.caa.co.uk/cap1615.

Type 1 PPR

2.46 The diagram below appeared in the consultation document and was based on the table in the annex to the Air Navigation Directions.

Figure 2.1: Graphical interpretation of the definition of a Type 1 PPR as shown in Figure 2.2 of CAP 1786, the PPR consultation document



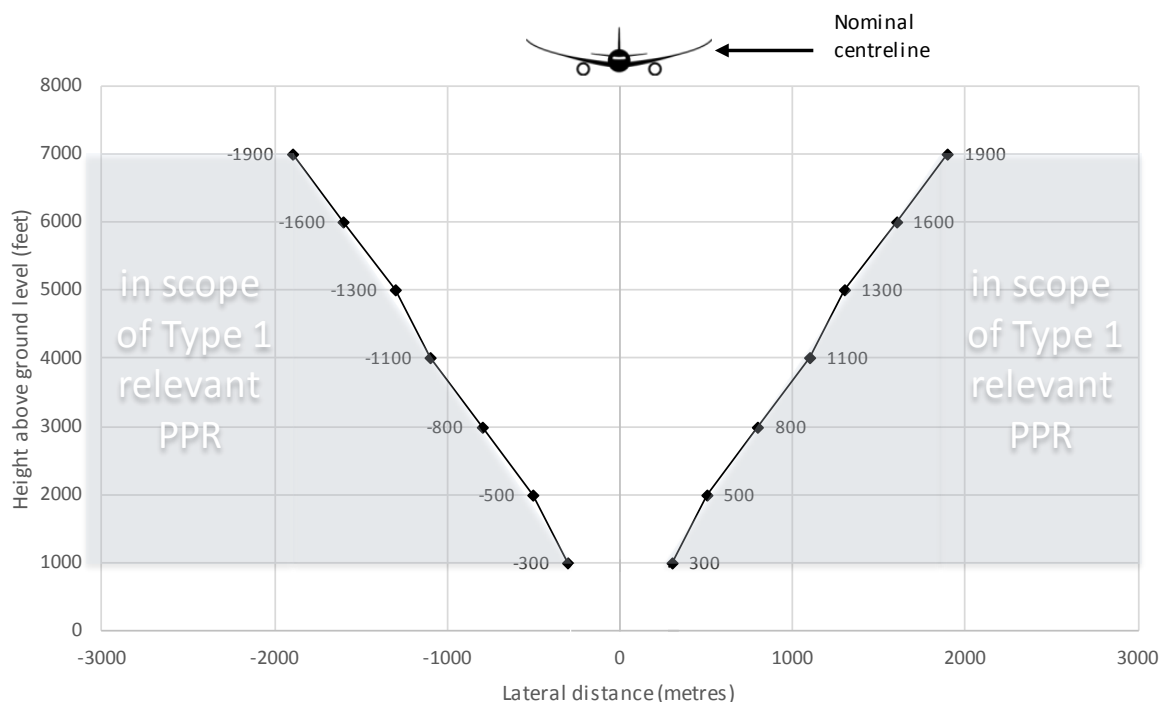
2.47 The lowest height shown in that table is 1,000 feet above ground level, but in the diagram we extrapolated to ground level. It was suggested that below 1,000 feet, it would take only a slight deviation in lateral track to be caught within the definition of a Type 1 PPR, and that this was not the intention of the table. One respondent also drew to our attention that it was not clear from the definition of a Type 1 PPR how a 'lateral shift of aircraft from the pre-existing nominal centre line of the density of flight tracks' would be determined at an airport with two parallel runways.

2.48 **Outcome:** We have discussed with the Department for Transport what the intent was in the drafting of the Type 1 criteria.

2.49 In respect of the diagram, the outcome is that only a change above 1,000 feet above ground level will be considered to be in potential scope of a Type 1 PPR.

This is being reflected in Part 2 of CAP 1616 by an amended diagram based on that below.

Figure 2.2: Revised graphical interpretation of the definition of a Type 1 PPR



- 2.50 In respect of an airport with two parallel runways, the Department for Transport has clarified that it was not the intention to regard tracks from each runway separately for the purposes of identifying a Type 1 PPR. Instead the analysis should aggregate the flight tracks from the two parallel runways in order to assess whether the shift in the nominal centreline is sufficient to meet the criteria for a Type 1 PPR.

Type 2 and Type 3 PPRs

- 2.51 There were no suggestions about the definitions of Type 2 or Type 3 PPRs that were within our gift to change. We are therefore basing the text in Part 2 of CAP 1616 on that used in the consultation document.

Enforcing the PPR process

- 2.52 Several respondents drew attention to a scenario in which the impacts that the air navigation service provider anticipates for a proposed procedure change subsequently turn out to be wrong. In other words, a procedure change that was

deemed to be out of scope of PPR is, when implemented, causing impacts that would have made it in scope. They questioned that the CAA does not have the power to require the air navigation service provider to go through the PPR process retrospectively in such cases.

- 2.53 **Outcome:** The position is as stated in the consultation document, and is not in the CAA's gift to change. In these circumstances, the CAA has no statutory power to require the air navigation service provider to go through the PPR decision-making process retrospectively. If such a case were identified, the CAA would inform the Department for Transport who would, after careful consideration of the specific case, consider whether further action was needed.

Question 3: The air navigation service provider internal 'trigger' process for initiating a PPR proposal

- 2.54 The 'trigger' process received significant support from respondents, but some raised concerns with the way this would work.
- 2.55 Several respondents noted that the new process relies entirely on air navigation service providers identifying and proposing PPRs to the CAA, based on information that they themselves hold. They questioned how motivated an air navigation service provider would be to do so, particularly given the potentially complex assessment methodologies required.
- 2.56 Some felt that it placed too much reliance on the air navigation service provider getting it right – whether through deliberately concealing that a change was in scope of the PPR process, or simply through not having the technical expertise to make an accurate assessment. Also, some noted that the CAA would not directly oversee the process. Some suggested that the CAA should monitor changes that were being implemented without being put through the PPR process, giving the CAA greater understanding of the changes being applied.
- 2.57 It was also noted that no timescales for introducing the trigger process were specified in the consultation document.

- 2.58 **Outcome:** The PPR decision-making process is new, and there is general agreement that each air navigation service provider must devise its own internal trigger process to establish whether any given change is in scope of the definition of a relevant PPR. That definition is in the Air Navigation Directions with supporting interpretation that the CAA is publishing in Part 2 of CAP 1616.
- 2.59 The concept of the trigger process was conceived on the basis that only the air navigation service provider knows that it is contemplating a potential operational procedure change – at least until the CAA is notified for the purposes of safety oversight, and then only a very small proportion of those notifications is likely to be in scope of the PPR process. Only the air navigation service provider has the necessary information to understand the impacts of a given change and therefore to assess whether it would be in scope of the PPR process. In addition, during the development phase of any given change, the air navigation service provider would have the knowledge and resource to take into account the consequential impacts of a change and influence the change content. Therefore the CAA's role is necessarily limited to providing guidance to air navigation service providers on how to identify a relevant PPR that requires CAA approval.
- 2.60 Introducing an internal trigger process will require an education process for air navigation service providers with support from the CAA where appropriate. We recognise that smaller air navigation service providers may have fewer resources, including analytical software and staff, than a large organisation like NATS. We fully expect that in some cases a proposal will be made as a collaborative effort between the airport and air navigation service provider.
- 2.61 We are not dictating a standard internal process. However, by bringing the new edition of CAP 1616 and the consultation document that preceded it (paragraphs 6.7 and 6.8 of Chapter 6) to the attention of all air navigation service providers and airports in scope, we have endeavoured to ensure that each air navigation service provider is aware of its obligations and the need to plan, resource and train staff accordingly to introduce its own trigger mechanism in good time. Once the process takes effect on 1 February 2020, an air navigation service provider should not make operational procedure changes