



Wednesday 23rd January 2019

Answers from the Civil Aviation Authority (CAA)

Statement from the CAA:

The CAA's policy is not to discuss individual proposals while being developed, only generic questions on process. We are only able to receive comment on specific proposals through our transparent, consistent and proportionate airspace change process, CAP1616 and only through the new online portal.

The Secretary of State for Transport has given the CAA the function to decide whether to approve changes to the design of airspace in the Civil Aviation Authority (Air Navigation) Directions 2017, as amended by The Civil Aviation Authority (Air Navigation) (Amendment) Directions 2018. These Directions compelled us to prepare our CAP1616 airspace change process which is transparent, consistent and proportionate.

Our decisions are evidenced based. We have built a process whereby the sponsor is required to collect the evidence and submit it to us

For CAP1616 to remain a transparent, consistent and proportionate process, it is vital that we are transparent with all the information that we have taken into account when making our decisions. For this reason we have built a portal through which all the information we take into account when making our decision is and must be directed.

It is for this reason that CAA cannot enter into conversations about specific actual or potential airspace change proposals at events like this.

1. Health question

As a local GP, my primary concern is people's health and I understand that minimising the significant negative impacts of aviation noise is a priority for all of you when considering changes to airspace and potential expansion.

Could the panel tell us whether any independent health studies have been undertaken (so far) relating to the airport's potential expansion or flight path changes and could John Holland-Kaye tell us when the Health Impact Assessment required by the planning process will be started?

Answer:

The CAA's policy is not to discuss individual proposals outside of the process, only generic questions on the CAP1616 airspace change process.

This process has been designed, in part, to meet the requirements of Government's policy on the CAA's environmental objectives when deciding whether to approve a proposed airspace design. This policy is often referred to as the ANG 2017.

The ANG states that one of the government's three key environmental objectives is to limit and, where possible, reduce the number of people in the UK significantly affected by adverse impacts from aircraft noise. Government Policy states that adverse effects are considered to be those related to health and quality of life. There is no one threshold at which all individuals are considered to be significantly adversely affected by noise.

The ANG requires sponsors to assess the potential impact of a proposal using WebTAG. This tool includes an assessment of the health impact and the CAA is required to take that into account.

2. Night flights

How do you balance the needs of passengers with needs of local residents to get a full night's sleep – noting the World Health Organisation's view that 10 hours quiet time is needed to enable all different sleep patterns to be met?

Answer:

The CAA's powers when deciding whether to approve a particular airspace design do not include the power to restrict or permit night flights. As part of our CAP1616 process we require Change Sponsors to assess the potential impact of a proposal using WebTAG and require them to assess health impacts as well as other "costs and benefits".

3. Capacity

Heathrow regularly says that it will operate at least 740,000 flights (current planning limit is 480,000 flights a year) and supporting NPS documents estimate capacity up to 900,000 flights a year. Communities around Heathrow are very sensitive to the impact that the number of flights has on noise and health. They are generally unaware 740,000 flights a year is a minimum and that there could be as many as 900,000 flights. What capacity and use is being planned?

Answer:

Airport capacity is an issue that is permitted and/or restricted through the planning process and is not an aspect of airspace design. The CAA's role in the airspace change process only relates to decisions on airspace design.

From an airspace change perspective we are unable to comment on specific proposals.

4. Fairness

Heathrow conducted flight paths trials in 2014, which provoked much local public outcry and were cut short. Following on from this trial, would the panel support a policy of fair and equitable flight distribution on departure routes as opposed to concentration so that no single community will be subjected to living in what has been called “a noise sewer?”

Answer:

The CAA cannot comment on a specific airspace change proposal including whether there will be single or multiple routes before the relevant and appropriate stage of an airspace change proposal process.

However, in terms of the CAP1616 process, the Government’s Air Navigation Guidance 2017 (ANG) sets out what considerations are required before deciding on single or multiple routes. Both the change sponsor and the CAA, as decision maker, must take account of the Government’s environmental objectives set out in the ANG. These are contained in paragraphs 1.2 -1.3. The Government has also laid down altitude-based priorities in paragraph 3.3.

Furthermore, the CAA’s CAP1616 airspace change process is designed to allow all stakeholders, including communities, the opportunity to help shape proposals, very early in the development stages of a proposal at “design principles” stage. The design principles will be based around some fundamentals such as safety, throughput of traffic and environmental impacts. But they must also be developed in a local context, in accordance with national policy. These must be informed by engagement and the design principles which are set at stage 1 then form a framework against which airspace change design options can be evaluated in Stage 2 of the process. These options would then be appraised and ‘tested’ with stakeholders again and then ultimately consulted on in Stage 3 of the process. Whether air traffic should be concentrated or dispersed at the early stages of new or amended departure procedures is an issue that can be developed between stakeholders and sponsors at the design principle stage of the CAP 1616 process.

The fact stakeholders, including communities, get to have their say throughout the airspace change process is a key pillar of CAP1616. We would encourage you to contribute to any engagement activities carried out by the Change Sponsor to enable your opinions to be heard and considered during the process. The CAA will consider the effectiveness of a sponsor’s engagement and how it has shaped the proposal being developed at a number of the CAP 1616 gateways and in making its final decision on a proposal. If the CAA does not consider that you have been heard and your views properly taken into consideration at the right time then the ACP will not be able to progress through to the next stage of the ACP.

5. More precise flight paths

There are positives and negatives for more precise flight paths. However, what has been learnt from the experiences of airports around the world, that have introduced more precise flight paths (or Performance Based Navigation as it's known) that may be used to ensure PBN can be quietly and calmly introduced at Heathrow?

Answer:

The CAA's policy is not to discuss individual proposals while being developed, only generic questions on process.

Every airport is different and each airport's situation, and a wide range of factors including capacity demands, local environment and available airspace will guide which particular PBN tools are used and what environmental mitigation techniques can be applied. It was for this reason that we produced CAP 1378 in April 2016. Titled PBN - Airspace Design Guidance: Noise mitigation considerations when designing PBN departure and arrival procedures, the document highlights the potential mitigation strategies that could be applied, but balances this with environmental and operational impacts as well as aircraft capability issues and the potential applicability. All airspace change sponsors are required to consider CAP 1378 in their change proposals.

It is fair to say that PBN can provide some outcomes including:

- Facilitating far greater navigational precision, allowing routes to be precisely placed to avoid some sensitive areas
- Allowing respite routes to be planned to share noise out which most stakeholders tend to think is a good idea
- It is a global standard
- Facilitating more efficient airspace

However, PBN can also involve some challenges:

- With the more efficient airspace this can mean more planes and potentially more sources of noise
- Routes can be precisely placed over a location - which concentrates noise and can create noise sensitive areas
- Often removes the 'natural dispersal' that some people preferred with conventional navigation
- Stakeholders that get 'new noise' because of respite are often unhappy with the concept of sharing the noise out

There are a number of examples of the UK has already taken account of the introduction of PBN for other countries, including at Schiphol and Frankfurt.

It is important to note that the mechanism for changing to the use of PBN procedures are decided through the CAP1616 airspace change process. This means that, like

every other part of the process it is transparent, consistent and proportionate. It is also focused on being impartial and evidence based

6. Consultation Process

The current consultation process is one of many and there are more to come. What principles are being applied to ensure these consultations are meaningful and really impact on the outcome and how are these put into practice?

Answer:

The CAA's policy is not to discuss individual proposals while being developed, only generic questions on process.

In January 2018, the CAA's new CAP1616 airspace change process came in to effect. This process is transparent, consistent and proportionate. It is impartial and evidence based.

CAP1616 allows stakeholders to get involved much earlier at the stage of Design Principles and remain engaged throughout, in addition to the formal consultation at Stage 3 of the process. CAP1616 also introduces the opportunity to address the CAA directly, prior to making a decision, at a Public Evidence Session, which the CAA will offer in relation to Level 1 changes.

One of its key pillars is the emphasis the CAP 1616 process places on the role of meaningful engagement earlier and throughout the process and on consultation at Stage 3. This means that when contemplating any airspace change proposal, the change sponsor must effectively engage with stakeholders in a two way process before determining design principles. Depending on the level of the change, this may include the general public, their elected representatives and environmental interest groups; other airspace users; airport operators; and air navigation service providers.

All materials must be made available in a manner which is clear and accessible to stakeholders.

The CAP1616 process sets out the CAA's requirements for engagement and consultation and provides guidance on what is expected at each stage of the process. Further detail on the engagement and consultation requirements of the process can be found in Appendix C.

A thorough assessment of a Change Sponsors engagement and consultation forms a part of our appraisal of the proposal. This goes beyond just looking for the pluses and minuses of the proposal, but also includes seeking evidence that stakeholder views have been sought and taken into account by the Change Sponsor.

Most airspace change proposals will have a range of stakeholders including airports, airlines and communities. They will often have conflicting views and not everyone will agree with every potential decision that changes the UK's airspace design. The CAP1616 process requires the sponsor, to demonstrate to the CAA how it has dealt with conflicts between stakeholder views. Ultimately we expect to see ongoing engagement to ensure that airspace change proposals are received by an informed, engaged audience able to effectively feed-in their views. However, the airspace change process is not designed to be a referendum of views, but it is designed to

enable the CAA to make a decision fairly having regard for the views of all the various stakeholders groups and having considered those views in accordance with our duties in Section 70 of the Transport Act 2000.

7. Consultation Process

The CAA signed-off Heathrow's Airspace Design Principles (Stage 1) proposals for a 3rd runway and for Independent Parallel Approaches near the end of 2018. Heathrow communities questioned substantial flaws in the Airspace Design Process and community engagement and asked for the CAA's decisions to be deferred and for mutual facilitation. Responses from the CAA and HAL failed to deal with community concerns and the communities have been unfairly and unreasonably ignored resulting in loss of trust and unfair and irrational decisions on the future airspace and flight paths. What is the CAA and HAL going to do to rectify their substantive failings on engagement with community stakeholders?

Answer:

The CAA's policy is not to discuss individual proposals while being developed, only generic questions on process.

The next stage of the CAP1616 process requires further engagement and Stage 3 of CAP1616 is the formal consultation stage. We would advise that anyone who has any opinions about any airspace change proposal to engage fully in the CAP1616 process.

8. Trust

Many of us here today who live locally feel that so many promises made by Heathrow and Government have been broken, do you think trust matters and if so, how can it be built?

Answer:

As a responsible regulator, the CAA realises the importance of trust when it comes to issues such as airspace and any changes to airspace design. This issue of trust was one of the major motivations for the CAA assessing and redesigning how we make our decisions on airspace change proposals. Our new CAP1616 process is transparent, consistent and proportionate

It is vital that this process be impartial and evidence based and must take account of the needs and interests of all affected stakeholders. There are strict consultation and engagement requirements as part of the process and the Change Sponsor must demonstrate to the CAA how it has used stakeholder engagement to inform its airspace change proposal.

While not everyone will agree with every potential decision that changes the UK's airspace design, the CAA is committed to ensuring the methods used to reach those decisions are well understood and respected by all stakeholders.

9. Expansion

I am a resident of Harmondsworth my family occupy four homes with an age range from school age to retirement age in the total demolition zone and for the last 15 years we have been subjected to relentless threats of eviction should a third runway be built.

To be threatened with eviction from one's home is a trauma second only to bereavement.

We have been given solemn promises by HAL and political leaders including Mr Cameron and Mrs May that no third runway would ever be built at Heathrow

It is on these assurances that I have based my personal and business life.

I have been subjected to intolerable threats, stress and harassment, causing me and my family extreme anxiety. I would be interested in the views of Dr Charlotte Clark on this health impact and whether the panel think this psychological impact over a long period of time should now be a subject for compensation.

Answer:

The CAA is unable to comment on this question.

10. Expansion

The cost both financial and human of all the delays relating to expansion and uncertainty about building a third runway are immeasurable. Why is it taking so long when other countries just get on with it?

Answer:

With the publication of the Airports N.P.S the development and operation of a new north west runway at Heathrow is now Government Policy. This is reflected in our recently published statutorily required strategy and plan for airspace modernisation.

The CAA has a number of regulatory roles which are relevant to expansion at Heathrow including airspace change, economic regulation, safety and security regulation together with its roles in relation to airspace modernisation and its statutory consultee role in the planning consent process. The CAA is organising its resources and putting in place appropriate governance structures to ensure that it can carry out its regulatory oversight and other relevant activities and make lawful, timely and evidence-based decisions when it is required to do so.

11. Environment

What assurances can you give us that final decisions on flight paths will protect areas such as Colne Valley Regional Park from further noise and other pollution so that the area can continue to fulfil one of its core purposes - to provide high quality outdoor space for respite and recreation?

Answer:

The CAA's policy is not to discuss individual proposals, only generic questions on process.

We would advise that anyone who has any opinions about any airspace change proposal to engage in the CAP1616 process. The process is designed to allow people who want to get their voice heard to have their say.

12. Local business

What measures do Heathrow intend to take for the safeguarding of local businesses that either work with or are suppliers to the airport, should any protest actions arise?

Not answered.