

## Safety and Airspace Regulation Group

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### Airspace Change Proposal - Consultation Assessment

Version: 1.0/ 2016

<b>Title of Airspace Change Proposal</b>	<b>RAF Brize Norton Class D CTR/CTA Airspace Change Proposal</b>
<b>Change Sponsor</b>	<b>RAF Brize Norton</b>
<b>SARG Project Leader</b>	<b>[REDACTED]</b>
<b>Case Study commencement date</b>	<b>07 August 2020</b>
<b>Case Study report as at</b>	<b>25 November 2020</b>
<b>File Reference</b>	<b>ACP 2014 - 12</b>

#### Instructions

In providing a response for each question, please ensure that the 'Status' column is completed using the following options:

- **Yes**
- **No**
- **Partially**
- **N/A**

To aid the DAP Project Leader's efficient Project Management it may be useful that each question is also highlighted accordingly to illustrate what is resolved Green **not resolved** Amber or **not compliant** Red as part of the DAP Project Leader's efficient project management.

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1.	Consultation Process	Status
1.1	<b>Is the following information complete and satisfactory?</b>	
	<ul style="list-style-type: none"> <li>• A copy of the original proposal upon which consultation was conducted.</li> </ul>	YES
	<ul style="list-style-type: none"> <li>• A copy of all correspondence sent by the sponsor to consultees during consultation.</li> </ul>	YES
	<ul style="list-style-type: none"> <li>• A copy of all correspondence received by the sponsor from consultees during consultation.</li> </ul>	YES
	<ul style="list-style-type: none"> <li>• A referenced tabular summary record of consultation actions.</li> </ul>	YES
	<ul style="list-style-type: none"> <li>• Details of and reasons for any changes to the original proposal as a result of the consultation.</li> </ul>	YES
	<ul style="list-style-type: none"> <li>• Details of further consultation conducted on any revised proposal.</li> </ul>	N/A

**1.2 Were reasonable steps taken to ensure all necessary consultees actually received the information e.g. postal/e-mail/meeting fora?**

**PARTIALLY**

Consultation conducted 15 December 2017 to 22 March 2018 and ultimately extended to end on 5 April 2018

The change sponsor consulted with aviation and non-aviation stakeholders on a proposal to increase the size of the Class D control zone (CTR) and add class D control areas (CTA's) to contain existing and proposed Instrument Flight Procedures (IFP's) and provide connectivity with the UK airways network. The change sponsor stated they consulted with 714 organisations and individuals. The stakeholder list included in the consultation feedback report dated 3 October 2018 lists 477 stakeholders within the following groups: 5 County, City, District and Borough Councils, 15 local aerodrome and aviation organisations, 19 Members of Parliament, 33 National Air Traffic Management Advisory Committee (NATMAC) members, 5 conservation organisations, and over 400 parish and town councils. The body of the consultation feedback report provides an overview of the groups and numbers of stakeholders within them that were consulted and in addition to those referred to above includes as consultees 39 members of the Oxfordshire Area of Intense Aeronautical Activity Users Working Group (OAIAUWG) and 193 county and district councils and councillors that are not included in their stakeholder list.

The consultation was launched predominantly by email and in some cases by online form and letter. It has not been possible to verify that the consultation launch email was sent directly to each of the stakeholders on the change sponsor's list as although copy launch emails have been provided, most of the emails do not show details of the intended recipients.

Consultation feedback raised concerns regarding a lack of direct or adequate consultation with stakeholders including airfields, hang-gliding, paragliding and flying clubs and councils and doubt was also cast on whether all stakeholders included in the change sponsor's list had received the notification of the consultation directly. For example, stakeholders referred to contacting their local MP and council regarding the proposals to be told that those contacted had not heard about the airspace change proposal despite their inclusion on the list of consulted stakeholders. Others considered the change sponsor's reference to consultation with local stakeholders as misleading while providing their examples of no direct contact from RAF Brize Norton (BZN) despite inclusion on the stakeholder list. Some stakeholders considered the change sponsor had demonstrated poor background research citing examples of specific gliding and flying clubs that were local airspace users and expected to be impacted but not included on the consultee list.

The launch email (seen) sent on 15 and 18 December 2017 explained why the airspace change was required, invited consultees to visit BZN's website (hosted on the Ministry of Defence (MoD) network) to download the consultation document and provided the deadline for responses. Responses were invited via a dedicated email address, by post and via public meetings for all types of stakeholders (held on 20 and 28 February 2018 at BZN). The address for responses by post was included in the consultation document. The change sponsor published the details of the public events on their website <https://www.raf.mod.uk/our-organisation/stations/raf-brize-norton/flying-info/>. Emails provided demonstrate that the change sponsor also drew stakeholders' attention to these events when responding to feedback.

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The original consultation term was 14 weeks which the change sponsor explained accounted for the Christmas and New Year holidays that fell within the consultation period. To take account of the publication of additional images on the change sponsor's website to assist stakeholders who stated the original images were distorted, the decision was made to extend the consultation for an additional two weeks. This information was relayed on BZN's website. Reference is made to the extension in individual email responses to some stakeholders. The consultation closed on 5 April 2018. The change sponsor considered requests for a longer consultation period and decided that sufficient time had been allowed for stakeholders to consider the impact of the proposed changes.

The BZN website was updated on 1 March 2018 as part of a larger RAF-wide website update. This led to the change sponsor apologising to some stakeholders who were struggling to access information saying that the airspace change proposal information should have migrated across to the new site but did not. The change sponsor provided a new link to these stakeholders to enable them to gain access to the consultation documentation. The consultation was re-located to its new site on 2 March 2018.

**1.3 What % of all operational consultees replied? (Include actual numbers).**

**25%  
21/84**

The change sponsor targeted 84 aviation stakeholders and 21 responded. These numbers are grouped and set out below:

<b>Aviation stakeholders</b>	<b>Targeted</b>	<b>Responded</b>
Aviation national organisations on the NATMAC list	33	14
Members of the Oxfordshire Area of Intense Aeronautical Activity Working Group (OAIAAWG)	36	5
Local aerodromes/aviation organisations	15	2
<b>TOTALS</b>	<b>84</b>	<b>21</b>

**1.4 What % of all environmental consultees replied? (Include actual numbers).**

**4%  
27/630**

The change sponsor targeted 630 non-aviation stakeholders and 27 responded. These numbers are grouped and broken down as set out below:

<b>Non-Aviation stakeholders</b>	<b>Targeted</b>	<b>Responded</b>
County and Town Councils/Councillors	193	1
Members of Parliament	19	3
Parish Councils	413	22
National bodies/conservation organisations	5	1
<b>TOTALS</b>	<b>630</b>	<b>27</b>

In addition to the total number of responses provided above from targeted stakeholders, the change sponsor received 1598 unsolicited responses from other individuals and organisations. The overall total number of responses was 1646. Most of the responses were received from glider, hang glider and paraglider pilots, individuals associated with general aviation groups and organisations and other airspace users. The total of 1646 overall responses have been broken down below:

<b>Types of responses</b>	<b>Numbers of responses</b>
Supported	10 (0.6%)
Objected	1597 (97%)
Neutral/No comment	16 (1%)
Requested clarification but provided no formal response	23 (1.2%)
<b>TOTAL</b>	<b>1646</b>

The 1597 objections have been broken down to show types of stakeholder and numbers of objections as follows:

<b>Type of stakeholder</b>	<b>Number of objections</b>
Local aerodromes/aviation organisations	42
Members of the OAIAAWG	3
Members of Parliament	2
NATMAC consultees	13
Local authorities	13

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Individuals within the aviation community	1514
Individuals outside the aviation community	8
Other organisations (non-aviation)	2
<b>TOTAL</b>	<b>1597</b>

The change sponsor separated out the objections according to the number of responses and the table below sets out the analysis of responses with key words within the feedback that attracted more than 100 responses:

<b>Nature of objection</b>	<b>Number of responses</b>
Reduction in safety for GA	902
Choke points	871
Disproportionate	464
Increased risk of mid-air collision	430
Impact on cross-country flying	281
Cynical use of CAP 725	199
Uncompelling safety argument	173
Benefit the few over the many	134
Restriction of free flying	131
No consultation with hand-gliding/paragliding communities	131
Does not consider GA	122
Unjustified based on movements	117
Impact on Avon Aerotow Group	116
Increased incidence of airspace infringements	111
Impact on hand-gliding/paragliding	106
Designed to make airport operations easier	104
Unnecessary	103

Further information regarding key objections and other points raised by stakeholders has been outlined in section 1.6 below.

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	<p>Over 700 stakeholders suggested alternative solutions that they considered would be preferable to an increased volume of Class D controlled airspace (CAS) and analysis of the feedback shows that these suggestions included: establishing a Radio Mandatory Zone (RMZ), a Transponder Mandatory Zone (TMZ), enhanced coordination between BZN and London Oxford Airport (LOA), having a smaller CTA, enacting the CTA by NOTAM to allow certain zones to revert to Class G on optimum days, assessing the potential advantages of FLARM as used by most gliders and a request for BZN to modernise its practices by using simulators and avoid the need for long approaches. In their final proposal document the change sponsor stated that within the alternative solutions, 161 stakeholders had suggested either an RMZ or a TMZ or a combined RMZ/TMZ which equated to 21% of those who had proffered an alternative solution. The change sponsor's response to the alternative solutions suggested has been set out in their Consultation Feedback Report dated 3 October 2018.</p>				
<p><b>1.5</b></p>	<table border="1"> <tr> <td data-bbox="280 560 1906 647"> <p><b>Were reasonable steps taken to ensure as much substantive feedback was obtained from the consultees e.g. through follow-up letters/phone calls?</b></p> </td> <td data-bbox="1906 560 2103 647" style="background-color: #008000; color: white; text-align: center; vertical-align: middle;"> <p><b>YES</b></p> </td> </tr> <tr> <td colspan="2" data-bbox="280 647 2103 1407"> <p>Prior to the commencement of the consultation the change sponsor engaged with local aviation stakeholders to share the initial airspace designs and obtain feedback on the designs. An engagement activity log has been provided showing that these activities were conducted from May 2014 and that the change sponsor engaged with LOA, Cotswold Airport (formerly Kemble Airfield), Gloucester Airport, LAMP and S23, MoD 22 Gp, Joint Helicopter Command (JHC), RAF Fairford, RAF Benson Flying Club, RAF Brize Norton Flying Club, MoD, Redlands, Sandhill Farm and Nympsfield Airfields, NATMAC, British Gliding Association (BGA), the British Microlight Aircraft Association (BMAA), General Aviation Alliance (GAA), Wellesbourne Mountford and Vale of White Horse Gliding Club. A briefing was provided for the Military Airspace Users Working Group (MAUWG) (previously known as the Military Users Airspace Coordination Team (MUACTION)). The airspace change proposal was a standing item on the agenda for the Oxfordshire Area of Intense Aerial Activity (AIAA) Working Group (subsequently renamed as the Regional Airspace Users Working Group (RAUWG)). Stakeholders have stated that the change sponsor chose not to engage with local airspace users to design an acceptable low impact solution at these working group meetings. It has not been possible to verify the specific content of these meetings. A summary table of the points made during this pre-consultation engagement phase was included in the change sponsor's consultation document and the issues raised were consistent with stakeholder responses provided during the consultation. Stakeholders stated that in practice the pre-consultation engagement amounted to a briefing of the change sponsor's intentions during which the airspace changes were presented as final designs, limited feedback was sought, and no follow up dialogue instigated to consider options such that it did not amount to meaningful engagement. Disappointment was expressed that no focus group was convened by the change sponsor as such a group would have, in the view of stakeholders, provided invaluable input on the airspace design options and been more likely to have resulted in a more palatable solution.</p> <p>The consultation was formally launched on 15 December 2017 predominantly via email correspondence and by online form and letter. Responses were invited via a dedicated email address, by post and by attendance at two public events. The postal address was included in the consultation document. The launch email (seen) sent on 15 and 18 December 2017 explained why the airspace change was required, invited consultees to visit BZN's website to download the consultation document and provided the deadline for responses. 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change sponsor was proactive in drawing the public events to consultees' attention and they did this primarily by including it in their responses to consultees who provided feedback by email.

The email correspondence shows that the change sponsor reacted to difficulties expressed by stakeholders in accessing the information by sending website links for direct access. The email evidence provided shows that the change sponsor followed up problems with stakeholder email non-delivery.

Stakeholders raised an issue regarding the distortion of aviation charts which made them difficult to interpret or "impossible to use" and the incorrect labelling of CTA's. The change sponsor recognised that labelling errors had been made and added an explanatory note for stakeholders to their website on 19 December 2017. They also issued a correction email, although stakeholders subsequently pointed out that the email referred to the wrong table as being corrected. The change sponsor explained that the distortion was due to the software trying to scale the picture appropriately, posted revised images on the BZN website and in January 2018 extended the consultation length by two weeks.

BZN hosted two drop-in sessions at BZN Community Centre on 20 and 28 February 2018 to allow members of the public and aviation stakeholders the opportunity to view the proposal and clarify aspects of the proposal with the change sponsor and Air Traffic Control (ATC).

An email was issued on 8 March 2018 reminding stakeholders that the consultation would close on 5 April 2018 and advising stakeholders that the MoD had launched a new website and that RAF Brize Norton had transitioned over to it resulting in a new link to access the consultation material.

Awareness of the consultation was promoted using direct email communication with stakeholders, a dedicated link on the BZN website and two public meetings. Progress of the airspace change proposal was discussed at the Oxfordshire AIAA Users Working Group (now known as the Oxfordshire RAUWG). Reference is made to the project being "well advertised locally within the aviation community" and "advertised on local media". It has not been possible to verify these statements. Some stakeholders have provided an opposing view stating for example that the open meetings had been poorly advertised with notification of them appearing only on the change sponsor's website.

The change sponsor continued to accept stakeholder responses after the consultation closed and the raw data of these responses has been included within the submission and assessed.

1.6 Have all objections to the change proposal been resolved (or sufficiently mitigated)?

PARTIALLY



The raw responses have been reviewed and I am satisfied that the key themes that emerged from the consultation feedback have been adequately captured by the change sponsor in their consultation feedback report.

A substantial amount of external correspondence was submitted directly to the CAA throughout all stages of this airspace change proposal and a review of this correspondence shows that the feedback is consistent with the contents of the change sponsor's consultation feedback report and the key themes and other stakeholder responses addressed below.

The key themes in terms of objections to the proposals together with the change sponsor's responses are set out below.

**Key objections raised by stakeholders**

Reduction in safety for General Aviation (GA) community as a result of traffic density and the creation of choke points

Consultees responded that the change sponsor had not fully considered the number of GA pilots using class G airspace and that the airspace change would be unsafe for all general aviation due to the creation of choke or pinch points with pilots choosing not to enter class D airspace, unable to enter or refused entry. The change sponsor was asked not to underestimate the numbers of general aviation, microlight and glider pilots that do not use radio and so would opt to avoid controlled airspace in the area. Transponders and radios are impractical items of equipment for paragliders and hang-gliders to carry due to their weight, size and power requirements. Concerns were expressed that traffic funnels would be created particularly at the eastern and western ends. In an already congested and challenging area of airspace, the lives of pilots would be endangered and the potential for infringements increased rather than safety enhanced.

Response: The change sponsor stated that they recognised the GA community perceives Class D as a barrier to flight and that this would result in some GA operators routing around the proposed airspace, leading to increased traffic density and an exacerbation of choke points. Their design modifications were aimed at still meeting the project's objectives but being more sympathetic to those members of the GA community who choose to avoid controlled airspace.

The amount of controlled airspace (CAS) sought was disproportionate

While some stakeholders stated there was insufficient data on present, historic and future movements to allow for an informed response on the proportionality of the airspace allocation, others stated that the amount of CAS sought was disproportionate based on the current number of aircraft movements and numbers expected in the future. Although the consultation material compared Brize to a civilian airport, in the view of stakeholders the reality was that there were few movements with most military airports not operating at weekends rendering the proposed "airspace grab" unwarranted.

Response: BZN had re-evaluated the proposed design in the light of objections received and as a result, a design modification was being drawn up to ensure the minimum airspace volume possible was proposed to contain BZN procedures and ensure operational flexibility.

Increased risk of mid-air collision

The expansion of existing airspace would restrict non-radio equipped traffic into many open airspace bottlenecks and increase Military Air Traffic Zone (MATZ) traversals. Many recreational GA pilots would also choose to fly in these bottlenecks. The complexity of navigating close to the edge of restricted airspace increases the workload of GA pilots and reduces their ability to look out for other air users. This is especially the case for gliders where the base workload is high, and as routes are naturally restricted to where there is lift. Paragliders and hang-gliders cannot use air-band radios and are therefore most effected as they do not have the option of entering Class D airspace or ATZ's. Consultees stated that the areas where the risk of mid-air collisions would be increased included: the small gap between the new airspace and RAF Benson MATZ, around the Kemble area where GA would be funnelled nearer the ground, around the western tip where increased GA would pass before getting back on route and around the northern tip of the linked proposed LOA airspace where increased GA would pass before getting back on route. Attention was drawn to the findings of the AAIB report on a fatal collision between an RAF motor glider and a civilian glider in June 2009.

Response: The change sponsor noted that consultees had stated BZN had not considered the overall safety of all aircraft. The change sponsor stated that modifications made to the design post-consultation were aimed at mitigating the issues raised, where possible.

Impact on pilots being able to conduct cross-country flights, competitions and championships

The airspace above BZN was referred to as an area where particularly good gliding weather could be found leading to thousands of pilots wishing to use the area to fly cross-country. Cross-country flights of over 200km were referred to as common over the gliding season and the corridor between Brize and Benson referred to as the most heavily used route in the country for gliders. The types of sites that gliders launch from were said to be "few and far between" with a number surrounding the proposed airspace which would make the sites less useful and deny opportunities for cross-country flying. Any further limitations on usable airspace would increase pilots' workload to unacceptable levels, increase chances of field landings due to lower airspace ceilings and impact on pilots' safety. Stakeholders said that having to stay below 3,500' makes cross-country flights very difficult and having to stay under 2,000' makes them impossible.

Response: The change sponsor acknowledged that a number of important cross-country routes transect the proposed airspace. While it remained the intent of the change sponsor to facilitate GA movements as widely as possible the change sponsor recognised that many GA pilots will not enter CAS, either because the aircraft they operate is not equipped with a

radio or because they wish to operate without an ATC service of any kind. BZN stated they would review the visual flight rules (VFR) crossing guide to reflect the changes in the design of airspace and will provide guidance on RT procedures and preferred crossing routes to make it as simple as possible for aircraft to cross CAS safely and expeditiously. VFR crossing/reporting points have been addressed in the CAA's operational assessment for this airspace change proposal (ACP).

Cynical and rushed use of CAP 725 to avoid more stringent engagement requirements of CAP 1616

The quality and timing of the BZN consultation was viewed as a ploy to maximise the chances of the ACP succeeding through CAP 725 which was soon to be superseded by requirements for greater transparency, and enhanced consultation, justification and reasoning under CAP 1616.

Response: The CAA articulated transition arrangements for proposals that had already commenced under CAP 725 and that any project that had started stage 4 consultation could remain on the existing process.

The safety case was not sufficiently compelling

Consultees stated that although the consultation materials talked about safety, BZN was only concerned about the safety of Brize's own aircraft, not the safety of all current airspace users, and the consultation materials made no assessment as to how the safety of GA flying stakeholders forced into pinch points would be improved. The safety events/airprox data included in the consultation was referred to as "unconvincing", the majority would not have been prevented by the airspace proposed and a high number appeared to have been caused or aggravated by Air Traffic Control. Stakeholders stated that there were other simpler and easier to implement solutions that would meet the safety case and examples of alternative solutions suggested by stakeholders are provided at Section 1.4 above.

Response: The change sponsor responded that the inclusion of safety data and events within the consultation document was not intended to be misleading and that the data was representative of the complex area that BZN and other aviators operate in within the Oxfordshire area. They went on to say that the safety concerns were borne out of a study conducted for BZN at the outset of the project that indicated the highest risk held by the Operational Duty Holder was that of a Mid-Air Collision (MAC) of a BZN asset with another aircraft.

The perceived unfair benefit for the few at the expense of the GA community

The view was expressed that BZN had disregarded the points raised by recreational flying organisations and that the only benefits that would result would be to allow large RAF transport aircraft to operate further from the airport affecting more residential areas with noise and nuisance and causing a reduction in safety for a wide range of GA stakeholders. Consultees

stated that the proposals would damage the viability of local gliding, tow-groups and GA club and that a risk analysis should have been prepared for the perceived increased risk to aircraft operating in the area.

Response: The change sponsor considered that undertaking a risk analysis exercise was impractical as there were too many variables to generate a realistic evaluation of the level of risk.

The restriction to free flying that would result from the reduction in class G airspace

Concerns were raised that the free-flying community had not been consulted in full, that free-flight pilots do not have as much flexibility and choice that enable cross-country flights of a decent length and the airspace change would remove a large portion of airspace from most pilots. The view was expressed that the proposal was designed to make operation of the airport easier with no regard to the free-flying community.

Response: Although the change sponsor does not appear to have addressed restriction to free-flying, the change sponsor has made modifications to the design to try to address stakeholders' concerns.

Inadequate consultation with stakeholders

Consultees consistently stated that no direct consultation with the local hang-gliding, paragliding, paramotoring and sailplane communities took place. For example, clubs mentioned included the Avon Paragliding and Hang-Gliding club, XClent Paragliding Club, Avon Aerotow Group, Thames Valley Paragliding and Hang-Gliding Club and Malvern Hang-Gliding Club which have sites where routes flown would be directly impacted, restricted, curtailed or funnelled by the proposed changes.

Response: The change sponsor did not address this concern specifically in their analysis. Their stakeholder list included 15 local aerodrome and aviation organisations as direct consultees, the majority of which were airfields, airports and RAF airbases. The Clubs included in this group as direct consultees were Bucks Microlight Club, London Gliding Club and London Parachute School. The consultation feedback report lists 48 flying clubs and local aviation organisations that provided feedback to the consultation.

The proposed airspace design was too complex

The airspace was referred to as being complex already and that the proposed segments with varying height restrictions would add unnecessarily to complexity. Flying VFR and using landmarks as reference points would result in difficulty remaining vertically outside of controlled airspace and therefore maximise the potential for infringements. The complexity would make GA operations in the area more challenging, more dangerous and more expensive.

Response: The change sponsor stated that all redesign options suggested including simplifying the airspace design would be considered.

Concerns expressed regarding the combined effect of the BZN and London Oxford Airport (LOA) proposals

Consultees considered that the BZN and LOA proposals should have been considered at the same time within a single Airspace Change Proposal with a combined map or chart of the proposed changes for both airports provided and their complete lateral and vertical extents. The combination of both proposals was damaging to the flying, gliding and GA clubs. It was stated that the total new volume of airspace proposed was excessive with a suggestion that by splitting the proposals in two there was an attempt to conceal the true extent and implications of the proposals. Some stakeholders chose to raise their concerns with the CAA at the time of the consultation urging the CAA to require the change sponsor to withdraw and submit a single unified ACP for both BZN and LOA.

Response: Reference is made to this in some individual responses to stakeholders: that each consultation document depicts the airspace and procedures proposed by each individual airport, that the change sponsor recognised that both projects have a potential cumulative effect and therefore reference was made to both projects in the consultation material and on each airport's respective websites.

Objections raised by local communities and councils

The concerns raised by the GA community were echoed. Other concerns included: the potential increase in noise, nuisance and pollution for residential areas as a result of increase in traffic volume due to the creation of narrow traffic corridors and the impact on quality of life for residents due to reduced aviation safety.

Concerns and objections focussed on areas and airfields

Concerns were raised regarding the impact on operations and viability due to reduced activity that would result for airfields and aerodromes including but not limited to: Aston Down, Bicester, Enstone, Gloucestershire Airport, Hinton-in-the-Hedges, Lasham, Nympsfield, Rendcomb, Weston-on-the-Green and Wycombe.

**Other responses**

NATS response

NATS raised a lack of engagement following initial discussions in 2016 of BZN's airspace change plans. Their main concern was the proximity of BZN and Cotswold CTA's, considered a LoA would be required with respect to the handling of arrivals and departures to and from Gloucester, Cotswold Airport (formerly Kemble Airfield) and Oxford airports and were concerned that the lateral and vertical extents of the proposed airspace were overly complex and had the potential for an increased risk

of CAS infringements. NATS also sought clarification on the aspect of the design regarding the introduction of new RNAV arrival and departure procedures and asked for close coordination of any planned implementation date with NATS Swanwick and NATS Bristol.

Response: The change sponsor has stated that further meetings were held with NATS to understand their concerns and agreement was reached in principle that would result in a Letter of Agreement if the ACP is finalised.

#### **Revisions made to the airspace design and engagement activity conducted after consultation period**

At the conclusion of the consultation the change sponsor recognised that the GA community would be most impacted by any change and undertook detailed design work to determine where further reductions in proposed airspace volume could be accommodated to mitigate the concerns raised without affecting the project's overall objectives. Updated designs were presented to "key representatives of the GA organisations".

A revised design was produced in 2018 where the volume of CTA airspace was reduced by raising the initially proposed base levels. The main areas altered were CTA's 1,2,3,7 and 8 with the amendments to CTA's 1,2 and 3 aimed at addressing the comments made regarding funnelling of traffic and pinch points between the RAF Benson MATZ and the new edge of the proposed CTA. This design was presented at a stakeholder engagement event held on 17 October 2018. The engagement log shows that the following stakeholders were engaged: the GAA, the BGA, the BMAA, Gloucester Airport, Nympsfield Aston Down and RAF Fairford. The change sponsor has said they received informal feedback and recognised from that event that the GA community felt more could be done to mitigate their concerns.

The minutes (seen) of the Oxford Regional Airspace User Working Group meeting which took place on 14 November 2018 show that BZN chaired the meeting and provided an update of their ACP. Attendees were advised that the designs were being reviewed for amendment based on extensive feedback received from the engagement event held on 17 October 2018 and that the MoD and integral airspace users would be given the opportunity to view the proposal prior to submission to the CAA. In discussion regarding the production and management of Letters of Agreement, interested parties were asked to engage with BZN to review these when available.

In December 2018 members of the General Aviation Alliance (GAA) presented the change sponsor with a counter proposal which they considered would meet the ACP objectives while having a minimal impact on the GA community. This counter proposal was considered but not accepted for the following reasons: it would not comply with UK policy on vertical containment, it prevents continuous climb/descent profiles, it would require very specific flight performance characteristics

which not every aircraft may be able to comply with and it would place an unacceptable burden on aircraft diverting to RAF BZN as the Military Emergency Diversion Aerodrome (MEDA).

Although the GAA's counter proposal was not accepted the change sponsor states that they still recognised the concerns raised by the GAA on behalf of their stakeholders and so re-considered some of the previously discarded options to try to mitigate the concerns. A further revised airspace design comprised a combination of Class D and Class E airspace plus conspicuity was presented to the GA community at a stakeholder event held on 17 September 2019 with an explanation that conspicuity could be provided by either a transponder or a radio call. The engagement log lists the following stakeholders were engaged were the same as on 17 October 2018, namely: the GAA, the BGA, the BMAA, Gloucester Airport, Nympsfield Aston Down and RAF Fairford. In order to address concerns from the British Gliding Association (BGA) whose members often have neither transponder nor radio due to power requirements, the change sponsor has said that they have offered to establish agreements with the BGA locally and nationally to allow access to the airspace in a safe and collaborative manner.

At the request of the GAA, the change sponsor hosted a further stakeholder event on 22 November 2019 and confirmed this re-design as their final design at that event but agreed to consider reducing the volume of class D airspace and increasing the volume of Class E plus conspicuity by horizontally splitting the airspace. This makes the final design a mixture of Class D for the CTR with some of the CTA's now Class E plus RMZ or TMZ. The element of Class D airspace was included to satisfy the objections of NATS concerning aircraft entering and leaving the en-route structure, with the vertical and lateral dimensions reduced to the "absolute minimum". The lower levels, which have the most impact on the GA community, would be Class E plus conspicuity allowing the possibility of access without ATC clearance.

Post consultation, as well as those stakeholders referred to above, the change sponsor's engagement log shows that they engaged with the following: 8 microlight and flying clubs, Oxford CAE, Bristol Aeros Club, Kemble, AOPA, RAF Benson, London Oxford Airport, Local Council working group, Little Rissington FTS, Challow Paramotoring Club, S23 LAMP and Avon Aerotow Club. The ACP continued to be a standing item on the agenda for meetings of the Oxfordshire AIAA Working Group (subsequently renamed as the Regional Airspace Users Working Group (RAUWG)). During these meetings potential Letters of Agreement were discussed.

The operational assessment for this ACP shows that the airspace classification, volumes and levels of the airspace design have been modified in an attempt to mitigate some of the objections from the GA community and other airspace users, primarily by making the airspace more accessible. As this is an airspace change proposal sponsored by the MoD there is no

requirement to have regard to the potential environmental impact of airspace changes where there is no impact on civil operations.

No second consultation has been conducted on the revised final design.

Correspondence received after final proposal published

Correspondence from stakeholders regarding this proposal has been received by the CAA since the final proposal was published and the points made include the following: no formal consultation conducted on the revised proposal, the duty of the CAA in accordance with S.70 Transport Act 2000 to take account of the needs of all airspace users in assessing an airspace change proposal, overall airspace will be compromised, the controlled airspace sought by BZN remains a disproportionate response, the proposal cuts off much of the central south of England to a significant number of GA pilots, a large number of air sports clubs, gliding clubs and GA airfields as well as operating sites will become unviable, no account is taken of a planned five-fold increase in USAFE deployments to RAF Fairford, no formal approach was made to particular relevant stakeholders regarding the consultation, the majority of gliders, balloons, paragliders, hang-gliders and weight shift aircraft and a minority of other GA types are not fitted with a transponder and will be excluded from the revised airspace design, BZN will be unable to handle the large numbers of requests for clearance, the cost of investing in the transponder/radio equipment and installation costs would be £2,500 - £4,000, BZN has not discussed Letters of Agreement (LoA) or Memoranda of Understanding (MOU) and the final proposal increases the risks for VFR traffic and is likely to increase the risk of mid-air collisions.



**Safety and Airspace Regulation Group**

**Recommendations / Conditions / PIR Data Requirements**

2.1	<b>Are there any Recommendations which the change sponsor <u>should try</u> to address either before or after implementation (if approved)? If yes, please list them below.</b>	<b>YES</b>
	<ul style="list-style-type: none"> <li>• Engagement and agreement with NATS for airspace sharing/joining procedures.</li> <li>• The change sponsor should consider how best to notify relevant aviation and non-aviation stakeholders about the outcome of the CAA decision and where applicable, implementation arrangements.</li> <li>• The change sponsor should monitor and capture stakeholder complaints over a 12-month period from implementation.</li> </ul>	
2.2	<b>Are there any Condition(s) which the change sponsor <u>must fulfil</u> either before or after implementation (if approved)? If yes, please list them below.</b>	<b>YES</b>
	<ul style="list-style-type: none"> <li>• All Letters of Agreement and Memoranda of Understanding to be finalised and signed before implementation.</li> <li>• Completion of development of Standard VFR crossing routes and VRPs to support the new airspace structure (Safety Case, Pt 3).</li> <li>• Completion of development of Standard IFR crossing points to support the new CAS design (Safety Case, Pt 3).</li> </ul>	
2.3	<b>Are there any specific requirements in terms of the data to be collected by the change sponsor for the Post Implementation Review (if approved)? If yes, please list them below.</b>	<b>YES</b>
	<p>As set out in the operational assessment, the following specific sections of CAP1616 Table H1 should apply to this ACP for PIR data collection.</p> <ul style="list-style-type: none"> <li>• Safety Data</li> <li>• Service Provision/Resource Issues</li> <li>• Infringement Statistics</li> <li>• Traffic Figures</li> <li>• Operational Feedback</li> <li>• Denied Access Statistics             <ul style="list-style-type: none"> <li>• This should account for denial of access to the IAP's as well as entry to the TMZ.</li> </ul> </li> <li>• Utilisation of SIDs/STARs/IFP. Note: to include as far as reasonably practical use of the MAP and any inability to maintain compliance with published IAP.</li> </ul>	

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- Letter of Agreement.
- Impact on environmental factors. Note: to be based upon any observed or reported matters.
- Impact on Ministry of Defence operations.
- Stakeholder feedback. NOTE: To include comments/complaints relating to the use or impact of the IAPs. Examples of sources include MORs, DASORs, routine and ad-hoc meetings, emails, social media. Provided in machine readable format wherever possible.

The change sponsor is required to collate related stakeholder observations (enquiry/complaint data) and present it to the CAA. Any location/area from where more than 10 individuals have made enquiries/complaints must be plotted on separate maps displaying a representative sample of:

- aircraft track data plots; and
- traffic density plots

The plots should include a typical days-worth of movements from the last month of each standard calendar quarter (March, June, September, December) from each of the years directly preceding and following implementation of the airspace change proposal.

Conclusions	Yes/No
<b>Does the consultation meet the CAA’s regulatory requirements, the Government’s guidance principles for consultation and the Secretary of State’s Air Navigation Guidance?</b>	<b>YES</b>
<p>The fundamental principles of effective consultation are targeting the right audience, communicating in a way that suits them, and giving them the tools to make informative, valuable contributions to the proposal’s development. I am satisfied that these principles have been applied by the change sponsor before, during and after the consultation. I am also satisfied that the change sponsor has conducted this consultation in accordance with the requirements of CAP 725, that they have demonstrated the Government’s consultation principles and that the consultation has:</p> <ul style="list-style-type: none"> <li>• Taken place when the proposal was at a formative stage. This is evidenced by the consultation document itself which stated any comments on the proposals were welcome, both positive and negative. The sponsor was prepared to, and did undertake, a series of reviews of their airspace design in the light of the significant number of objections received. This led to a modification of the design in a way that they considered would still achieve the project’s stated objectives but be more sympathetic to the concerns of the GA community.</li> <li>• Presented the consultation material clearly and outlined the potential impacts that needed to be considered. Feedback from stakeholders regarding the distortion of aviation charts resulted in revised material being placed on BZN’s website and the consultation length being extended.</li> </ul>	

Many stakeholders highlighted mistakes (for example incorrect labelling of CTA's), inaccuracies and contradictory statements and raised some of these concerns with the CAA at the time of the consultation but the consultation documentation was adequate in its clarity and was written in plain English. The change sponsor also facilitated two sessions open to all stakeholders during the consultation to provide information on the proposals and responded to requests from stakeholders for clarification and information throughout the consultation period.

- Provided a sufficient timeframe to allow considered responses. This was a consultation of a total length of 16 weeks as the original length of 14 weeks, which reflected the fact that the consultation term spanned the Christmas and New Year period, was extended by 2 weeks to take account of the publication of additional images on the change sponsor's website to assist stakeholders. This total length of 16 weeks was in excess of the widely accepted standard of 12 weeks.
- Taken into account the product of the consultation. This is evidenced by the stakeholder's consultation feedback report, the consideration given to a significant number of objections received to these proposals and the alternative solutions proposed by stakeholders which has resulted in modifications being made to the proposal consulted on.

### General Summary

The change sponsor targeted 714 aviation and non-aviation stakeholders over a 16-week consultation period. The change sponsor's consultation document was of sufficient clarity, written in plain English and suitable for both aviation and non-aviation stakeholder audiences. The document included a summary of the options that were developed but discounted and a section on expected impacts of the proposals. The consultation document was made available through the RAF Brize Norton website and public meetings and a hard copy was available by post on request.

Responses were received from 48 of those targeted (6.72% response rate). This was a poor response from targeted stakeholders, but the change sponsor received 1598 unsolicited responses from stakeholders which were for the most part members of the GA community and other airspace users. The total number of objections received amounted to a total of 1597 which represented 97% of the overall responses.

The change sponsor has adequately identified and captured the key themes from their consultee feedback, and these have been accurately outlined in their proposal document. The significant number of objections received from the GA community led to the change sponsor re-considering their airspace design in order to mitigate the concerns raised. In doing so the change sponsor demonstrated that they were prepared to be influenced and where appropriate to modify their design in response to stakeholder feedback. As a result, their consultation can be deemed to have been "meaningful". The change sponsor's final re-design encompassing modifications to the airspace classification, volumes and levels of the airspace design was presented to the GAA. The final design was not the subject of a second consultation.

**Safety and Airspace Regulation Group**

<b>Consultation Assessment Sign-off/ Approvals</b>	<b>Name</b>	<b>Signature</b>	<b>Date</b>
<b>Consultation Assessment completed by:</b>	[Redacted]	[Redacted]	25 November 2020
<b>Consultation Assessment approved by:</b>	[Redacted]	[Redacted]	16/12/2020

Mgr AR Comments: This assessment accurately captures the detail of the ACP consultation and follow up engagement activities. However, significant changes have been made to the airspace design submitted from the earlier iteration, but no formal consultation was carried out. We would expect this to have been carried out, not least because it would have offered all stakeholders the opportunity to comment on what was demonstrably a significant change from that which had previously been consulted upon'

<b>Hd AAA Comment/ Approval</b>	<b>Name</b>	<b>Signature</b>	<b>Date</b>
<b>Consultation Assessment Conclusions approved:</b>	[Redacted]	[Redacted]	23/12/2020

Hd AAA Comments: I concur with the comments already captured.