

PLANE JUSTICE
Response to
the CAA Consultation on
Draft Airspace Design Guidance 2017

Introduction

Plane Justice was formed in response to a PBN airspace change made to Gatwick departure Route 4 in May 2016, which saw the route moved and concentrated over new communities without due consultation, and with adverse vectoring consequences for still more communities. Its current aim is to support newly overflowed communities in parts of Newdigate, Capel, Leigh, Norwood Hill, Sidlow, Salfords, Outwood and Horley achieve resolution, by whatever ways and means seem appropriate, from what many consider was a deeply flawed decision process.

As such we welcome the CAA's acknowledgement of the need for reform of the airspace change process, though time and resources regrettably permit us only to comment before the consultation deadline on what we consider to be one of the central pillars of any such process – namely the mode and extent of consultation with local communities which we consider needs to be a good deal more prescriptive, with far less room for discretion.

This response is therefore intended to inform, amend and expand upon the procedures and processes set out in the draft airspace design guidance in relation to consultation with communities, and no inference should be drawn that we are otherwise commenting upon or in agreement with any of the proposed policies or procedures set out in this consultation in Stages 1 to 7 of the draft airspace design guidance itself.

The only substantive comments we would make on the draft is that Stage 6/7 seems incredibly weak in terms of obligations upon change sponsors to set up and publicise community feedback mechanisms, which should at the very least conform to the mechanisms in (v) & (x) below.

Similarly the flexibility the CAA appears to be trying to accord itself in Section 7 to require modifications, and then to approve these for implementation if so minded, has the unreasonable potential to override the procedures earlier gone through in Sections 1 to 5 and to undermine the whole ACP process. The same is true of the latitude the CAA proposes to decide whether, and the extent to which, an airspace change is reversible if the CAA decides that a fresh ACP is required.



We do not think it acceptable for the CAA to simply say e.g. *“Some changes that accommodate new technology may be mandatory. Some may have strong interdependencies and may be difficult to reverse.”*

As a matter of course, proposed airspace changes should be designed, planned and scheduled so as to render them reversible in all but the most exceptional cases, and such exceptional cases should require the express approval of the Secretary of State. How can it be reasonable for communities to be presented at inception with what is in effect a fait accompli, thereby consigning them to remain subject to an airspace change which the CAA has itself pronounced as unacceptable?

Again, in making these comments on Section 6 and 7, no inference should be drawn that we consider any of the other proposals in the consultation satisfactory as they stand.

Airspace Change Proposals: What “consult”/“consultation” must mean as a minimum in relation to communities:

Going forward, airspace change proposals should consult local communities in accordance with the minimum requirements set out below:

- (i) A 6 month consultation period
- (ii) Proposals should be presented to the public with different options for change. (Where other or alternative options have been abandoned or discounted in Stage 1/2, there should also be a clear and very detailed explanation of what they were and why this was so.)
- (iii) Proposals should be presented with sufficient detail so that an individual householder can see geographically how they would be impacted. This must be done with a list of post codes (or sets of post codes where the impacts would be different) explaining how these post codes (or set of post codes) would be impacted. This should be cross-referenced to clear maps which would also be provided. ('Post code' means providing BOTH the outward code and the inward code).
- (iv) The proposals must clearly set out how households would be impacted according to at least 3 parameters – (a) geographically (b) by altitude, and (c) by frequency of aircraft (averages by hour or by day, and differentiating the hours 5.30am to 11.30pm & 11.30pm to 5.30am).
- (v) There must be clear contact details in the proposals where residents can respond, including at least a website, an email address, a postal address, and a telephone number. These four must be monitored and staffed properly (with telephone available minimum 9am to 5pm Mon to Sat) and the feedback properly documented, collated and made publicly available by website (subject to data protection requirements).
- (vi) These proposals must be sent to every individual household that would be adversely affected, by mail-shot.
- (vii) The mail-shot envelope should clearly alert the householder, e.g. in boldtype: 'IMPORTANT INFORMATION ABOUT POSSIBLE FLIGHT PATHS CHANGES THAT COULD AFFECT YOU'
- (viii) 4 months into the 6 month consultation, a reminder should be sent by mail-shot to each household which has not responded by that time.

- (ix) Other communication methods may also be employed of course (e.g. ads in newspapers, drop-in centres), but NOT in substitution for the mail-shot.
- (x) Verification: The consultation process should be monitored and verified at each stage by a wholly independent organisation. They should publish a report certifying whether they consider the airspace change sponsor has complied with the consultation requirements. If they cannot so certify then the airspace change process cannot proceed further unless the consultation is re-run. The verifying organisation should also receive, investigate and report on any complaints from the public as to the compliance of the consultation process.

The effects of airspace change are dramatic upon peoples' lives, and if the 'sponsor' of the change is not prepared to commit sufficient resources to carry out the consultation properly, then the change should not be proposed in the first place. It is not sufficient to send proposals to Councils, MPs, Councillors and other umbrella bodies since a majority of the population may not be regularly engaged with these representatives, if at all.

2 July 2017