

Safety and Airspace Regulation Group

Page 1 of 20

Airspace Change Proposal - Consultation Assessment

Version: 1.1/ 2019

| | |
|--|---|
| Title of Airspace Change Proposal | London Oxford Airport Proposal for Revised Airspace and Instrument Flight Procedures |
| Change Sponsor | London Oxford Airport |
| SARG Project Leader | [REDACTED] |
| Case Study commencement date | 13 August 2020 |
| Case Study report as at | 25 November 2020 |
| File Reference | ACP-2014-03 |

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.

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 5 April 2018

The change sponsor consulted with aviation and non-aviation stakeholders on a proposal to establish new Area Navigation (RNAV) procedures and introduce Class D airspace to contain the new procedures. The change sponsor stated they consulted with 758 organisations and individuals. The stakeholder list included in the consultation feedback report dated 18 October 2018 lists c.500 stakeholders within the following groups: 13 airport operators, 19 local aerodrome and aviation organisations, 19 Members of Parliament, 4 national organisations, 31 National Air Traffic Management Advisory Committee (NATMAC) members 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 46 members of the Oxfordshire Area of Intense Aeronautical Activity Users Working Group (OAIAUWG) and 212 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.

Stakeholders took issue with the change sponsor’s claims that it had consulted directly with certain organisations. For example, the British Microlight Aircraft Association (BMAA) stated that they had contacted in excess of 400 of the named consultees and that 50% of those that replied had not received notice of the consultation. Many raised concerns regarding a lack of direct consultation with gliding and paragliding clubs that stakeholders said would be impacted by the proposals. Others considered the change sponsor had demonstrated a lack of adequate information gathering. For example, Oxford Gliding Club explained that they had been operating out of RAF Weston-on-the-Green for 60 years but were erroneously referred to as “Weston-on-the-Green gliding” on the stakeholder list.

The launch email, sent to stakeholders between 14 and 22 December 2017 (copy emails seen), provided a brief explanation of the rationale for the change, advised that the consultation was commencing on 15 December 2017 and closing on 22 March 2018 and provided a link to a dedicated page (seen) on the London Oxford Airport (LOA) website for stakeholders to access the consultation and view details on how to respond.

The consultation document stated that all consultees were encouraged to provide supportive comments as well as concerns and that wherever possible the change sponsor would strive to minimize any adverse impacts by design before submitting their final proposal.

Safety and Airspace Regulation Group

Responses were invited by email to a dedicated email address, via the LOA website, by post and in person at two drop-in events. Hard copies of the consultation were available by post on request. The change sponsor used their responses to consultees who provided feedback by email as an opportunity to publicise the two drop-in events which were held on 21 and 27 February 2018 for members of the public and aviation stakeholders (emails seen).

The original consultation term was 14 weeks which reflected the Christmas and New Year public holidays falling within the consultation period. Notification that the length of the consultation was extended by 2 weeks was placed on the LOA website (seen) with an explanation that this would allow the LOA consultation to align with the timing of the independent but simultaneous RAF Brize Norton (BZN) consultation which was being extended to allow time for stakeholders to consider clearer images of the airspace. Extension notifications were not provided to individual stakeholders. The consultation closed on 5 April 2018. The time extension provided a total consultation length of sixteen weeks.

1.3 What % of the targeted aviation stakeholders replied? (Include actual numbers).

**28%
30/109**

The change sponsor targeted 109 aviation stakeholders and 30 responded as outlined below:

| Aviation stakeholders | Targeted | Responded |
|--|-----------------|------------------|
| Aviation national organisations on the NATMAC list | 31 | 12 |
| Airport users/operators | 13 | 4 |
| Members of the Oxfordshire Area of Intense Aeronautical Activity Working Group (OAIAUWG) | 46 | 7 |
| Local aerodromes/aviation consultees | 19 | 7 |
| TOTALS | 109 | 30 |

1.4 What % of the targeted non-aviation stakeholders replied? (Include actual numbers).

**6%
36/649**

Safety and Airspace Regulation Group

The change sponsor targeted 649 non-aviation stakeholders and 36 responded as outlined below:

| Non-Aviation stakeholders | Targeted | Responded |
|---|-----------------|------------------|
| County and District Councils/Councillors | 212 | 2 |
| Parish Councils/Parish meetings | 414 | 29 |
| Members of Parliament | 19 | 4 |
| National organisations, including environmental organisations | 4 | 1 |
| TOTALS | 649 | 36 |

A further 1641 unsolicited responses were received by other individuals and organisations making the total number of responses 1707. This total is broken down below:

| Types of responses | Numbers of responses |
|---|-----------------------------|
| Supported | 17 (1.0%) |
| Objected | 1657 (97.1%) |
| Neutral/No comment | 13 (0.8%) |
| Requested clarification but provided no formal response | 20 (1.1%) |
| TOTALS | 1707 |

The 1657 objections are broken down into types of stakeholders as set out below:

| Types of stakeholders | Numbers of objections |
|---|------------------------------|
| Airport operators | 1 |
| Local aerodromes/aviation organisations | 36 |
| Members of the OAIAUWG | 7 |
| Members of Parliament | 2 |
| NATMAC consultees | 10 |
| Local authorities | 14 |
| Individuals within the aviation community | 1564 |

Safety and Airspace Regulation Group

| | |
|--|-------------|
| Individuals outside the aviation community | 18 |
| Others | 5 |
| TOTALS | 1657 |

Analysis of the feedback shows that most of the individuals within the aviation community who responded were glider pilots and members of the GA community and that the feedback focussed on concerns regarding the airspace classification rather than the RNAV procedures.

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:

| Nature of objection | Number of responses |
|---|----------------------------|
| Reduction in safety for GA | 942 |
| Choke points | 917 |
| Disproportionate | 479 |
| Increased risk of mid-air collision | 449 |
| Impact on cross-country flying | 283 |
| Incorrect/Cynical use of CAP 725 | 236 |
| Benefit the few at the expense of the many | 183 |
| Restriction on free flying | 182 |
| Uncompelling safety argument | 169 |
| Proposal based on commercial gain | 148 |
| No consultation with hand-gliding/paragliding communities | 123 |
| Unjustified based on number of movements | 119 |
| Unnecessary | 112 |
| Impact on Avon Aerotow Group | 105 |
| Increased incidence of airspace infringements | 105 |
| Unjustified | 101 |

Further information regarding key objections and other matters raised by stakeholders are outlined in section 1.6 below.

Safety and Airspace Regulation Group

| | | | | | |
|--|---|---|-------------------|--|--|
| | <p>Analysis of the feedback shows that stakeholders suggested alternative solutions that they considered would be preferable to the LOA proposals. These included: establishing a Radio Mandatory Zone (RMZ), Transponder Mandatory Zone (TMZ) or combined RMZ/TMZ, utilising an ADS-B system, FLARM technology, a Radio Advisory Zone (RAZ), use of a listening squawk, enhanced cooperation including establishing Letters of Agreement (LoA) with local airspace users, redesigning the airspace, reducing the area of controlled airspace, increasing air traffic control (ATC) resources, combining or co-locating the LOA and BZN ATC units or establishing an operating agreement between them, use of simulators and closing LOA. The change sponsor set out their review of the alternative solutions suggested in a table contained within their Consultation Feedback Report.</p> | | | | |
| <p>1.5</p> | <table border="1"> <tr> <td data-bbox="277 499 1899 587"> <p>Were reasonable steps taken to ensure as much substantive feedback was obtained from the consultees e.g. through follow-up letters/phone calls?</p> </td> <td data-bbox="1899 499 2103 587" style="background-color: #008000; color: white; text-align: center; vertical-align: middle;"> <p>YES</p> </td> </tr> <tr> <td colspan="2" data-bbox="277 587 2103 1410"> <p>Prior to the consultation, engagement took place with some local aviation stakeholders to expose them to the proposed designs and seek feedback on them. A table in the consultation feedback report and the LOA consolidated engagement log shows that this engagement took place between August 2014 and February 2018 and references one meeting with each of Enstone Airfield, Hinton-in-the-Hedges, the British Gliding Association (BGA), British Microlight Aircraft Association (BMAA), General Aviation Alliance (GAA), LOA Airport Consultative Committee (ACC) and three meetings with the Oxfordshire Area of Intense Aeronautical Activity Users Working Group (OAIAAUWG) (subsequently renamed as the Regional Airspace Users Working Group (RAUWG)). In addition, meetings were held with Swanwick Terminal Control, the Light Aircraft Association (LAA), the Ministry of Defence (MoD), Oaklands Airfield, RAF Benson and RAF Brize Norton. An informal meeting was held to introduce the airspace change proposal to local aviation stakeholders on 16 September 2015 and attendees included: CAE Oxford, Airbus Helicopters UK, Pilot Flight Training, Gamma Aviation, Horizon Aviation, Altivolus and Capital Helicopters. A summary table of the points made during this pre-consultation engagement phase were set out in the change sponsor's consultation document and the issues raised were consistent with stakeholder responses provided during the consultation.</p> <p>Stakeholders including the GAA took issue with the change sponsor's references to pre-consultation engagement saying that in practice the change sponsor had not taken reasonable steps to ensure proper engagement with those that could be affected. Other stakeholders expressed disappointment with this phase of engagement saying that meetings were scheduled at the last moment and the engagement activities resulted in a foregone conclusion being presented rather than any true attempt to develop solutions.</p> <p>In their consultation document and final proposal document the change sponsor has stated that their original design was slightly modified following the pre-consultation engagement activity referred to above to take account of concerns raised and incorporate stakeholder views regarding provision of a service to RAF Weston-on-the-Green.</p> <p>The consultation was formally launched on 15 December 2017 to 758 stakeholders predominantly by email and in some cases by online form or letter. One email was returned as undelivered. Consultees were directed to the consultation via a link or directions on how to access the LOA website depending on whether the consultee was being contacted by email or letter. Consultees were asked to submit</p> </td> </tr> </table> | <p>Were reasonable steps taken to ensure as much substantive feedback was obtained from the consultees e.g. through follow-up letters/phone calls?</p> | <p>YES</p> | <p>Prior to the consultation, engagement took place with some local aviation stakeholders to expose them to the proposed designs and seek feedback on them. A table in the consultation feedback report and the LOA consolidated engagement log shows that this engagement took place between August 2014 and February 2018 and references one meeting with each of Enstone Airfield, Hinton-in-the-Hedges, the British Gliding Association (BGA), British Microlight Aircraft Association (BMAA), General Aviation Alliance (GAA), LOA Airport Consultative Committee (ACC) and three meetings with the Oxfordshire Area of Intense Aeronautical Activity Users Working Group (OAIAAUWG) (subsequently renamed as the Regional Airspace Users Working Group (RAUWG)). In addition, meetings were held with Swanwick Terminal Control, the Light Aircraft Association (LAA), the Ministry of Defence (MoD), Oaklands Airfield, RAF Benson and RAF Brize Norton. An informal meeting was held to introduce the airspace change proposal to local aviation stakeholders on 16 September 2015 and attendees included: CAE Oxford, Airbus Helicopters UK, Pilot Flight Training, Gamma Aviation, Horizon Aviation, Altivolus and Capital Helicopters. A summary table of the points made during this pre-consultation engagement phase were set out in the change sponsor's consultation document and the issues raised were consistent with stakeholder responses provided during the consultation.</p> <p>Stakeholders including the GAA took issue with the change sponsor's references to pre-consultation engagement saying that in practice the change sponsor had not taken reasonable steps to ensure proper engagement with those that could be affected. Other stakeholders expressed disappointment with this phase of engagement saying that meetings were scheduled at the last moment and the engagement activities resulted in a foregone conclusion being presented rather than any true attempt to develop solutions.</p> <p>In their consultation document and final proposal document the change sponsor has stated that their original design was slightly modified following the pre-consultation engagement activity referred to above to take account of concerns raised and incorporate stakeholder views regarding provision of a service to RAF Weston-on-the-Green.</p> <p>The consultation was formally launched on 15 December 2017 to 758 stakeholders predominantly by email and in some cases by online form or letter. One email was returned as undelivered. Consultees were directed to the consultation via a link or directions on how to access the LOA website depending on whether the consultee was being contacted by email or letter. Consultees were asked to submit</p> | |
| <p>Were reasonable steps taken to ensure as much substantive feedback was obtained from the consultees e.g. through follow-up letters/phone calls?</p> | <p>YES</p> | | | | |
| <p>Prior to the consultation, engagement took place with some local aviation stakeholders to expose them to the proposed designs and seek feedback on them. A table in the consultation feedback report and the LOA consolidated engagement log shows that this engagement took place between August 2014 and February 2018 and references one meeting with each of Enstone Airfield, Hinton-in-the-Hedges, the British Gliding Association (BGA), British Microlight Aircraft Association (BMAA), General Aviation Alliance (GAA), LOA Airport Consultative Committee (ACC) and three meetings with the Oxfordshire Area of Intense Aeronautical Activity Users Working Group (OAIAAUWG) (subsequently renamed as the Regional Airspace Users Working Group (RAUWG)). In addition, meetings were held with Swanwick Terminal Control, the Light Aircraft Association (LAA), the Ministry of Defence (MoD), Oaklands Airfield, RAF Benson and RAF Brize Norton. An informal meeting was held to introduce the airspace change proposal to local aviation stakeholders on 16 September 2015 and attendees included: CAE Oxford, Airbus Helicopters UK, Pilot Flight Training, Gamma Aviation, Horizon Aviation, Altivolus and Capital Helicopters. A summary table of the points made during this pre-consultation engagement phase were set out in the change sponsor's consultation document and the issues raised were consistent with stakeholder responses provided during the consultation.</p> <p>Stakeholders including the GAA took issue with the change sponsor's references to pre-consultation engagement saying that in practice the change sponsor had not taken reasonable steps to ensure proper engagement with those that could be affected. Other stakeholders expressed disappointment with this phase of engagement saying that meetings were scheduled at the last moment and the engagement activities resulted in a foregone conclusion being presented rather than any true attempt to develop solutions.</p> <p>In their consultation document and final proposal document the change sponsor has stated that their original design was slightly modified following the pre-consultation engagement activity referred to above to take account of concerns raised and incorporate stakeholder views regarding provision of a service to RAF Weston-on-the-Green.</p> <p>The consultation was formally launched on 15 December 2017 to 758 stakeholders predominantly by email and in some cases by online form or letter. One email was returned as undelivered. Consultees were directed to the consultation via a link or directions on how to access the LOA website depending on whether the consultee was being contacted by email or letter. Consultees were asked to submit</p> | | | | | |

Safety and Airspace Regulation Group

Page 8 of 20

Airspace Change Proposal - Consultation Assessment

Version: 1.1/ 2019

their responses via a dedicated email address. The change sponsor was proactive in drawing to consultees' attention the two drop-in events by including it in their response to consultees who provided feedback by email. The change sponsor has provided copies of outgoing email correspondence which shows that that they responded to feedback submissions, requests for clarification and further information.

LOA hosted the two drop-in sessions at the LOA terminal on 21 and 27 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 LOA team. The change sponsor has stated that although not organised by the LOA team, two drop-in events for members of the public and aviation stakeholders were hosted by RAF Brize Norton (BZN) on 20 and 28 February 2018 at which "a significant amount of discussion" took place on the interaction of the two airspace change proposals (ACP). It has not been possible to verify the discussions regarding the LOA proposals that took place at the BZN events.

An email was sent on the 9 March 2018, 12 weeks into the consultation, reminding stakeholders that the consultation would close on 5 April 2018. The content demonstrates that the email was sent to all stakeholders irrespective of whether they had already responded to the consultation.

Awareness of the consultation was promoted using direct communication with stakeholders predominantly by email, posting information on the LOA website, facilitating two drop-in events and providing verbal briefings to three parish councils at their request. RAF Brize Norton included a link to the LOA consultation on their website. Although the consultation document referenced the CAP 725 requirement to ensure that proposed changes are widely populated, no information or evidence has been provided by the change sponsor to demonstrate that awareness of the consultation was promoted by other means, for example by use of press releases, social media or print media. Reference is made by a stakeholder to reading an article on the proposals in a publication called the "Grapevine", but it has not been possible to establish whether this article was published by the change sponsor or another party.

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 dated 26 October 2018.

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.

Reduction in safety for the general aviation (GA) community, the creation of choke points and associated risks of mid-air collisions

Stakeholders including the MoD considered that the extent of the construct would be a significant safety risk in that it would funnel existing traffic into a number of choke points that would restrict GA traffic including gliders, microlights, gyrocopters, helicopters, vintage aircraft and balloons to narrow corridors. This would markedly increase the risk of mid-air collision (MAC) with potentially tragic consequences both in the air and on the ground. A higher density of GA traffic in the choke points would result from GA pilots and gliders who prefer not to make radio calls or are denied permission to enter controlled airspace. The choke points would be exacerbated at times of increased summer flying activity and air shows/competitions. Reference was made to a fatal visual flight rules (VFR) collision north of Wycombe at a VFR funnel area adjacent to Class D and Class A airspace.

Response: The change sponsor stated that due to the objections received, the proposed design had been re-evaluated with the intention of reducing the overall volume of airspace proposed and changing the airspace classification to minimise or reduce choke points and facilitate GA movements as fully as possible.

The amount of controlled airspace (CAS) was considered disproportionate and unjustified on numbers of movements

The extent of the CAS was considered disproportionate to the requirements of LOA and unjustified based on the number of current and projected air traffic movements with no commercial transport traffic when there were clear alternative measures available. The airspace change would result in the transfer of risk from one set of airspace users (instrument flight rules (IFR) v VFR) to another set (VFR v VFR).

Response: The change sponsor responded that due to the objections received the proposed design had been re-evaluated with the intention of reducing the overall volume of airspace proposed and changing the classification to facilitate GA movements as fully as possible.

Impact on ability of GA pilots to conduct cross-country flights

The base of the proposed control area (CTA) was considered too low to facilitate soaring, a primary motivator for most glider pilots, would reduce the possibilities for pilots to conduct cross-country flights and increase the risks for glider pilots and aircraft due to forced/field landings. The complexity of the proposed construct was considered likely to result in increased numbers of airspace infringements however much care was taken by pilots.

Response: The change sponsor acknowledged that Oxfordshire is home to several important cross-country routes that could be impacted by the airspace change proposals and throughout the process the change sponsor's intent had been to facilitate GA movements as widely as possible. However as a result of the consultation process the change sponsor recognised that some GA operators will not operate in CAS because they prefer to operate without any level of air traffic control service, or they consider the requirement to adhere to control instructions would make route planning very difficult.

Incorrect use of CAP 725 for the airspace change proposal

Commencing the consultation in December 2017 by reference to CAP 725 when the CAA was in the process of transition to CAP 1616 was viewed as an attempt to rush through the process to avoid the greater transparency and enhanced level of stakeholder engagement that would be required by the CAP 1616 airspace change process. Reference was made to a statement made by the Secretary of State in October 2017 that the CAP 725 process was not fit for purpose.

Response: The change sponsor's stated that transition arrangements determined by the CAA allowed change sponsors that had already started stage 4 consultation prior to 2 January 2018 to continue by reference to CAP 725.

Perceived unfair benefit for aircraft operated by LOA at the expense of the GA community

The detrimental effect on the GA/Gliding community would be significant including at Weston-on-the-Green, Bicester, Enstone and Hinton. The impact could lead to the cessation of activities and loss of employment. The likely effect on the gliding community was referred to as "disastrous".

Response: The change sponsor stated that due to the objections received, the proposed design had been re-evaluated with the intention of reducing the overall volume of airspace proposed and changing the classification to an RMZ/TMZ to facilitate GA movements as fully as possible.

Restriction on free flying because of the proposed reduction in Class G airspace

The reduction of available Class G airspace would result in a restriction on free flying for pilots who do not have as much flexibility with where they fly.

Response: Although there appears to have been no specific reference to free flying in the change sponsor's analysis of feedback, the change sponsor has re-evaluated the design to try to mitigate stakeholders' objections.

Uncompelling safety argument

Consultees referred to the change sponsor's statement that the existing aerodrome traffic zone (ATZ) is tolerably safe. The change sponsor's analysis of airprox reports was flawed with most of the airprox events referred to due to LOA ATC or pilot error or poor communication between LOA and BZN controllers. The change sponsor had had to go back ten years or more to find enough airprox events to support their claim, an increase in area would not reduce the number of airprox reports, some were not near the proposed airspace and many were in any event reported sightings rather than actual airprox events demonstrating a deliberate attempt to mislead consultees.

Response: The change sponsor explained that the inclusion of safety data was not intended to be misleading but intended to demonstrate the complex airspace in which LOA aircraft are undertaking Instrument Flight Procedures (IFP).

Proposal based on commercial gain

There was a perceived unfair benefit for LOA with an expected increase in the number of commercial/IFR flights using the airport at the expense of a wide range of General Aviation stakeholders. The airspace change proposal was thought to be a commercially driven ploy as part of wider plans to expand LOA by extending the runway to accommodate larger aircraft such as short-haul airliners. Reference was made in support of this assertion to a planning application submitted to the local council to extend the runway.

Response: The change sponsor advised that the IFP's would not increase runway or airport capacity, but they were expected to safeguard current and future aircraft usage. No economic benefit would result for LOA from the airspace change although there would be a reduction in wasteful additional miles flown whilst avoiding unknown traffic. If successful LOA expected the provision of performance-based navigation (PBN) approaches within safer airspace to be attractive to commercial operators who do not currently use LOA airspace.

Lack of consultation with the hand-gliding and paragliding communities

There had been no or insufficient consultation with specific types of stakeholders, for example gliding clubs, free flight pilots, paramotoring, paragliding and hang-gliding communities and the change sponsor had demonstrated a lack of understanding of requirements fundamental for gliders' safety. Reference was made to stakeholders having to rely upon active involvement within the GA community to learn about the proposals.

Response: The change sponsor does not appear to have addressed this concern specifically in their analysis. Their stakeholder list includes 19 local aerodrome and aviation organisations as direct consultees, about half of which are gliding, microlight and flying clubs. The consultation feedback report lists 37 such clubs that provided feedback to the consultation and this is reflected in the raw data.

There is no necessity for an airspace change

As LOA had stated that “the existing ATZ is tolerably safe” and as there are no commercial operations, there was no need for Class D airspace. For pilot training the use of simulators would be more suitable and cost effective as a solution.

Response: The change sponsor confirmed that due to the objections received, steps were being taken to reduce the proposed volume of airspace and modify the airspace classification and advised that simulators are utilised for training purposes in accordance with the mandated syllabi.

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

The consultation materials should have shown the LOA and BZN ACP’s proposals in their totality as not doing so allowed the change sponsor to hide the extensive scope of their proposals and the very wide area that would be impacted.

Response: In their final proposal document dated 23 July 2020 and in feedback to individual stakeholders, the change sponsor stated that the CAA directed that while each proposal was separate, each should be developed collaboratively and the projects should be run concurrently to ensure operations coordinated closely and any safety risks were appropriately mitigated.

Objections raised by local communities and parish councils and environmental concerns

These objections echoed the concerns raised by the GA community. Other concerns included: the potential increase in noise and pollution due to the increased amount of GA traffic outside the proposed CAS and over villages, increased numbers of aircraft operating at LOA or due to the missed approach procedure (MAP) (for example in the vicinity of the Otmoor Bird Sanctuary), the impact of potentially diverting GA traffic across the Cotswolds Area of Outstanding Natural Beauty (AONB), concentrated noise levels due to the use of GNSS navigation systems and the airspace change proposal being part of wider plans to expand the airport.

Response: The change sponsor stated that if flown correctly the MAP would not fly directly over the Sanctuary and that in any event an aircraft will have passed 2000 ft by the time that they are abeam the Bird Sanctuary so the noise level would be low.

Concerns focussed on areas, airfields and aerodromes

There were concerns regarding the effect on and failure to meet the needs of airspace users, reduced safety for aircraft operations and the training environment, the dangerous situation that would be created by the combination of the proposed CTA and GNSS procedures (for example transferring the risk from LOA runways 01 and 19 to Enstone Aerodrome) and the potential reduction in commercial viability for airfields and aerodromes including but not limited to: Enstone, Abingdon, Bicester, Edgehill, Finmere, Hinton-in-the-Hedges, Lasham, RAF Benson, RAF Weston-on-the-Green, Oakley, Oaklands Aerodrome, Turweston and Wycombe.

Other responses

MoD response

The MoD were concerned that GA traffic would choose to route around the controlled airspace rather than engage leading to a funnelling effect and as a result were of the view that the amount of controlled airspace should be limited to the minimum required to achieve the aims of the airspace change proposal. The MoD expected a guarantee that LOA would always be adequately staffed to permit access for other airspace users in accordance with national and international regulations, including the provision of a suitable air traffic service for VFR transits. The concern regarding adequate ATC staffing was echoed by other stakeholders.

NATS response

NATS had no objection to the establishment of new PBN procedures and were content the proposed CAS would have no operational impact on NATS Swanwick. NATS were concerned that the proposed CAS left an area of Class G airspace between the top of airspace OX CTR2 and the base of the DTY CTA which could result in an increased risk of CAS infringement and as a result NATS proposed a direct connectivity to the en-route network.

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

Following the formal consultation period LOA undertook a phase of airspace re-design aimed at what the change sponsor said was removing the greatest number of objections and addressing most of the concerns raised by the GA community. In their consultation feedback report (dated 26 October 2018) the change sponsor stated that their revised design would consist of an RMZ/TMZ predominantly to the north of LOA, the volume of which would be much smaller than the proposed Class D CTR and CTA design that was consulted on, and therefore fewer people would be impacted so there was no requirement to re-consult on the modified design.

The LOA consolidated engagement log states that a meeting took place with the GAA on 17 October 2018 and that the GAA welcomed the opportunity to have a meeting and were positive about the potential to continually engage in order to achieve project goals and mitigate for GAA concerns. It has not been possible to verify the details of this meeting.

An Oxford RAUWG meeting took place on 14 November 2018 (minutes seen) at Oxford Airport. Although the LOA consolidated engagement log states that an update was provided, the minutes show that no representative from LOA or consultants Osprey were present. The minutes state that at the previous meeting LOA Air Traffic Control (ATC) had confirmed that a redesign was ongoing for the LOA ACP and “it was indicated that the revised proposal would include Class E airspace instead of Class D as previously intended”. A discussion is referenced regarding FLARM as an ideal piece of equipment for deconfliction between air systems and the ability of a ground installation system to provide better awareness to ATC. The minutes note a hope that an update of the Oxford ACP would be available at the next meeting. The LOA consolidated engagement log states that further meetings were held on 13 February 2019 and 25 March 2020. It has not been possible to verify from the evidence provided whether the change sponsor provided updates to the Group.

A revised concept of Class D airspace plus Class E airspace plus an RMZ/TMZ was shared with “representatives from all aviation sectors” at a meeting held on 13 November 2019 (slide pack seen). The meeting notes (seen), compiled by the change sponsor, show that feedback included: the combined RMZ/TMZ solution was unacceptable for GA operating in a VFR environment, the solution was tantamount to Class D as LOA could decline access, a demonstrable safety argument had not been made out, the revision did not consider the gliding community and the RMZ/TMZ should be an either/or and not both. The minutes note attendance by LOA and their consultants but no list of aviation stakeholder attendees has been provided.

The change sponsor states in their final proposal submission that the feedback from 13 November 2019 engagement event provided opinion that the Class D and Class E plus RMZ/TMZ solution met neither the requirements of other airspace users nor enabled LOA to meet the objectives of their ACP. As a result, the airspace design was revised further to provide a TMZ solution to contain the RNAV procedures. No change has been made to the RNAV procedures since consultation. The change sponsor confirms in their final proposal submission that the TMZ concept differs from that presented in the consultation. LOA state in their submission document that they believe they have “exceeded the required levels of engagement in line with the spirit of CAP 1616” and “implemented a final design that fully considers all the responses and mitigates the majority of objections in a safe and proportionate manner”.

The operational and environmental assessments for this ACP show that the post-consultation design modifications have been made solely to the airspace classification to try to mitigate objections from the GA community and other airspace users. No changes have been made to the RNAV procedures, the shift from Class D airspace and surrounding TMZ to a TMZ only proposal will enable transponder equipped aircraft to operate in the same way as they do currently and therefore largely replicate the existing situation in terms of noise and environmental impact.

No second consultation on the final TMZ proposal has been conducted.

Correspondence received after publication of final proposal

Since the publication of the final proposal (23 July 2020), the CAA has received in excess of 50 items of correspondence objecting to this ACP. The common themes of the correspondence are: there has been no consultation with all stakeholders on the revised proposal, the revised proposal is unacceptable, a consultation should be conducted in accordance with CAP 1616, the consultation in 2018 was inadequate, a lack of direct engagement post-consultation with those that responded to the consultation, the safety case is not made out and the safety data used in the consultation should be updated, a TMZ design will have far-reaching consequences for gliding clubs and skydiving centres and will make transiting from north to south for GA and gliding near impossible, transponders are not practical solutions for gliders and are expensive so those without them will be forced into pinch points which will decrease safety. One airfield took issue with the change sponsor's statement that the change to a TMZ had been, in part, a result of effective liaison with them.

Safety and Airspace Regulation Group

| 2. Recommendations / Conditions / PIR Data Requirements | | |
|---|---|-----|
| 2.1 | 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. | YES |
| | <ul style="list-style-type: none"> • Adequate LOA ATC staffing to be put in place. • 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. • The change sponsor should monitor and capture stakeholder complaints over a 12-month period from implementation. | |
| 2.2 | 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. | YES |
| | <p><i>GUIDANCE NOTE:</i> Conditions are something that the change sponsor <u>must fulfil</u> either before or after implementation, if indeed the airspace change proposal is approved. If their proposal is approved, change sponsors <u>must</u> observe any condition(s) contained within the regulatory decision; failure to do so <u>will usually</u> result in the approval being revoked. Conditions should specify the consequence of failing to meet that condition, whether that be revoking the ACP or some alternative.</p> <ul style="list-style-type: none"> • All Letters of Agreement and Memoranda of Understanding to be finalised and signed before implementation. | |
| 2.3 | 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. | YES |
| | <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"> • Safety Data • Service Provision/Resource Issues • Infringement Statistics • Traffic Figures • Operational Feedback • Denied Access Statistics • This should account for denial of access to the IAP's as well as entry to the TMZ. | |

Safety and Airspace Regulation Group

- 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.
- 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 MOR's, 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 day's 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 |
|--|---------------|
| <p>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?</p> | YES |
| <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"> • Taken place when the proposal was at a formative stage. This is evidenced by the consultation document itself which stated that all consultees were encouraged to provide supportive comments as well as concerns and that wherever possible the change sponsor would | |

strive to minimize any adverse impacts by design before submitting their final proposal. The change sponsor was prepared to and did modify the proposal consulted on in the light of the substantial number of objections submitted.

- Presented the consultation material clearly and outlined the potential impacts that needed to be considered. Consultees referred to poorly presented material, omissions and errors in the consultation document stating that inaccurate and incomplete data had resulted in misleading assumptions, and some stakeholders sought clarification on technical aspects, but the documentation was adequate in its clarity and was written in plain English. The change sponsor facilitated two sessions open to all stakeholders during the consultation to provide information on the airspace change proposals and responded to stakeholders' requests for information and clarification throughout the consultation period.
- Provided a sufficient timeframe to allow considered responses. This is evidenced by a consultation of a total length of 16 weeks. The original length of 14 weeks, which took into account the fact that the consultation period spanned the Christmas and New Year holidays, was extended by 2 weeks to align with the RAF Brize Norton ACP. This was because a decision had been taken for the latter to extend their consultation to allow stakeholders additional time to consider revised airspace images. 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 have resulted in modifications being made to the proposal consulted on.

General Summary

The change sponsor targeted 758 aviation and non-aviation stakeholders over a 16- week consultation period. The consultation document was adequately clear, written in plain English and suitable for both aviation and non-aviation stakeholder audiences. The material set out the existing airspace situation and operational issues, the principal driver for change, the changes proposed, those options already discounted and the expected impacts of the proposals. The consultation document was made available via a dedicated page on the LOA website and the change sponsor facilitated two public meetings. Hard copies of the consultation were available on request. The change sponsor responded to stakeholder feedback, requests for clarification and additional information.

Responses were received from 66 (8.7%) of those stakeholders targeted. This was a poor response from those targeted, but the change sponsor received 1641 unsolicited responses from stakeholders. These were for the most part from members of the GA community and other airspace users. The total number of objections received was 1657 which represented 97% of the total number of responses.

The change sponsor has adequately captured the key themes and concerns from stakeholder responses, and these have been accurately outlined in their consultation feedback report and proposal submission. The significant number of objections received, predominantly from the GA community, led to a phase of airspace re-design aimed at reducing the greatest number of objections and mitigating the concerns raised. A modified design was shared with some aviation stakeholders in November 2019. The feedback from this event led to a further modification to the design in terms of the airspace classification. No changes were made to the RNAV procedures post consultation. 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 final design was not the subject of a second consultation.

Safety and Airspace Regulation Group

| Consultation Assessment Sign-off/ Approvals | Name | Signature | Date |
|---|-------------|------------------|------------------|
| Consultation Assessment completed by: | [REDACTED] | [REDACTED] | 25 November 2020 |
| Consultation Assessment approved by: | [REDACTED] | [REDACTED] | 14/12/2020 |
| <p>Mgr AR Comments: I think the consultation has had some limitations, particularly in relation ensuring they have provided a specific response to a specific query. That said, I think the absolutely majority of queries were addressed, even if in a generic manner. I think OXF have demonstrated a 'willingness to be influenced', particularly in their move away from a Controlled Airspace proposal to a conspicuity bolt on to the extant Class G in response to stakeholder feedback.</p> | | | |

| Hd AAA Comment/ Decision | Name | Signature | Date |
|---|-------------|------------------|-------------|
| Consultation Assessment Conclusions /Decision | [REDACTED] | [REDACTED] | 03/02/2021 |
| <p>Hd AAA Comments: The consultation that was carried out to an extent achieved its aim. This ACP is not approved however, amongst a number of reasons is that the sponsor elected not to re consult after such a significant amendment to their proposal was made. If they had done so, then clarity about how the TMZ might have functioned and its benefits and disbenefits may have been better understood.</p> | | | |