

CAGNE

Communities Against Gatwick Noise and Emissions

June 2017 Draft CAA Airspace Design Guidance

CAA Consultation – deadline 30th June - airspace.policy@caa.co.uk
<https://consultations.caa.co.uk/policy-development/draft-airspace-design-guidance/>

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A What is your name?

Name:

CAGNE - Communities Against Gatwick Noise and Emissions

B What is your email address?

Email:

cagnetatwick@gmail.com

C Where do you live?

South East

E Are you affiliated with any organisation? If so, please enter the name of the organisation here:

Please enter the name of the organisation in the text box:

CPRE Sussex

AEF

AirportWatch

GACC

GATCOM

NMB

ACF

F Is there anything else that you would like us to know about you regarding this consultation?

Yes

Please enter any further details:

We seek a fair and equitable distribution of arrivals and departures to the east and west of Gatwick for West Sussex and Surrey

The consultation and the proposals are to be welcomed but transparency should not be seen as an excuse to push through change that has detrimental impact on communities. Explanation and transparency are to be welcomed but not if they are purely to appease aviation desire for greater efficiency so that more aircraft can use the skies above peoples homes.

G Do you consent for your response to be published?

Yes, with identifying information

Questions-

1. Considering the draft guidance overall, to what extent does it meet the following criteria?

One
Two
Three

Please give reasons for your answer.:

CAGNE, formed in February 2014 out of the ADNID PRNAV trial, has since grown to be a major campaign group that opposed Gatwick expansion and seeks a fair and equitable distribution of arrivals and departures in West Sussex and Surrey, from the coast to the airport.

CAGNE concerns itself with all airspace issues created by Gatwick and has been delighted to help communities, MPs, parish and town councils with various aspects of airspace changes since 2014 producing sound, fact based arguments and documents that communities can understand and thus assist them in participating in complex aviation consultations.

Councillor members of CAGNE formed the new CAGNE Aviation Council Forum in 2016 whereby parish and town councils can become members and discuss airspace changes, Gatwick, ask questions about flight routing and have their own dedicated website for them and their parishioners to use. This assists councils and the chair of CAGNE to feed into aviation meetings on airspace changes, the NMB and other national aviation bodies, ensuring that community voices are truly represented alongside industry.

If you answered 2 or 3, how would you improve the draft guidance?

Gatwick's airspace is complex. It is under Heathrow and as well as suffering flight paths over arrivals from the west it has aircraft heading towards holding stacks for both the east and west end of the runway. It also suffers from Farnborough airspace demands. As airports endeavour to grow the impact on

those on the ground becomes even greater and with Gatwick's ambition of a 10% growth without a second runway, we have to ensure that community voices are as loud in the debate as those of aviation with their economic claims.

As well as the Department for Transport seeking a 50% increase in aircraft movements by 2030 with no mention of a 50% decrease in noise.

The seven steps to hell for communities instead of what it could be, a contrastive way to engage whilst placing the same priority on the communities objections/ concerns as those demands of the sponsor/ aviation.

Are there any other general observations you would like to make?

(If your point relates to one of the later questions, we would be grateful if you could raise it in response to that question instead as it will make our analysis easier.)

The sponsor should be accountable at every step of the process. Gatwick Airport operated a trial in February 2014 whereby the consultative committee was not permitted to let residents know of the trial of PRNAV over areas not flown over before. This caused great anger and the threat continues today as Gatwick trial May-June 2017 flying higher sooner, which is causing greater noise over areas not previously flown over. The noise shadow, as explained in CAP 1498, shows that planes higher give a greater cone of noise eg 60%. It is clear that this trial is having this impact whilst vectoring in concentrated manner.

Gatwick management is denying this trial or noise abatement procedures and thus they cannot be trusted, as the impact is clear to communities not previously over flown.

Pg 17 Tie 1a – CAGNE question the statement 'advice on the best noise management techniques'. The management of noise can not be mitigated by any noise abatement procedures or 'respite' and so the sponsor and the CAA should not mislead residents that it can be done especially at Gatwick. Without introducing new flight paths such as ADNID (the trial of February 2014 which subject residents to PRNAV trial over flying rural areas not previously overflown), using WIZAD NPR, impacting those that already suffering departures and/ or arrivals east and west of the airport – 'one size does not fit all' and the bigger picture must always be addressed when looking at airspace.

Pg 20 67 – 'A minor change to boundaries of high altitude airspace' – this would seem to suggest that this will be of an insignificant impact as was detailed by Gatwick in 2013 with the introduction of PRNAV on all departure routes. As the CAA will be aware it was and is not insignificant and thus we would show concern at this statement by the CAA in the consultation as noise above 7,000ft still has a significant impact on rural areas, areas not use to

aircraft or volume of aircraft routing, eg Cranleigh currently. (pg 22 Level 1 and 2)

CAGNE would seek that all these trials be consulted on before instigation and that they be covered under a Tier that is not currently proposed. The impact of aircraft noise is significant and thus should have been consulted on, communities aware of being guinea pigs, and that compensation for loss of quality of life, tranquility and house value be assessed and offered before the trial was instigated.

We use the example of Cranleigh, Slinfold and Route 1 as Gatwick seek to increase longhaul, that has seen a significant increase in aircraft movements due to destination changes. Currently this type of change operated by ATC would not fall under any Tier and yet this type of change has a significant impact on those below with seemingly no recall upon the industry.

We see that sponsors will be, as currently proposed, unaccountable for such changes to airspace, eg frequency, change in routing within the NPR, flying higher sooner, and so communities will have no recall for the significant impact they have.

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Pg 77 'The distinction from Tier 1c (operational trial) should be noted. Tier 1b is used for specific events or operating conditions that require a temporary change, whereas Tier 1c is used for an operational trial of innovative airspace design or of the use of new technologies'.

CAGNE question the wording 'innovative airspace design' in view that this does not necessarily mean a positive for communities eg PRNAV, ADNID, ASCOT trials.

Tier 1c – all trials must have an environmental assessment as well as the desires of the sponsor for 'innovative airspace design'.

(pg 87) All changes to airspace, including Tier 1c, must be full consult upon throughout the process and should the sponsor wish to extend the trial the full database of stakeholders must be consulted again prior to any extension being permitted.

2. Considering Stage 1 (Define) of the process, to what extent does the draft guidance on that stage meet the following criteria?

Three
Two
Three

If you answered 2 or 3, how would you improve the draft guidance?

A meaningful explanation in simple English to what is to be changed eg use one word instead of 20 to explain. No single line routing on a map as this does not illustrate clearly the noise shadow (CAP 1498) of each route nor the frequency for which they are to be flown eg 56 ATMs per hour.

We welcome the mapping as illustrated in Appendix B but detail that the maps need to show locations on the ground so that residents can find their homes, the frequency and noise levels of different aircraft types as well as day and/ or night impact. The combination of changes to a number of routes close together which could result in the joining of noise cones, and that the line on the map does not represent the noise and cone impact it will have.

Until the noise metrics are changed to illustrate noise events the true impact of any proposed change will not be clear to those being consulted. Residents do not hear aircraft noise as an average.

3. Considering Stage 2 (Develop and assess) of the process, to what extent does the draft guidance on that stage meet the following criteria?

The on line only discriminates against a large section of the population, as how are they to be consulted?

This process should not become a number game whereby communities that live in built up areas are permitted to use population numbers to force aircraft over rural tranquil areas. Rural communities chose to live away from noise and as such should not have noise forced upon them for this reason. There is an argument to be had that urban lifestyle is far noisier 70dB and as such absorb aircraft noise whereas rural ambient is far lower at 30-35dB. It is recognised that rural areas suffer aircraft noise 10dB higher than urban.

Sponsors should not be permitted to look at individual routes in isolation without taking into account implications for other areas, eg CAA ruling on Route 4 – the proposal to take traffic from Route 4 onto other routes.

4. Considering Stage 3 (Consult) of the process, to what extent does the draft guidance on that stage meet the following criteria?

Two

Two

Three

We see the process should be lengthy to ensure that all communities are made aware of proposals so that they may have a say in the process and not just those identified by the sponsor. It should also be that consultation from the outset must go to the widest possible audience and workshops publicised to ensure that a fair to all process is operated and not just those selected by the sponsor ie councils.

CAGNE welcomes the CAA involvement from the outset but warns of the (pg 19) All meetings between CAA and sponsor – this will build mis-trust as stakeholders are not involved in this process. It will be seen as the CAA and sponsor working together to obtain the sponsors demands for change.

Pg 91 A8 'The CAA will allow the change sponsor to redact certain information from the published versions of the assessment meeting minutes and the Statement of Need:

- material that is confidential in the interests of national security
- material which the CAA has agreed with the change sponsor should not be made public, in order to protect the legitimate commercial interests of a person or business (in the same way that we are obliged to apply the Freedom of Information Act to any information held by the CAA).'

If communities are to endure or be subject to change then they should have full details of why as the majority may not/ will not receive any compensation for any detrimental impact on their home.

With other infrastructure projects residents receive compensation in the true sense of the word. For example HS2 - Homeowners living near tunnelled sections of the route will not be eligible for compensation, but the maximum payment of £22,500 will be made to those living between 120-metres and 180-metres from the centre of the track.

People living closer than 120m have been offered a variety of compensation schemes, including voluntary purchase by the government or, for those who don't want to sell up, 10 per cent of the "pre-blight" value of their property.

For homes between 180m and 240m away, the payment will be £15,000, while for those living from 240m to 300m away, it will drop to £7,500.

What do communities get for accepting intolerable new and/ or increases in aircraft noise?

Pg 28 92 – Communities should be permitted to participate and object to the sponsor statement of need before the lengthy process is undertaken and communities are blighted by the process. This would assist to dismiss any sponsors proposal from the outset so reducing the need for a full consultation costing the CAA, communities and the sponsor financially.

Pg 27 90 – major concerns about allowing the sponsor to interfere with SIDs, NPRs and standard arrival routes is highlighted here as in our case Gatwick can not be trusted as profit comes before communities.

CAGNE site the fact that the Government dismissed Gatwick expansion in favour of Heathrow and yet it wrote in May 2017 to the government requesting that they keep the land until 2030 to build a second runway. This once again blighting communities of Sussex, Surrey and Kent.

There is no true compensation like the Land Act for aviation and the current law of 2021 offers communities no protection from an out of control industry, example provided previously.

Pg 34 etc – CAGNE ask if the ‘Appendix’ coloured wording will be links to the relevant appendix permitting the reader to flip to the relevant appendix to obtain the pertinent information as understanding the details of the consultation?

5. Considering Stage 4 (Update and submit) of the process, to what extent does the draft guidance on that stage meet the following criteria?

Two

Two

Three

Pg 19 63 – ‘the original need identified by the sponsor as to why a change in airspace design is considered’ – this is seen as the sponsor presenting a demand with the CAA approving it before communities are aware of it.

If the CAA seeks to be transparent then this should be in full to ensure transparency but the CAA must not seem to facilitate a way for the sponsor/ government to push through change. If residents do not want change then ‘do nothing’ must always be an option.

The sponsor must make it clear and so publish full details so not to discriminate against the elderly, partially sighted and the blind as well as those that do not have access to the Internet.

‘The change sponsor plans its stakeholder consultation and engagement, and prepares consultation documents, including the second-phase ‘Full’ options appraisal with more rigorous evidence for its chosen option(s).’

CAGNE questions what role communities will have in this stage?

Pg 18 Stage 2

'Initial appraisal of each viable design option will be uploaded by the change sponsor'.

CAGNE would raise the issue that this will inevitably pitch communities (pg 35 1115) each other as Gatwick did with LAMP 2014 with three new departure routes (all similar to the ADNID route trial of February 2014). This will amount to those that shout the loudest or a number game with winners and losers that is totally unacceptable especially as no full compensation is to be given to all that are to be impacted.

In fact no compensation is suggested for such airspace changes unlike with new road or railway lines. We would demand that those impacted by the new route have to receive full house value compensation some 30 miles from the runway from the sponsor. Compensation in the form of insulation or reduced council tax is totally unacceptable, as these communities will have quality of life drastically reduced and house value dramatically impacted especially those in rural areas with little background noise.

6. Considering Stage 5 (Decide) of the process, to what extent does the draft guidance on that stage meet the following criteria?

Three
Three
Three

Communities must come first when it comes to airspace changes.

The CAA and ICCAN (Pg 17) are not adequate to act as an independent ombudsman. Even at the end of the consultation residents are still not able to fight for no change. The CAA are funded by the industry and seen as encroached into the industry it serves. ICCAN is to be connected to the CAA and has no power and it is not clear who will sit on ICCAN. For communities to raise money for a process legal battle ie a Judicial Review is totally unfeasible for most communities or local authorities. The Secretary of State call to facilitate review of the CAA findings as purposely been set too high for it to be feasible to take place.

ICCAN is to provide feedback during Stage 7 during the post implementation review – this is a major concern as we do not know who will sit on ICCAN, what powers they have, how they will engage with unhappy communities. There are too many question marks over this body to allow CAGNE to support such a group of non elected individuals from unknown backgrounds that have no power over aviation or the process and yet are seemingly the communities only hope of an unbiased ombudsman to take on their issues. Change of airspace cannot be decided upon the word of ICCAN.

The CAA are still endeavouring to play judge and jury in the process and the seven stages of process are seen as a way to avoid a judicial review by

communities. It is not the process that will be questioned by the blight that communities are to be impacted by an out of control industry that the CAA serves.

It is highly unlikely that communities will be able to consumer the full data if all responses are published.

CAGNE welcome the idea of publishing all responses but seriously question the feasibility of such an on line system and that the sponsor will simply employ teams of staff to analysis all responses so that they can prepare to dismiss community concerns or endeavour to mitigate to enable them to force through change to benefit them over the communities.

Pg 42 150 – once again discriminates against a large portion of the population that will be impacted by any airspace change.

Pg 46 168 – ‘not a referendum outcome will not be determined by the relative quantities o the different views expressed’ – CAGNE feels strongly that all concerns must be listened to and taken on board and if the view is ‘change nothing’ then this must be the case whether the sponsor has addressed all points raised in accordance to the CAA or DfT policy.

7. Considering Stage 6 (Implement) of the process, to what extent does the draft guidance on that stage meet the following criteria?

Three
Three
Three

We see that the sponsor will enedavour to dismiss community responses. Sadly the CAA has already stated that communities will be administers so that the same issues will be categorised and the number of individuals that raise the same issue will be dismissed. (pg 48 174-177)

The on line portal, on line consultations, discriminate against a large portion of society that do not have access to computers on a daily basis, elderly, partially sighted or blind. (pg 41 39)

The principles taken on board by the DfT and the CAA are to adhere to aviation desires and not that of communities for reduced noise. This is just a process by which will be used to force change to benefit aviation and not communities that are impacted, and are to be impacted, by the modernisation of airspace at any price.

The changes proposed assist compared to previous consultations but they must be of a manageable size, with little jargon, with clear pictures of the ground, land marks, roads, so that residents can see where they live and it must be clear to what the true impact of noise will be ie above 7,000ft is still very noisy in rural areas. And detail to the frequency of flight per routing must

be illustrated. Comparisons to day to day life noise must be given ie Hoover, tractor, lorry over your house every 2 minutes.

Those responding must have the freedom to submit additional documentation that will support community questioning by outside employed experts such as acoustics, airspace designers, FOI data, etc.

8. Considering Stage 7 (Post-implementation review) of the process, to what extent does the draft guidance on that stage meet the following criteria?

Three
Three
Three

If the CAA is seeking transparency then all data must be available to all that are to be impacted by change. Communities must be allowed to have the same data as the CAA.

CAGNE offer the example of the second runway where Gatwick submitted costing's to the Airports Commission but this was removed when it came to release to the public and the press. This did not permit communities and organisations from accessing the feasibility of Gatwick's budgets and thus prevent communities from raising issues over costing's, ie who was to pay for the infrastructure, how Gatwick was position concerning overseas funds, etc.

This puts the communities at a major disadvantage and does not make any consultation fair to all.

Pg 50 – if the sponsor is permitted to respond to points raised during the consultation this opportunity should also be offered to stakeholders otherwise this is unfair and imbalanced review.

183 - 'from those responses identified for further consideration, the change sponsor considers the merits and practical possibilities of amending the airspace change design, if possible, to address the issues raised in those responses'

'This will include an explanation of why the change sponsor has rejected particular requests, if any. This should create an auditable trail between the responses, options appraisal and modifications'

This would suggest that the sponsor could dismiss community's call to 'do nothing' (pg 36 23)

This stage is very much one-sided in favour of the sponsor.

The oversight committee would be welcomed if it were not just CAA

employees judging their own homework but an independent body where the concerns of the communities are judged with the same merits as aviation or sponsors demands. The CAA must be prepared to change any decision they have made on the findings of the independent ombudsman.

CAGNE welcome points 185 and 186 that the sponsor would have to re-consult as we are very concerned that routes are viewed in isolation with little, if any, consideration to the big picture or those to be newly overflowed or witness increases in aircraft numbers or routings.

CAGNE would re-iterate that the online portal discriminates against a large section of the population that do not have regular or any access to the internet, those with slow broadband, elderly, partially sighted and the blind.

As communities are being denied an independent Ombudsman, we would have welcomed the public evidence session and appeal but we now see this as the CAA still playing judge over their jury decisions as it would seem that the CAA that have already approved the consultation, addresses concerns, reviewed the consultation by placing concerns in 'tick boxes' some to be considered and some to be dismissed aided by the sponsor (183).

As stated before ICCAN gives little hope to communities of a body that has power over aviation, the CAA, or being independent and the CAA are not seen as independent.

More details of how this public evidence session and appeal is to be operated needs to be provided before any endorsement from communities can be offered.

Communities do not have the financial resources as the sponsor, NATS, CAA, DfT, to be able to present and fight any decisions and thus experts would have to be employed which would be outside many communities capabilities.

CAGNE would suggest that financial assistance has to be given to any community wishing to go to appeal and that the CAA be removed from this process completely.

9. At certain stages in the process (starting with the development of design principles at Step 1b) the CAA will look for evidence of a two-way conversation to see that the sponsor has adequately engaged stakeholders. In paragraph C9 the CAA describes the evidence that we will look for as "detail of what sponsors have been told by their audiences; how they responded to this feedback; and how it has affected the proposals they are bringing forward". Has the CAA adequately detailed what we would expect to see to know that a two-way conversation has taken place?

No

If not, what else should the CAA request? Please be specific, as we will have to list specific documents in our guidance, so that the sponsor can provide them and we can assess them at the correct gateway.

It is clear to the role of the CAA but it is still too weighted in favour of aviation over the communities impacted. The CAA are still playing at being judge and jury with communities comments being accessed alongside those of experts employed by the sponsor or interested parties such as NATS.

The step by step approach makes the process clearly to all but it is still too heavily weighted in favour of pushing through change at the cost to the environment and communities impacted. (pg 62 223)

‘Appendix G sets out in more detail the CAA’s policy approach in carrying out its duties – including what we understand those duties to mean, **how we evaluate and weigh competing priorities, whether these be strategic policy, environmental impacts such as noise, the needs of airspace users, and/or the interests (economic or otherwise) of airports or air navigation service providers**, and what evidence from stakeholders we will take into account when reaching a decision.’

The communities are instantly at a disadvantage to the aviation industry.

The CAA has to provide guidance in that the sponsor has to provide workshops to clearly explain and answer questions posed by communities or that an independent adviser be assigned to communities to assist them in putting forward their concerns to the changes proposed.

Pg 58 is too restrictive on the communities where as the sponsor would have had teams working and producing evidence to push forward their changes.

The CAA proposal details –

‘A series of five-minute slots are available for booking by attendees wishing to speak; representative organisations are able to reserve ten-minute slots

• Those not attending in person will be given the opportunity to submit a written statement using a form on the online portal¹⁸, subject to the following conditions:

- written statements must be limited to fewer than 1000 words
- written statements are limited to one per individual (verified by email address)
- written statements will be moderated by the CAA before publication to remove unacceptable material’

10. At various points in the process (starting with the development of design principles at Step 1b) the CAA suggests that voluntary use of a third-party facilitator could be useful. Should the CAA be more prescriptive as to how and when a facilitator could be used?

Yes

This CAA consultation seems to be facilitating change to avoid Judicial Review, offering communities no hope of impartial rulings by an ombudsman. Communities do not have the resources or finances of the sponsor, the CAA, NATS or the DfT and thus will always be at a disadvantage and these proposals by the CAA do not help this imbalance.

The Government seems fixed on a process that ignores the impact of aviation on communities and so seen as an obstacle to be overcome and the CAA proposal facilitates this aim and that of aviation for uncontrolled growth in a market that is a major pollutant and yet does not pay.

It could be said that the CAA has gone overboard with colour coding and in fact presents a daunting document one that may turn the UK citizens away from participating in what are important documents that will impact their lives. The size of document is also a concern as many do not have broadband and this restricts downloading and presents a costly exercise to print the full document. This CAA consultation of 268 pages is seen as an unreasonable size to be comprehended by councils or communities without expertise and knowledge.

11. Are there any other places in the process at which you feel that a facilitator would be useful?

From the start of the process to the appeal.

12. In paragraphs 177 and C34-C36, and Table C2, we discuss the categorisation of consultation responses. The sponsor is required to sort consultation responses into two categories: i) those responses that have the potential to impact on the proposal because they include new information or ideas that the sponsor believes could lead to an adaptation in a lead design option or a new design option, and ii) those that do not. Is the CAA's explanation of the categorisation exercise and description of the categories sufficient?

No

If not, what additional detail should the CAA add to describe what should happen during this exercise?

It is also clear that the CAA will be administrative in putting community issues into tick boxes 9pg 48 (174 and 177) and that quantity of objections will be dismissed if they repeat the same issues. This is totally unacceptable behaviour by an industry regulator, as every voice should count when such major life changing issues are being addressed.

Pg 73 256

'Once the change sponsor's data submission is published on the portal, there will be a 28-day window during which any stakeholder may provide any feedback it wants the CAA to take into account when carrying out this review about whether the impacts of the change are those expected, 12 months on. This feedback is submitted using the online portal.23'

Once again this discriminates against a large proportion of the population and does not allow for communities to truly experience the impact of the change to airspace, for example Gatwick is only full in the summer and so the 12 months should be extended to 2 years.

Pg 50 – if the sponsor is permitted to respond to points raised during the consultation this opportunity should also be offered to stakeholders otherwise this is unfair and imbalanced review.

183 - 'from those responses identified for further consideration, the change sponsor considers the merits and practical possibilities of amending the airspace change design, if possible, to address the issues raised in those responses'

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13. In paragraph E25 and E34 the CAA states that methodologies for the various aspects of the options appraisal should be agreed between the CAA and the sponsor at an early stage in the process, on a case-by-case basis. This provides flexibility for different local circumstances. Does this approach strike the right balance between proportionality and consistency?

No

Please provide an explanation as to your response (optional).

We see the process should be lengthy to ensure that all communities are made aware of proposals so that they may have a say in the process and not just those identified by the sponsor. It should also be that consultation from the outset must go to the widest possible audience and workshops publicised to ensure that a fair to all process is operated and not just those selected by the sponsor ie councils.

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stakeholders are not involved in this process. It will be seen as the CAA and sponsor working together to obtain the sponsors demands for change.

14. At each stage in the airspace change process that an options appraisal takes place, the sponsor will be required to submit a safety assessment. The sponsor will be required to provide a plain English summary of the safety assessment and the CAA will provide a plain English summary of its review (i.e. of the Letter of Acceptance, which forms the CAA's review of the safety assessment) when it makes a decision. These documents will be available on the portal. Do you have any views on specific information that should be included and/or excluded from the plain English summary of the sponsor's safety assessment and the CAA's review?

A meaningful explanation in simple English to what is to be changed eg use one word instead of 20 to explain. No single line routing on a map as this does not illustrate clearly the noise shadow (CAP 1498) of each route nor the frequency for which they are to be flown eg 56 ATMs per hour.

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If the CAA is seeking transparency then all data must be available to all that are to be impacted by change. Communities must be allowed to have the same data as the CAA which include the commercial reason for the change/ proposal.

CAGNE offer the example of the second runway where Gatwick submitted costing's to the Airports Commission but this was removed when it came to release to the public and the press. This did not permit communities and organisations from accessing the feasibility of Gatwick's budgets and thus prevent communities from raising issues over costing's, ie who was to pay for the infrastructure, how Gatwick was position concerning overseas funds, etc.

This puts the communities at a major disadvantage and does not make any consultation fair to all.

5. Considering Tier 1b changes, to what extent does the draft guidance on temporary airspace changes meet the following criteria?

Two
Two
Three

The sponsor should be accountable at every step of the process. Gatwick Airport operated a trial in February 2014 whereby the consultative committee was not permitted to let residents know of the trial of PRNAV over areas not flown over before. This caused great anger and the threat continues today as Gatwick trial May-June 2017 flying higher sooner, which is causing greater noise over areas not previously flown over. The noise shadow, as explained in CAP 1498, shows that planes higher give a greater cone of noise eg 60%. It is clear that this trial is having this impact whilst vectoring in concentrated manner.

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would not fall under any Tier and yet this type of change has a significant impact on those below with seemingly no recall upon the industry.

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CAGNE question the wording 'innovative airspace design' in view that this does not necessarily mean a positive for communities eg PRNAV, ADNID, ASCOT trials.

Tier 1c – all trials must have an environmental assessment as well as the desires of the sponsor for 'innovative airspace design'.

(pg 87) All changes to airspace, including Tier 1c, must be full consult upon throughout the process and should the sponsor wish to extend the trial the full database of stakeholders must be consulted again prior to any extension being permitted.

16. Considering Tier 1c changes, to what extent does the draft guidance on operational airspace trials meet the following criteria?

Two

Two

Three

Pg 77 'The distinction from Tier 1c (operational trial) should be noted. Tier 1b is used for specific events or operating conditions that require a temporary change, whereas Tier 1c is used for an operational trial of innovative airspace design or of the use of new technologies'.

CAGNE question the wording 'innovative airspace design' in view that this does not necessarily mean a positive for communities eg PRNAV, ADNID, ASCOT trials.

Tier 1c – all trials must have an environmental assessment as well as the

desires of the sponsor for 'innovative airspace design'.

(pg 87) All changes to airspace, including Tier 1c, must be full consult upon throughout the process and should the sponsor wish to extend the trial the full database of stakeholders must be consulted again prior to any extension being permitted.

17. On 21 February 2017 the Government published the Draft Spaceflight Bill. As the foreword to the draft Bill sets out, "This legislation will see the Department for Transport and the Department for Business, Energy and Industrial Strategy, the UK Space Agency, the Civil Aviation Authority and the Health and Safety Executive working together to regulate and oversee commercial spaceflight operations in the UK." Do you have any views on whether this process could be used or adapted to suit future airspace change proposals to enable spaceflights, as anticipated in the Draft Spaceflight Bill?

CAGNE expresses concern at any increase in aircraft/ space movements as they will have impact on communities. We see this process as a starting point that will need updating as industry evolves/ changes as technology allows such travel.

18. The Government proposals talk about a Tier 2 change as one which is likely to alter traffic patterns below 7,000 feet over a populated area and which therefore could have a potential noise impact for those on the ground. The key requirement is that the air navigation service provider must demonstrate that it has assessed the noise impact of the proposed change and engaged with affected communities as appropriate. Which stages of the Tier 1a airspace change process do you think are necessary for a proposal categorised as a Tier 2 change? Please select all those which apply:

All stages

What compensation will be forthcoming to the communities impacted ie full house value and cost of moving away due to the new aircraft noise for Tier 1, 2 and 3.

Any airspace change has a significant impact on communities, Tier 1, 2 and 3. It is immoral for the government to impose such change on communities without proper compensation for aviation financial gains whether that is directly over a property or in the noise shadow (CAP 1498 60 degree cone). Or, we use the example of Cranleigh, Slinfold, Warnham and Route 1 as Gatwick seek to increase long-haul, that has seen a significant increase in aircraft movements due to destination changes. Currently this type of change operated by ATC would not fall under any Tier and yet this type of change has a significant impact on those below with seemingly no recall upon the industry.

We see that sponsors will be, as currently proposed, unaccountable for such changes to airspace, eg frequency, change in routing within the NPR, flying higher sooner, and so communities will have no recall for the significant impact they have.

The environmental impact and noise on communities not previously affected by aircraft noise must be the number one consideration up to 7,000ft and in a 30 mile radius of the sponsor.

19. The CAA's process for Tier 1a changes is scaled into 'Levels', based on the altitude-based priorities in the Government's Air Navigation Guidance (i.e. where noise impacts are to be prioritised or considered alongside carbon emissions, a more demanding consultation is required). Could the future Tier 2 process also be scaled?

Potentially, as any clarification, breaking down of impact on the communities below must be welcomed alongside compensation for level of impact of noise directly over and as in CAP 1498.

20. Are there any other comments that you would like to make about the CAA's potential Tier 2 process?

Tier 2 and 3 must follow the same process as Tier 1. The sponsor can not be trusted with airspace changes.

Once again this discriminates against a large proportion of the population and does not allow for communities to truly experience the impact of the change to airspace, for example Gatwick is only full in the summer and so the 12 months should be extended to 2 years.

More time must be given to those that do not have access to computers on a daily basis. Also allowance must be made for holiday season such as Christmas, August as many councils/ stakeholders are not available to be consulted and thus may miss the timescales set. For example consultations by Gatwick Airport have always seemingly been conducted over the Christmas and New Year period, which is totally unacceptable to be considered as a well-run consultation for the previous reasons of holidays and councils being closed.

1. To what extent does the draft best practice guidance on Tier 3 changes (other changes that may have a noise impact) meet the following criteria?

Three

Three
Three

If you answered 2 or 3, how would you improve the draft guidance?

The CAA are seemingly seeking to make transparent the process to enable change and still communities have no recall upon an self regulating industry that harms residents quality of life, house value and the environment whilst being heavily subsidised by all through not paying VAT or duty.

What compensation will be forthcoming to the communities impacted ie full house value and cost of moving away due to the new aircraft noise for Tier 1, 2 and 3.

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The environmental impact and noise on communities not previously affected by aircraft noise must be the number one consideration up to 7,000ft and in a 30 mile radius of the sponsor.

Tier 3 will have environmental impacts and as such must be consulted upon as with increased frequency comes increased CO2.

22. Where industry does not follow the CAA's guidance in respect of Tier 3 changes, or where there is a clear breakdown of trust between an airport and its stakeholders, is it appropriate for the CAA to publicly draw attention to this?

Yes

If yes, what further detail should the CAA set out in the guidance to reflect this?

They must be made accountable. It is not only the sponsor that is not trusted but also the aviation industry as a whole which includes the CAA, Government and NATS.

This is because profits come before human suffering of noise and devaluation of homes and quality of life.

With out full compensation communities will fight airspace changes as they are not beneficial to them.

If communities are to endure or be subject to change then they should have full details of why as the majority may not/ will not receive any compensation for any detrimental impact on their home.

With other infrastructure projects residents receive compensation in the true sense of the word. For example HS2 - Homeowners living near tunnelled sections of the route will not be eligible for compensation, but the maximum payment of £22,500 will be made to those living between 120-metres and 180-metres from the centre of the track.

People living closer than 120m have been offered a variety of compensation schemes, including voluntary purchase by the government or, for those who don't want to sell up, 10 per cent of the "pre-blight" value of their property.

For homes between 180m and 240m away, the payment will be £15,000, while for those living from 240m to 300m away, it will drop to £7,500.

What do communities get for accepting intolerable new and/ or increases in aircraft noise?

Pg 28 92 – Communities should be permitted to participate and object to the sponsor statement of need before the lengthy process is undertaken and communities are blighted by the process. This would assist to dismiss any sponsors proposal from the outset so reducing the need for a full consultation costing the CAA, communities and the sponsor financially.

Pg 27 90 – major concerns about allowing the sponsor to interfere with SIDs, NPRs and standard arrival routes is highlighted here as in our case Gatwick can not be trusted as profit comes before communities.

CAGNE site the fact that the Government dismissed Gatwick expansion in favour of Heathrow and yet it wrote in May 2017 to the government requesting that they keep the land until 2030 to build a second runway. This once again blighting communities of Sussex, Surrey and Kent.

There is no true compensation like the Land Act for aviation and the current law of 2021 offers communities no protection from an out of control industry, example provided previously.

23. Considering the list of potential information proposed, would you suggest any additions which would help stakeholders, including communities, understand the impacts of Tier 3 changes and enhance transparency?

For these changes to be included in airspace changes. Residents do not want to know why noise has increased due to the increase in frequency of flight or that a destination has become more popular with bucket and spade travellers, they want a return to being not significantly impacted by aircraft above their homes.

It is totally unacceptable not to have an appeal process in place for communities to turn to as the CAA are party to the process they are not independent and as such should not be the final decision maker in the process.

What is required is an independent ombudsman that treats the concerns of the communities as equal to the demands of the sponsor/ aviation industry.

234 - The call in by the Secretary of State is set too high for communities to be able to use this process. Also a JR is for process and so it is envisaged that the seven stages set by the CAA will enable them to avoid JR action making it almost impossible for communities to appeal and would leave the issue for local authorities and the power of their local MP to take action against the sponsor eg as has been seen with departure route 4 at Gatwick.

What is proposed is not an improvement to the current system for example the CAA PIR review of the departures routes at Gatwick where many communities were ignored due to the averaging of noise metrics, for example Slinfold village. Gatwick offered a departure review but this has now been removed this suggestion with only seeking to fulfill requirements set out in the PIR review, seemingly conducted by one man at the CAA. It is now the intention that these are incorporated in the NMB process which only has CAGNE representing those that suffer arrivals and 3, 4, 1, 7, 8, 2, 9, 5, 6 departures to the east and west of the airport, High Weald some Route 5 and 6 routes to the east and Plane Wrong routes 3 and 4 only.

24. In relation to mitigating the impacts of Tier 3 changes, our draft guidance says that the focus should be on exploring the options for mitigating the change through two-way dialogue, because of the local and often incremental nature of Tier 3 changes. Does the guidance need to give more detail?

Yes

The CAA places too much emphasis on the travelling consumer and the demands of aviation and sponsors without equal emphasis on the impact aviation has on communities' health, quality of life or home value. The CAA

seems to take the stance that aircraft noise can be mitigated, which it cannot.

127 – ‘The appraisal should use WebTAG13, the Department for Transport’s appraisal method, for health impacts associated with noise, and potentially for other impacts where possible.’

Webtag inclusion of health costs is to be welcomed but the data produced will only be as good as the data submitted. CAGNE raises concerns that the health data will be averaged out, as will the cost to communities, as is the noise metrics currently.

Webtag is a complex process and one community will not stand a chance of understanding unless educated to this process. This link does not simplify this and so it could be seen as data that will not be given the true consideration in the process as it should on the health implications of constant aircraft noise day and night 7 days a week with no respite as is the case currently with Gatwick Airport.

End

www.cagne.org

*Seeking a fair and equitable distribution of arrivals and departures in the east
and west of Gatwick for West Sussex and Surrey*

cagnetatwick@gmail.com

Private number 07831 632537 – not to be published

www.facebook.com/gatwickcagne

Twitter @cagne_gatwick

c/o Warnham Lodge Farm, Mayes Lane, Warnham, West Sussex RH12 3SG

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