

Airspace Strategy Board Minutes – 13th July 2021

Attendees:	
Robert Courts MP, Minister for Aviation, Maritime and Security	Fiona Smith, Head of Aerodrome Strategy, AGS Airports
David Silk, Director of Airports, Infrastructure & Commercial Interventions (DfT)	Andrew Farrimond; Project Director, Infrastructure and Projects Authority
Ian Elston, Deputy Director for Airspace, Noise & Resilience (DfT)	Robert Light; Head Commissioner, Independent Commission on Civil Aviation Noise
Stuart Lindsay, CAA, Head of Airspace Modernisation	Sam Hartley; Secretariat, Independent Commission on Civil Aviation Noise
Juliet Kennedy, Operations Director, NATS	Tim Johnson; Director, Aviation Environment Federation
Martin Rolfe; CEO, NATS	Roger Hopkinson, Chairman: General & Business Aviation Strategic Forum
Dave Curtis; Head of future ATM and Policy, NATS	Paul Beckford; Chair, Heathrow Association for the Control of Aircraft Noise, ANEG Representative
Richard Moriarty; CEO, CAA	Charles Lloyd; Aviation Communities Forum
Tim Johnson, Policy Director, CAA	Graham Brown, Association of Remotely Piloted Aircraft Systems UK (ARPAS-UK)
Sir Timo Anderson; Chairman, Airspace Change Organising Group	Kathryn Leahy, Director of Operations, Heathrow Airport,
Cheryl Monk; Head of Communications, Airspace Change Organising Group	Neil Thompson, Operations Director, London Luton Airport
Group Captain Nick Robson, Head of Defence Airspace and Traffic Management, MOD	John Karseras; Head of Aviation, Welsh Government
Phil Dunnington, GA Advocate	Gary Cox; Head of Aviation, Transport Scotland
Karen Dee; Chief Executive, Airport Operators Association	Colin Flack OBE; Chair, UK Airport Consultative Committees
Chris Gadsden, Head of Regulation, easyJet	Keith Artus; Chairman, Strategic Aviation Special Interest Group
Tim Alderslade, CEO, Airlines UK	Andrew Sinclair, Head of Airspace Strategy and Engagement, London Gatwick

Agenda Item 1: Introduction from Aviation Minister

Minister Courts (**MC**) introduced attendees and welcomed them to the fifth meeting of the Airspace Strategy Board (ASB), He was pleased that despite the unprecedented impacts on the sector including Airspace Modernisation Programme due to the current times we have been able to return governance to normal and these meetings are taking place regularly.

MC introduced two new members to the Board. Phil Dunnington, DfT's GA Advocate, and Graham Brown from the Association of Remotely Piloted Aircraft Systems UK (ARPAS-UK).

MC highlighted the government's development on sector recovery since the last board meeting in March.

Following the Global Travel Taskforces report, from 17 May, international travel restarted, regulated by a traffic light system, categorising countries based on risk which is assessed every three weeks but will be reviewed faster if concerning evidence requires. Checkpoint reviews are planned on the 28 June, 31 July and 1 October 2021.

From 19th July, fully vaccinated adults will not need to self-isolate when they return to the UK from amber list countries highlighting an additional step to fully opening international travel.

MC Recognised there continue to be serious challenges and remains grateful for industries ongoing cooperation and commitment to the airspace modernisation programme, and he reassured that the government commitments remain.

Air Traffic Management and Unmanned Aircraft Bill is now an act. MPs on both sides of the house welcome Airspace Modernisation, just as government does.

Secondary Legislation will be introduced by the end of 2021, secondary legislations will set out appeal rights and calculating the penalties, so industry understand what is required from them.

Agenda Item 2: Joint DfT & CAA update, Ian Elston, Richard Moriarty, and Stuart Lindsay

Richard Moriarty (RM) provided update on the Masterplan acceptance and the AMS review iteration 2:

- Overall assessment is that ACOG are making good progress developing iteration 2 of the Masterplan, **RM** echoed Ministers emphasis on engagement and will ensure the broad suite of stakeholders that are affected by airspace are built into the process
- **RM** thanked all who provided feedback on the Access and Accept Criteria, there has been broad support for the current version but there are some nuances that need to be thought through. We are on track to publish final version in the coming weeks and have been assured this work won't delay ACOGs Masterplan Iteration 2 which is still on track
- **RM** Confident that funding package provided by the government is going to assist sponsors to reach stage 2 by March 2023 on current trajectory
- AMS refresh **RM** highlighted the need for further review following engagement on the refresh, including impacts and lessons from COVID-19 and understanding requirements for new and future potential airspace users. **RM** made note that the review will not undermine existing objectives or disrupt current work from going forward. Instead the refresh will address areas such as lower airspace, environmental benefits with net zero as a focus
- **RM** CAA are surprised at the rate and quantity of new partners looking to use airspace which has been accelerated by COVID e.g. NHS routes for PPE, public bodies, MCA network rail operations, space regulation. **RM** emphasised **the** importance of everyone's needs to be accommodated for using our airspace

- **RM** thanked all for their engagement and commitment to this programme and appreciated there are currently many challenges - commercial parties in aerospace and aviation, but we can't let this window of opportunity to build back better go and the need to rally around common ambition of Airspace Modernisation
- **RM** confident through engagement we'll be able to coalesce around a refreshed AMS in Q1 of next year

Stu Lindsey (SL) Alongside the FASI support grant there is also an En-Route AMS Support Fund. The governance for the fund is currently being established. CAA are aiming for a mechanism to apply for minor funding gaps in AMS funding to be administered by September. In the final stages of the assess and accept criteria and have taken lots of feedback into account. Hope to publish final version by the end of the month.

SL asked board members to review RAG status of initiatives and note the status of initiatives are not based on time but a programme risk view.

Ian Elston (IE) provided two updates:

- Funding grant update – Government funding was provided for completing stage 2, £5.5m in total to allow sponsors to reactivate their programmes. 18 sponsors have been allocated funding. Majority have Statement of Works complete and contracts in place. Payment has been made to 3, more expected in the next few months. By the end of the financial year expect 5 out of the 18 will have successfully completed Stage 2 and many sponsors well advanced which will allow ACOG to develop their Masterplan.
- Community group action: DfT & CAA had an action following the last ASB to meet with Noise and Community groups. Since the last board DfT & CAA have had three meetings with community groups. Noise and Communities Group set out in paper circulated to the board with the papers, items that community groups want to raise. - DfT agreed six should be considered through the airspace modernisation programme, with others being better suited taken forward elsewhere in more appropriate existing/upcoming forums, e.g. ANEG, carbon consultation.

The six items are:

1. **Masterplan/CAP 1616 interaction** – Recognise that there is a need for sponsors and ACOG to explain clearly how the masterplan and CAP1616 processes work together. ACOG have started this engagement and will be rolling out further comms over the coming months. Sponsors will continue to monitor.
2. **Stakeholder representation and engagement** - Community groups want representation on ACOG board. DfT & CAA felt this was not appropriate and believe board representation is suitable but want ACOG to ensure engagement with communities. We will continue to monitor to ensure community groups properly engaged.
3. **Consultation material** – Need to ensure consultation put out is accessible and understandable to everyone, and publication from ICCAN's guidance for best practice for consultation/engagement – DfT recognise that the publication from ICCAN around good guidance and best practice is an important first step. It's too early at this stage to tell its impact as sponsors haven't needed to use it yet. We will continue to engage and work with ICCAN, and make sure they receive the feedback from sponsors and community groups on how that guidance is working. **Funding for non-aviation stakeholders** - DfT recognise the highly technical nature of this programme and acknowledge that

expert advice may be needed. We will consider how non-aviation stakeholders can best access that advice, and what financial support might be appropriate. DfT currently looking at best practice at what industry have done in the past in this area. We're looking at this over the summer and will report back at the next board.

4. **ATC technology** – There is agreement between us and community groups that there's a need for sponsors and those involved in the programme to explain what technology available, how it will work and implement solutions. We'll be looking at all these areas on how we can share that info in ways that are understandable and allow groups to feed in their wants and needs so changes to airspace consider everyone.
5. **CAP1616 Statement of need** - This was raised by communities group regarding a Statement of Need set out by the Sponsors at an early stage of the process. DfT & CAA have agreed to work on what the role of Statement of Need statement is and ensuring proportionate process throughout. We'll be updating on how that work progresses over the next few months.

MC opened the floor to questions he also raised a few questions for the CAA - Could you give detail on how the RAG ratings on the initiatives have changed since the publication of the AMS progress report, and could you address how far CAA have taken forward stakeholder feedback on assess and accept criteria?

Tim Johnson (TJ CAA) – RAG ratings are generally approving following funding being made available. Overall, some positive momentum, but under no illusions regarding how much work there is to do across all initiatives.

Stuart Lindsey (SL) - Draft 'Assess and Accept Criteria' – received lots of feedback from the consultation. Highlighted some areas which the CAA needed to address.

Richard Moriarty (RM) – Always open to discussion on this and anything related to AMS.

Charles Lloyd (CL) Regarding community funding, acknowledged that it is for government to decide whether sponsors' costs should be borne by the taxpayer, but emphasised that it would be wrong for the costs of those who benefit from airspace changes to be met by the taxpayer, but for those who may suffer adverse effects from them to be left to fend for themselves and sees the need for this to be addressed rapidly.

CL Welcomed engagement with the CAA and DfT on community concerns so far, but emphasised that the more difficult issues on whether policy and the Air Navigation Directions are adequate and whether the underpinning legislation and regulatory frameworks are fit for purpose have not yet been addressed and will need to be promptly, with the conclusions of that work reported back to the board.

CL Questioned CAA/NERL on what the technological underpinning of the programme is. He stated it is unclear to communities whether technical benefits are realisable. **CL** suggested a technological discussion paper should be brought forward on this topic, so that knowledge of the rest of the group can be increased and to provide others a chance to express views on those points.

Robert Light (RL) Pleased to hear the Minister mention that consultation needs to go further than technical experts. People who will be impacted by change, such as those who will be newly overflowed, need to be engaged he stressed the importance to get an understanding of the process to a much wider audience than what has previously been reached.

RL The ICANN toolkit is created to be a live document we've committed to update as we see examples of best practice evolving.

RL raised that an independent quality assurance put by community groups and airports to assist both with the consultation process to avoid airspace changes being rejected due to inadequate consultation will be an asset to propose and could be crucial for the success of Airspace Modernisation.

IE acknowledged the benefits of quality assurance for the consultation. DfT recognise the issue and note that a few groups have raised similar issues who want to have confidence in the process, and by sponsors who have been rejected because of consultation and don't want to go through that again.

Graham Brown (GB) Pleased to hear that Lower Airspace and Unmanned Aircraft will be included within this AMS refresh. We would like to also see commercial BVLOS (Beyond Visual Line of Sight) and unmanned aircraft included in other ACOG activities.

SL the AMS refresh is currently in in pre-engagement phase before a formal consultation. Includes engagement with Unmanned Aerial Systems representatives – primarily BVLOS, General Aviation, and Space Launch users all included. With the intent to add new areas of focus, which will include lower airspace outside Controlled Airspace (e.g. in Class G) and BVLOS integration into the AMS refresh.

Tim Johnson (TJ AEF) Pleased to see Net Zero is an area of focus for the AMS refresh and the CAA and Airspace Modernisation more generally.

TJ AEF asked the following questions: Does the consultation also apply to this area of focus? Is there an engagement process? Thinking ahead to the AMS refresh, are you thinking that this is an add-on or aimed at the principles behind airspace change, e.g. asking sponsors to demonstrate how a change contributes to net zero objectives?

SL It is intended that much of the new content for the refresh should come from stakeholder groups. It covers a broad range of topics – for example environmental groups have been included. It is a strategic document and needs to be aligned with section 70 of Transport Act, the document will also be informed by other things such as upcoming government consultations on net carbon neutral and decarbonising transport.

Roger Hopkinson (RH) I believe progress on and manner in which the AMS refresh is being carried out has been good, I would just like to stress Importance of commitment on lower airspace strategy and to ensure it recognises all interest not just GA.

Agenda Item 3: ACOG update, Sir Timo

Timo Anderson (TA) Gave an overall ACOG update:

Remobilisation

- FASI support grant, bridge funding met its remit and reinvigorated the programme out of pandemic status. Some of the associated risks such as resourcing have proven unfounded and airports have done well to ensure people are back quickly. Seventeen out of eighteen airports of interest have approved statements of work. ACOG are very pleased with its implementation, we are currently on track despite previous concerns because of the pandemic on the programme.
- Regarding communication, ACOGs website now up and running, the website will be used as a platform to share resources and spread the message of Airspace Modernisation. It will be a distribution channel for our products like reports and engagement resources etc. Social media channels will be live by the end of the month to update where we are and to promote airspace modernisation.

TA The Steering Committee have endorsed a series of design principles. Predominately for internal digestion, although can serve as operational guidance for sponsors. Keen the Committee understands why we're here when it comes to assuring and validating the Masterplan before sending to the CAA alongside the importance of having a framework against which to look back and ensure the right trajectory.

Principles:

1. This is policy led, government policy and national in its scope and ambition.
2. CAP1616 is the process and ACOG have a critical role in putting together a Masterplan but don't have executive authority about whether it meets regulatory requirements, that responsibility is on the regulator
3. There may be future ACPs and we're ensuring the masterplan can accommodate that when it's necessary and appropriate.
4. Masterplan will advance the concept of airspace integration. The idea is not to produce something that will be easily disrupted because of arrival of new entrants that in some way it disrupts the whole plan.
5. Responsibility on ACOG that benefits are assured, and negative impacts are mitigated and managed proportionately. There will be priorities already articulated within government policy and regulations. We won't be able to please all but stresses the importance of overall national scale of benefits from the overall masterplan and contribution to the AMS.
6. Masterplan is to ensure use of arriving and available technological capabilities of technology to drive broad benefits as far as possible. Tech is available that isn't fully exploited due circumstances such as lack of training or procedures aren't available at departure or arrival airports. The ACPs within the masterplan are trying to address this.
7. ACOG will highlight dependencies and do their best to facilitate solutions but will escalate to the co-sponsors ultimately to pass judgement if required.

Masterplan

- This is an iterative process. Different types of information will come at different levels. e.g. CAP1616 has different levels of consultation etc, there isn't one approach where we wait for all the details before publication. Transport policy is live, with the decarb plan and recovery framework support reasons why there must be a staged approach.
- The nature of the airport's interaction is critical, there is the potential for conflicts particularly with adjacent airports and resolving conflicts is a key role for ACOG. The Masterplan will include interdependencies, conflicts, trade-offs, implementation programme plan, demonstrate benefits and negative impacts tracked and managed, Demonstrate how stakeholders have shaped the development of the Masterplan and conduct a specific general aviation impact assessment, this is trying to advocate airspace integration to come up with a more modern or joined up airspace enterprise that understands it provides for various stakeholder groups.

Timeline

- By November iteration two will have been submitted to the CAA for evaluation against the assess and accept criteria. This will be prior to CAP1616 stage two gateways for sponsors and predominantly looking at interdependencies and trade-offs to be brokered by the end of 2022. Public engagement for iteration three will be the next focus and iteration three will need to look at the various ways the ACPs fit together before airports conduct public consultations on their own airspace change proposals in accordance with CAP1616. Iteration four, will be the core Masterplan which should knit

everything together and present an overall plan about how we are going to progress. There may be addendums to this, but this is the framework we are currently using.

Iteration Two Plan

Iteration two of the Masterplan is currently going through design concepts. Engagement plan has started with numerous stakeholder groups, the process is up and running and seems to be on the right track. Interdependencies will be defined by September. By October we should demonstrate that we have engaged with the various stakeholder groups and beyond, and finally producing final draft for co-sponsor sign off, and then for assurance and review to the CAA towards the end of the year, before being accepted into the Airspace Modernisation Strategy.

MC pleased to know that the Masterplan iteration two will be sent to the co-sponsors in November. Everyone here will want to know how their stakeholders can get involved. In real practical terms, how can stakeholder influence and shape/engage development of masterplan?

TA The engagement process we have consists of structured programmes of meetings with a wide range of stakeholders. Currently due to COVID, meetings are virtual, giving stakeholders an understanding of where in the process they can engage. The obvious points are engaging with airports as part of the CAP1616 process, particularly as they enter consultation stage. Before iteration three of the Masterplan is submitted to the CAA, ACOG will engage publicly on it. Few things that are relevant to this, first is the point Charles Lloyd raised about the possibility of any funding that may help support those who are less technically adept at looking at this and providing objective advice. The Airspace Masterplan will help stakeholders by providing an overview of the airspace change proposals under development, which areas they affect and when airports will be consulting on their plans.

Cheryl Monk (CM) Several sessions have taken place over the last few weeks, bringing stakeholders up to date on the airspace change programme and the process for developing the Airspace Masterplan. In due course we'll be seeking input into its scope and content. Following the briefing sessions, ACOG will be following up stakeholders over the next few months to get their feedback, provide clarification and talk to them about how they'd like us to engage going forward. The main objective for these initial briefings is to bring everyone to same level of understanding.

MC Stressed he is keen on ensuring those who are not technically knowledgeable are still able to be engaged.

Chris Gadsden (CG) Great to see progress despite COVID. **CG** put emphasis on the strategic purpose of the board. There has been a lot of discussion around process and engagement but not considerable amount about strategy and implementation. Nobody is completely happy with current airspace, either on the ground or in the air – need to ensure we aren't caught up with circular processes.

TA Stressed the importance of the step to get airspace change up and running again. Must be a process, that needs to consider the steps of the airspace change process but agree wholeheartedly that ultimately needs to deliver – benefits will not be realised until completion of the airspace change. Some airports have been outstanding at this and NERL have been working diligently in the background on areas such as free route airspace.

CL Raised the topic of the 3rd design principle, balancing benefits between stakeholders and ensuring that negative impacts are mitigated. He raised concerned that airspace modernisation has always been badged as providing win-win outcomes, but this seems like an acknowledgement that negative impacts for communities will only be mitigated, not reduced.

TA Clarified that it is inescapable that there are going to be both benefits and negative impacts, and we need to ensure the benefits are exploited and that the negative impacts are proportional, mitigated, and managed. Purpose of looking at the ACPs is to aim to and come up with the optimum overall outcome,

which may mean that not every airline/community group/airport will receive all of their requests but it will be our best judgement on the least worst outcome overall - that doesn't suggest we will just be happy to live with negative impacts. There will be residual impacts, and those needs to be managed proportionately.

CL Communities expect the programme to achieve aggregate benefits for all stakeholders, including communities. For communities this should be by reducing total negative impacts to an extent which represents a genuine sharing of benefits between stakeholders and then managing and mitigating residual impacts. It is not clear that government, the CCA or ACOG share that view.

MC Appreciated **CL** point and said DfT will consider it and update over the coming months.

Roger Hopkins (RH) When the Terms of Reference were drawn up Secretary of State asked, they include the following five things: Create airspace capacity to support the growth of aviation. Reduce controlled airspace. Release lower airspace. Reduce delay for passengers to ensure they get to their destination on time. Reduce noise and CO2 emissions.

RH Are they concurrent with the first slide in the ACOG paper?

TA Yes, all five things required by Secretary of State were included.

Agenda Item 4: DVOR, Andy Sinclair, London Gatwick Airport

Andy Sinclair (AS) Purpose of this agenda item is to raise the challenges in delivering DVOR rationalisation as a strategic risk to the airspace modernisation programme and to the UK network. The DVOR rationalisation programme involves the removal of conventional navigational facilities around the UK. NATS have been working to remove DVOR dependencies for several years in preparation for the reduction of the fleet of 46 navigational facilities down to 19. All airports rely on these facilities for their arrival and departure procedures. We know these are legacy technology and understand the rationale for the withdrawal of these facilities, that are due to be switched off in December 2022. The main avenue to mitigate the removal of these DVORs was using the FASI airspace change programme. We are currently at a point where FASI-S will not be materially implemented by the planned DVOR 'switch off' date of December 2022. The CAA have been working on policy guidance for some time to help airports develop an interim solution to bridge the gap ahead of FASI deployment. We had a positive meeting with the CAA a few weeks ago to gain clarity on some aspects of the guidance; the CAA subsequently published the guidance (CAP1781), which is a good start but there are further ambiguities which require urgent attention.

Martin Rolfe (NATS) This was consulted on in 2008/2009 before FASI started, notice was issued in 2018 there has been no shortage of time to do this. It has been highlighted from the start that we will make best efforts to keep this in service or enter into commercial negotiations with airports where they haven't been able to put things in place in time, we've received no requests, very happy to talk about that

RM We want to mitigate impacts as much as we can whilst making progress, majority of CAP1781's content came from industry partners.

Karen Dee (KD) There are problems with the guidance and problems with only entering commercial arrangements. CAA do not currently have the resources for all to try and do this now. Formerly the industry was in a good place prior to the pandemic/ the impacts of the pandemic have taken two years of progress. Welcome opportunity to discuss offline, importance for this board that this is strategical risk to AM programme.

AS I understand the frustration of the NATS team given the drawn-out nature of the programme. However, the time has passed for individual effort – Gatwick, for example, has done what it can to replace and truncate procedures ahead of the publication of the CAA guidance. As part of the airspace modernisation programme there needs to be collective effort and collective agreement on how to take this forward. Doing this on an individual basis does not seem like a programme solution which can be taken forwards to successfully mitigate the risk.

MC Thanked for the point and suggested we have detailed engagement and take it offline.

Agenda Item 5: AOB -None

MC Thanked the board for a helpful meeting, he stressed the huge priority to get this right and looks forward to the next board in the Autumn,