

## Safety and Airspace Regulation Group

Page 1 of 12

### Airspace Change Proposal - Consultation Assessment

Version: 1.1/ 2019

<b>Title of Airspace Change Proposal</b>	<b>Leeds East Airport, Radar Navigation Performance, Instrument Approach Procedures (LEA RNP IAPs)</b>
<b>Change Sponsor</b>	<b>Makin Enterprises Ltd - Leeds East Airport (LEA, EGCM)</b>
<b>SARG Project Leader</b>	<b>[REDACTED]</b>
<b>Case Study commencement date</b>	<b>01/04/2021</b>
<b>Case Study report as at</b>	<b>22/03/2022</b>
<b>File Reference</b>	<b>ACP 2016-13</b>

#### Instructions

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

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

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

**Safety and Airspace Regulation Group**

1.	Consultation Process	Status
1.1	<p><b>Is the following information complete and satisfactory?</b></p> <ul style="list-style-type: none"> <li>• A copy of the original proposal upon which consultation was conducted.</li> <li>• A copy of all correspondence sent by the sponsor to consultees during consultation.</li> <li>• A copy of all correspondence received by the sponsor from consultees during consultation.</li> <li>• A referenced tabular summary record of consultation actions.</li> <li>• Details of and reasons for any changes to the original proposal as a result of the consultation.</li> <li>• Details of further consultation conducted on any revised proposal.</li> </ul>	<p align="center"><b>YES</b></p> <p align="center"><b>YES</b></p> <p align="center"><b>NO</b></p> <p align="center"><b>YES</b></p> <p align="center"><b>N/A</b></p> <p align="center"><b>N/A</b></p>

<b>1.2</b>	<b>Were reasonable steps taken to ensure stakeholders actually received the information e.g. postal/e-mail/meeting?</b>	<b>NO</b>														
<p>The change sponsor’s consultation response document suggests that a list of “over 340” stakeholder individuals / organisations were contacted by email to confirm the launch of the consultation. The consultation material was also made available on a dedicated webpage on the Leeds East airport website and Parish Councils were encouraged to make consultation materials easily accessible for those constituents unable to access electronic versions.</p> <p>The consultation response document suggests that three reminder emails were distributed to encourage / elicit responses, which indicates that the change sponsor was proactive in terms of tracking feedback from the targeted stakeholders. A series of virtual workshops were also arranged to present the airspace change proposal to stakeholders and facilitate related discussion / questions etc.</p> <p>Whilst NATMAC (all members) appeared on the list of aviation stakeholders, the consultation response document confirms that both the British Gliding Association (BGA) and Light Aircraft Association (LAA) Vale of York Strut were unaware of the consultation, with the latter noting that the British Microlight Aircraft Association (BMAA) were also absent from the list of stakeholders contacted. The Regional Airspace Soaring Group (RSAG) also expressed concern that the change sponsor did not include the BGA and LAA. The possibility of validating which stakeholders were contacted throughout the consultation is compromised by the absence of a ‘consultation record sheet’ and the fact that all stakeholders were blind copied on the outgoing correspondence. Whilst this makes it difficult to provide further comment, the table within the consultation response document which summarises the key extracts from consultees suggests that relevant national representative stakeholders may have been omitted from the launch / reminder emails or that the most up-to-date points of contact for them were not used.</p>																
<b>1.3</b>	<b>What % of the targeted aviation stakeholders replied? (Include actual numbers).</b>	<b>27</b>														
<p>The formal airspace change proposal did not include a ‘consultation record sheet’ and therefore it has not been possible to determine what percentage of the targeted aviation stakeholders replied. However, the consultation response document confirms that a total of 27 aviation consultees responded, and this number is grouped and broken down as follows:</p>																
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Aviation Stakeholder Group</th> <th style="text-align: center;">Responded</th> </tr> </thead> <tbody> <tr> <td>Airfield</td> <td align="center">1</td> </tr> <tr> <td>Airspace User</td> <td align="center">9</td> </tr> <tr> <td>Military</td> <td align="center">1</td> </tr> <tr> <td>Representative aviation body</td> <td align="center">13</td> </tr> <tr> <td>Other aviation bodies</td> <td align="center">3</td> </tr> <tr> <td align="right"><b>TOTALS</b></td> <td align="center"><b>27</b></td> </tr> </tbody> </table>			Aviation Stakeholder Group	Responded	Airfield	1	Airspace User	9	Military	1	Representative aviation body	13	Other aviation bodies	3	<b>TOTALS</b>	<b>27</b>
Aviation Stakeholder Group	Responded															
Airfield	1															
Airspace User	9															
Military	1															
Representative aviation body	13															
Other aviation bodies	3															
<b>TOTALS</b>	<b>27</b>															

## Safety and Airspace Regulation Group

	From the evidence presented it has not been possible to determine what percentage of aviation stakeholders supported, objected or had no comment / no objection to the airspace change proposal.	
<b>1.4</b>	<p><b>What % of the targeted non-aviation stakeholders replied? (Include actual numbers).</b></p> <p>The formal airspace change proposal did not include a 'consultation record sheet' and therefore it has not been possible to determine what percentage of the targeted non-aviation stakeholders replied. However, the consultation response document confirms that 18 councils and 25 individuals replied. With regards the latter, the consultation response document confirms that this number was <i>"almost all individual residents"</i>.</p> <p>From the evidence presented it has not been possible to determine what percentage of non-aviation stakeholders supported, objected or had no comment / no objection to the airspace change proposal.</p>	<b>43</b>
<b>1.5</b>	<p><b>Were reasonable steps taken to ensure as much substantive feedback was obtained from the consultees e.g. through follow-up letters/phone calls?</b></p> <p>The consultation was formally launched on 18<sup>th</sup> February 2021 and the primary method of communication was via email correspondence. The consultation material was made available on a dedicated webpage on the Leeds East airport website and Parish Councils were encouraged to make consultation materials easily accessible for those constituents unable to access electronic versions. The change sponsor offered to provide printed hard-copies by post (where required) and made allowances for hard-copy responses by providing a postal address for stakeholders to use.</p> <p>A total of three virtual workshops were facilitated (two directly in response to specific requests from aviation stakeholders) during the consultation. The purpose of these were to present, discuss and clarify (where required) the airspace change proposal, discuss the safety risks and mitigations, and talk through the instrument approach procedures (IAPs). The change sponsor also developed an initial and revised Q&amp;A document in response to queries received and shared this with stakeholders (weeks 5 and 10) to support their understanding of the airspace change proposal. The 12-page Q&amp;A document was included as evidence within the formal airspace change proposal submission and having sampled the content, it was noted that the change sponsor was proactive in terms of updating the document with additional Q&amp;As throughout the duration of the consultation. The responses to the Q&amp;As that were sampled were found to be suitable in terms of responding to the specific question and providing a suitable amount of clarity.</p> <p>Stakeholders were given a period of 12-weeks to review the consultation and respond accordingly. The consultation response document states that three reminder emails were distributed throughout the duration of the consultation (weeks 5, 9 and 10) and evidence has been provided within the formal ACP submission to validate this. However, there is no evidence to suggest that other additional measures were taken to promote the consultation to a wider audience than those stakeholders that were specifically targeted.</p>	<b>PARTIALLY</b>

1.6	<p><b>Have all objections to the change proposal been resolved (or sufficiently mitigated)?</b></p>	PARTIALLY
	<p>The consultation response document states that a total of 29 consultees (41%) objected to the airspace change proposal and Section 4.2 of the document provides a summary of the main issues raised in their objections, along with the change sponsors response to them (summarised below). It has not been possible to validate the content of the consultation response document, both in terms of the statistics and main issues identified, as the formal airspace change proposal submission did not include a 'consultation record sheet' and / or the 'raw data' i.e. individual copies of consultee responses. However, the change sponsor has included 'key extracts' from relevant consultation responses within Appendix A of their consultation response document and the contents have been sampled and cross-checked with the contents of Section 4.2.</p> <p><b>Process</b></p> <ul style="list-style-type: none"> <li>• Several consultees expressed concern with regards to the change sponsors consultation approach and suggested that it was inadequate. They also suggested that there was a general lack of awareness of the consultation and that insufficient information had been provided, particularly with regards to the contents of the safety case. The change sponsor referenced CAP725 requirements and specifically listed all the Governments consultation principles, against which they provided a summary of each of them had been satisfied. With regards to the lack of awareness, they cited the comprehensive list of stakeholders that were targeted and summarised how the consultation materials, as well as reminder notifications, had been distributed to them. They also highlighted that the materials had been made available to a wider audience through the publication of them on a dedicated webpage and Facebook account. On the suggestion that insufficient information had been provided, the change sponsor referenced the content of the consultation materials and workshops (one of which focussed on the safety risks and mitigations) that were facilitated to help stakeholders understand the airspace change proposal. The change sponsor suggested that they had explained during the consultation that they did not intend to share the safety case in the public domain, but that it would be submitted for the CAA for regulatory assessment. Whilst there was no regulatory requirement for the change sponsor to share their safety case / assessment in support of their consultation, they have since acknowledged the importance of this document to stakeholders and shared it with them.</li> <li>• Some consultees queried why the change sponsor was following the CAP725 airspace change process as opposed to the new CAP1616 airspace change process. The change sponsor acknowledged that CAP725 had been superseded and explained that the CAA had agreed that they could remain on CAP725 in accordance with the published transition arrangements.</li> <li>• A small number of consultees observed the similarities between the Leeds East and Sherburn-in-Elmet airspace change proposals and suggested that they should be merged into a single proposal so that the interdependencies between them could be properly considered and assessed. The change sponsor explained that appropriate</li> </ul>	

coordination measures had been established between the two airports through a Letter of Agreement (LoA). They also referenced the slot system, highlighting that it would ensure that the IAPs for each aerodrome will not be used simultaneously, thereby reducing the interactions between the two airspace change proposals.

#### Noise/Traffic

- Consultees noted that the proposed change could lead to an increase in aircraft numbers and therefore additional noise, particularly from the larger Category C and D aircraft. The change sponsor explained that the increase would be no more than 1-arrival per hour and limited to 8-arrivals per day given the interactions with neighbouring Sherburn-in-Elmet. In terms of Category C and D aircraft movements, they stated that the frequency would be 1-movement every 4-days. They acknowledged consultee requests for actual noise data and explained that it was dependent on several factors outside of the aerodrome's control. They also explained that it would be disproportionate to install monitors to measure and collate noise data given the number of movements and nature of operations at the aerodrome.
- Concerns were also expressed about the potential for the aerodrome to be operational for 24-hours a day and the related impact of night-time movements. The change sponsor confirmed that it was not their intention to operate during the night but acknowledged that there may be rare occasions when limited movements "*late and early in the day*" may occur. They stated their published operating hours and explained that extensions outside of these would be by arrangement.
- It was suggested that the potential for increased aircraft movements should be subject to additional planning permission. The change sponsor explained that any such requirements would be determined by the relevant local authority and therefore outside of the scope of the consultation, the scope of which focussed on the airspace change proposal.

#### Safety

- The main concern expressed by consultees related to a perceived high risk of mid-air collision (MAC) caused through the utilisation of the proposed IAP in all-weather conditions. Consultees highlighted several locations (e.g. the Area of Intense Aerial Activity (AIAA) / area of 'intense gliding activity' in the Vale of York) where in their view an increased risk would be due to the various general aviation activities in the surrounding area. It was also noted that the safety case was based on analysis of historical flight data and therefore not entirely representative. The change sponsor explained that a safety assessment had been completed and that procedures and mitigations had been established to manage the risk so that it was as low as reasonably practicable (ALARP), referencing some of the mitigations within the consultation response document. Following on from the workshops that were facilitated to specifically

discuss the technical and operational concerns of local aviation stakeholders, the change sponsor completed a study to better understand traffic levels and committed to reviewing the safety assessment in light of the results.

- Consultees felt that an increased risk of MAC would restrict access to Class G airspace for other local aviation stakeholders, often referencing a lack of awareness with regards to the use of the proposed IAPs and the overlapping nature of the proposed IAPs at both Leeds East and Sherburn-in-Elmet aerodromes. The change sponsor explained that it was not their intention to restrict access and that Class G should be available for all. They suggested that the proposed mitigations reduced the risk of MAC to ALARP and therefore they are expecting all local aviation stakeholders to continue with their operations.
- Consultees also expressed concern that the airspace change proposal would be approved and implemented without adequate LoAs being approved with relevant local aviation stakeholders. The change sponsor explained that significant resources had been applied to draft LoAs and that whilst several had been agreed, they remain committed to liaising with stakeholders to agree others where required. They also referenced the safety assessment and related mitigations, highlighting that the risk had been reduced so that it was ALARP.
- Some consultees suggested that the use of an LNAV procedure was not appropriate to be used in the north of England. The change sponsor detailed the various approaches proposed (LNAV, LNAV/VNAV and LPV) and advised that all of them were approved by ICAO and the CAA. They acknowledged the potential for LPV to become unavailable due to EU Exit and EGNOS, but stated their intention to implement it should the situation change.

#### IAP design

- Consultees expressed concerns that the proposed IAP designs did not give due consideration to local gliding operations and queried why alternative route options had not been / could not be considered. The change sponsor acknowledged the need to comply with ICAO requirements and relevant state guidance / criteria, and explained that they had been designed to minimise the impact on all stakeholders *“as far as practicable”*.
- References to the GAINS project were made and the use of advanced navigation techniques to overcome limitations in procedure design, and the change sponsor was asked why they had not considered the outputs of this project. The change sponsor explained that designs had not been developed to make use of the advanced navigation techniques recommended by GAINS because the aircraft operating into the aerodrome will generally not be suitably equipped to utilise such techniques.
- Consultees also queried why the design was not based on a standard 3° glidepath. The change sponsor stated that the final approaches would be based on a vertical profile of 3°. They explained that the charts included in the consultation document, were graphical and indicative representations of the proposed IAPs and that the final charts would be compliant with AIP standards.

**Environment/Climate**

- Some consultees objected on the grounds that the increase in aircraft movements would have an adverse impact on climate change and queried how such an expansion aligned with the UK Governments climate change targets. The change sponsor explained that Leeds East is a small aerodrome and suggested that any increase in movements would not prevent the government from meeting its national climate objectives.
- They also cited increases in carbon emissions from private jets over recent years and queried whether a full environmental impact assessment had been conducted. The change sponsor confirmed that this had not been done and explained that it was outside the scope of this consultation.

**Economic Benefits**

- A small number of consultees expressed concern that the economic benefits of implementing the airspace change proposal would not outweigh the environmental impacts in terms of noise and pollution. Clarification was also sought on whether an economic impact assessment had been completed to support the airspace change proposal. The change sponsor explained that no such assessment had been undertaken and re-iterated their view that the implementation of the airspace change proposal would bring an overall economic benefit to the airport and local area.



## Safety and Airspace Regulation Group

Page 9 of 12

Airspace Change Proposal - Consultation Assessment

Version: 1.1/ 2019

2. Recommendations / Conditions / PIR Data Requirements		
2.1	<p><b>Are there any Recommendations which the change sponsor <u>should try</u> to address either before or after implementation (if approved)? If yes, please list them below.</b></p>	N/A
	N/A	
2.2	<p><b>Are there any Condition(s) which the change sponsor <u>must fulfil</u> either before or after implementation (if approved)? If yes, please list them below.</b></p>	YES
	<p>Issue 6.7 of the 'Formal Submission Document' dated 13<sup>th</sup> February acknowledges that LoAs have not yet been agreed / completed with the York Gliding Centre, Wolds Gliding Club, Burn Gliding Club, Rufforth East (Microlights) and Elvington aerodrome. Given the concerns raised by local aviation stakeholders during the consultation, the change sponsor must ensure that suitable LoAs (where required) are finalised prior to the implementation of this airspace change proposal (if approved).</p>	
2.3	<p><b>Are there any specific requirements in terms of the data to be collected by the change sponsor for the Post Implementation Review (if approved)? If yes, please list them below.</b></p>	YES
	<p>The change sponsor must establish suitable measures to ensure the following data is collected and presented to the CAA in support of the Post Implementation Review:</p> <ul style="list-style-type: none"> <li>• Data related to the use of the IAPs – this should include a monthly breakdown of usage by aircraft type (category)</li> <li>• Data related to stakeholder enquiries/complaints concerning the use of the IAPs. It would be beneficial to see a summary of the enquiry / complaint as well as charts plotting the location of origin, alongside a representative sample of aircraft tracks utilising the IAPs (if possible).</li> </ul>	

### Conclusions

**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?**

**PARTIALLY**

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. On balance, I am partially satisfied that these principles have been applied by the change sponsor before, during and after the consultation. I am also partially satisfied that the change sponsor has conducted this consultation in accordance with the requirements of CAP725, that they have demonstrated the Government's consultation principles and that the consultation has:

- **Taken place when the proposal was at a formative stage.** Modifications were made to the Missed Approach Procedures (MAPs) to address potential conflicts with local aviation stakeholders and agreements have been reached with some (but not all) to further mitigate the operational impacts on them. The change sponsor undertook a study to better understand the traffic levels operating within close proximity to Leeds East aerodrome and confirmed that the results would be considered and if appropriate, the contents of the safety assessment would be updated accordingly.
- **Presented the consultation material clearly and outlined the potential impacts that needed to be considered.** Whilst the consultation materials provided useful context and information, the consultation response document acknowledges that several consultees expressed concerns with regards to insufficient information being provided and a lack of transparency – these concerns are summarised below:
  - Consultees felt that they had not been provided with sufficient detail on the concept of operations and the way in which the proposed IAPs and related impacts on other airspace users would be operated / managed. They also felt that the consultation material did not demonstrate whether other design options had been considered by the change sponsor and / or adequately covered the cumulative impacts of this airspace change proposal alongside that being sponsored by Sherburn-in-Elmet. Although valid and well-founded points, separate workshops were arranged by the change sponsor to facilitate discussion with local aviation stakeholders on the IAPs and the related safety risks / proposed mitigations and there has been ongoing engagement between both parties since this consultation process concluded. With regards to the interaction with Sherburn-in-Elmet and the potential cumulative impact, it must be acknowledged that the change sponsor had been advised by the CAA to progress separate airspace change proposals for each aerodrome. Finally, the change sponsor referenced the LoA that had been established to ensure safe operations and deconfliction between the two aerodromes, highlighting that the IAPs would not be used simultaneously.
  - Concerns related to a lack of transparency centered on the safety case / assessment whereby consultees felt that it was not possible to determine that the change sponsor had satisfactorily identified and assessed all of the risks and indicate how these would be sufficiently mitigated. On this point, it must be acknowledged that this is a legacy-airspace change proposal following the CAP725 process, the transparency requirements of which differ from CAP1616. Whilst there was no regulatory requirement for the change sponsor to share their safety case / assessment in support of their consultation, they have since acknowledged the importance of this document to stakeholders and shared it with them.
- **Provided a sufficient timeframe to allow considered responses.** The consultation ran from 18<sup>th</sup> February to 13<sup>th</sup> May 2021, covering a period of 12-weeks in total which represents a reasonable and proportionate timeframe for this proposal. This timeframe aligns with widely recognised best practice standards.
- **Taken into account the product of the consultation.** The consultation response document demonstrates that the change sponsor has conscientiously considered the feedback as it summarises the key points made by consultees. It details the substantive feedback provided by those consultees that specifically objected to the proposal, as well as those seeking clarification on it, and provides a summary of their response to these points.

**General Summary**

The scope of this consultation was limited to the implementation of GNSS instrument flight procedures approaching Runway 06 and Runway 24 at Leeds East airport. Within their consultation, the change sponsor presented single options for each runway, explained how aircraft would operate and summarised the likely impacts. Feedback from stakeholders on these options was invited and the change sponsor encouraged stakeholders to elaborate on their rationale for objecting to the proposal (where appropriate).

A list of “over 340” stakeholder individuals / organisations were contacted by email to confirm the launch of the consultation. No consultation record sheet was included within the formal airspace change proposal submission and therefore it has not been possible to determine what percentage of the targeted stakeholders responded. However, we do know from the consultation response document that a total of 70 responses were received from aviation (27) and non-aviation (43) consultees.

Concerns were expressed regarding a lack of awareness and insufficient information being provided for consideration and these have been acknowledged and considered as part of this regulatory assessment. Although we have not been provided with the complete suite of evidence to validate the content of the consultation response document, it is clear from that which has been provided that stakeholders were given sufficient time to consider and comment on the airspace change proposal, and that their feedback was conscientiously considered by the change sponsor. Modifications were subsequently made to the MAP to address potential conflicts with local aviation stakeholders and agreements have been reached with some (but not all) to further mitigate the operational impacts on them. It is worth noting at this point that the change sponsor has subsequently participated in a workshop that was facilitated to support relevant stakeholders understand the risks associated with this ACP and to explore opportunities to enhance flight safety through the fair and equitable use of the local airspace. The results of this workshop were unknown at the time of writing this report.

Having reviewed and assessed the content of this formal airspace change proposal, things could have been done better but on balance, I am satisfied that there is sufficient evidence to demonstrate that a meaningful consultation has taken place to support the development of it.

**Safety and Airspace Regulation Group**

Consultation Assessment Sign-off/ Approvals	Name	Signature	Date
<b>Consultation Assessment completed by:</b>	<div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> Principal Airspace Regulator (Engagement & Consultation)	<div style="background-color: black; width: 100%; height: 80px;"></div>	01/04/2022
<b>Consultation Assessment approved by:</b>	<div style="background-color: black; width: 70px; height: 15px; margin-bottom: 5px;"></div> Mgr AR	<div style="background-color: black; width: 100%; height: 80px;"></div>	12 April 2023
Mgr AR Comments: Regulators comments are noted and my overall recommendation and comments are set out in the Decision Log.			

Hd AAA Comment/ Approval	Name	Signature	Date
<b>Consultation Assessment Conclusions approved:</b>	<div style="background-color: black; width: 70px; height: 15px; margin-bottom: 5px;"></div> Hd AAA	<div style="background-color: black; width: 100%; height: 80px;"></div>	10 May 2023
Hd AAA Comments: Regulators comments are noted and my overall recommendation and comments are set out in the Decision Log.			