

## Safety and Airspace Regulation Group

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### 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>06/09/2021</b>
<b>Case Study report as at</b>	<b>01/04/2022</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.

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

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<b>1.2</b>	<p><b>Were reasonable steps taken to ensure all necessary consultees actually received the information e.g. postal/e-mail/meeting fora?</b></p> <p>The change sponsor's consultation record spreadsheet lists a total of 95 stakeholder individuals / organisations (34 aviation, 46 non-aviation and 15 individuals) and these were contacted by email to confirm the launch of the consultation. The consultation response document states that the email included a related presentation as well a link to a dedicated webpage on the Leeds East airport website. The presentation itself contained 24-slides and introduced the airspace change proposal, clarification on key terminology related to it, graphics displaying the proposed procedures against VFR / OS map charts, information on the likely impact as well as guidance on how to participate and respond to the consultation.</p> <p>The consultation record spreadsheet suggests that hastening correspondence was distributed to encourage / elicit responses, which indicates that the change sponsor was proactive in terms of tracking feedback from the targeted stakeholders. An acceptable response rate of 22% (21 responses from 95 targeted stakeholders) was achieved and this indicates that reasonable steps were taken by the change sponsor to distribute / promulgate the consultation.</p>	<b>YES</b>												
<b>1.3</b>	<p><b>What % of the targeted aviation stakeholders replied? (Include actual numbers).</b></p> <p>During this assessment, it was noted that there were discrepancies when cross-checking the content of the consultation response document with the consultation record spreadsheet. The following numbers are based on those contained within the consultation record spreadsheet. It should be noted that it has not been possible to validate the content of this spreadsheet due to a lack of raw data evidence being submitted in support of the formal airspace change proposal.</p> <p>The change sponsor targeted 34 aviation stakeholders and 4 responded; these numbers can be grouped and broken down as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin: 10px 0;"> <thead> <tr> <th style="text-align: left;">Aviation Stakeholder Group</th> <th style="text-align: center;">Targeted</th> <th style="text-align: center;">Responded</th> </tr> </thead> <tbody> <tr> <td>International/RAF Airports</td> <td style="text-align: center;">14</td> <td style="text-align: center;">2</td> </tr> <tr> <td>Local Airfields</td> <td style="text-align: center;">20</td> <td style="text-align: center;">2</td> </tr> <tr> <td style="text-align: right;"><b>TOTALS</b></td> <td style="text-align: center;"><b>34</b></td> <td style="text-align: center;"><b>4</b></td> </tr> </tbody> </table> <p>It would appear from the consultation record spreadsheet that all 4 aviation consultees made no comment / or had no objection regarding the airspace change proposal.</p>	Aviation Stakeholder Group	Targeted	Responded	International/RAF Airports	14	2	Local Airfields	20	2	<b>TOTALS</b>	<b>34</b>	<b>4</b>	<b>12%</b> <b>4/34</b>
Aviation Stakeholder Group	Targeted	Responded												
International/RAF Airports	14	2												
Local Airfields	20	2												
<b>TOTALS</b>	<b>34</b>	<b>4</b>												
<b>1.4</b>	<p><b>What % of the targeted non-aviation stakeholders replied? (Include actual numbers).</b></p>	<b>26%</b> <b>16/61</b>												

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During this assessment, it was noted that there were discrepancies when cross-checking the content of the consultation response document with the consultation record spreadsheet. The following numbers are based on those contained within the consultation record spreadsheet. It should be noted that it has not been possible to validate the content of this spreadsheet due to a lack of raw data evidence being submitted in support of the formal airspace change proposal.

The change sponsor targeted 61 non-aviation stakeholders and 16 responded; these numbers can be grouped and broken down as follows:

Aviation Stakeholder Group	Targeted	Responded
Local Parish and District Councils	46	10
Individuals	15	6
<b>TOTALS</b>	<b>61</b>	<b>16</b>

It would appear from the consultation record spreadsheet that 4 (25%) consultees supported the airspace change proposal, 3 (19%) objected and 9 (56%) made no specific comment / or had no objection to it, although in some cases clarification was sought from the change sponsor.

**1.5 Were reasonable steps taken to ensure as much substantive feedback was obtained from the consultees e.g. through follow-up letters/phone calls?**

**PARTIALLY**

The change sponsor initiated the airspace change process in 2016 and throughout the following year, completed early engagement with the North of England Regional Airspace Users Working Group and several District and County Councillors. Whilst the change sponsor has referred to this engagement as their original consultation, no evidence has been presented to validate this, aside from email correspondence between the CAA and change sponsor, in which they confirmed that a consultation took place between 18<sup>th</sup> March 2017 and 26<sup>th</sup> June 2017 (14-weeks) and that consultation materials were made available through the airport website. The change sponsor stated that no feedback was received, and it appears that all related evidence was inadvertently lost prior to it being submitted to the CAA due to a lack of handover between the outgoing / incoming Airport Manager. It is worth noting at this point that the DfT were advised of the dates of the original consultation, alongside several other factors, when guidance was sought on the Air Navigation Guidance (ANG) requirements for this ACP. After considering these factors, the DfT decided that it was proportionate for the change sponsor to continue to follow the requirements of ANG 2014, and therefore the CAP725 airspace change process. Related correspondence between the CAA and DfT has been uploaded to the dedicated CAA webpage for this ACP.

This early engagement with key stakeholders would have helped ensure that the audience targeted for this consultation were informed in the sense that they would have already been aware of the change sponsors intention to pursue the development of this airspace change proposal.

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	<p>Whilst the consultation record spreadsheet suggests that the change sponsor was proactive in terms of distributing hastening correspondence and tracking feedback from the targeted stakeholders, no evidence has been provided to validate this. There is also 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>	
<p><b>1.6</b></p>	<p><b>Have all objections to the change proposal been resolved (or sufficiently mitigated)?</b></p> <p>The consultation response document states that three consultees objected to the airspace change proposal and that the change sponsor acknowledged and addressed their individual concerns by responding to them directly. The following summarises the three objections and the change sponsors response to them as presented within the consultation response document. It has not been possible to validate the content of the consultation response document, due to a lack of raw data evidence being submitted in support of the formal airspace change proposal.</p> <p>There are two entries on the consultation record spreadsheet for Church Fenton Parish Council; one suggests that they initially responded on the 22<sup>nd</sup> January, raising several queries, whilst the other references a response dated 8<sup>th</sup> May in which they objected to the proposal. With regards to the latter, the spreadsheet suggests that a response was provided, and that the Council subsequently confirmed that their concerns had been addressed. The consultation response document acknowledges the queries from the Council but makes no reference to them objecting to the airspace change proposal. The consultation response document suggests that the Council expressed concern with regards to a lack of awareness within the village, queried the likely change in aircraft operations and highlighted that the maps that had been provided were of a poor quality, making it difficult to assess the likely impact. In response, the change sponsor provided a link to the dedicated consultation webpage for the Council to share with its constituents, explained the restrictions associated with VFR flight and the benefits of GNSS. They also apologised for the poor-quality maps and offered assurances that Church Fenton would not be overflown.</p> <p>Micklefield Parish Council objected on the grounds that the approval and implementation of the airspace change proposal would lead to an increase in the number of aircraft operating over the village in adverse weather conditions and expressed concern about the impact of Kook Moor windfarm on radar. The change sponsor provided an OS map detailing the routes to offer assurances to the Parish Council that the village would not be directly overflown and clarified the 1-an-hour slot system that would be applied. With regards to the windfarm, the change sponsor explained that they did not have radar and therefore were unable to comment on concerns related to the impact on it. The consultation response document suggests that the Parish Council welcomed the response and that they accepted that their concerns had been satisfactorily addressed.</p>	<p><b>YES</b></p>

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Stockton on the Forest Parish Council raised several objections, all of which related to the altitude at which aircraft would be passing overhead if the airspace change proposal was approved and implemented. The consultation response document states that the change sponsor provided a very detailed response to each of the objections, all of which were apparently flawed on the basis that the Parish Council had misunderstood the aviation activity and airspace use taking place within their vicinity, none of which was related to Leeds East.

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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> <p style="text-align: right; background-color: #008000; color: white; padding: 5px;">N/A</p> <p>A supplementary consultation was undertaken by the change sponsor in relation to this airspace change proposal. A separate consultation assessment has been completed for the supplementary consultation, on which the recommendations / conditions / PIR data requirements (as required) have been captured accordingly.</p>
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> <p style="text-align: right; background-color: #008000; color: white; padding: 5px;">N/A</p> <p>A supplementary consultation was undertaken by the change sponsor in relation to this airspace change proposal. A separate consultation assessment has been completed for the supplementary consultation, on which the recommendations / conditions / PIR data requirements (as required) have been captured accordingly.</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> <p style="text-align: right; background-color: #008000; color: white; padding: 5px;">N/A</p> <p>A supplementary consultation was undertaken by the change sponsor in relation to this airspace change proposal. A separate consultation assessment has been completed for the supplementary consultation, on which the recommendations / conditions / PIR data requirements (as required) have been captured accordingly.</p>

### 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. 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 CAP 725, that they have demonstrated the Government's consultation principles and that the consultation has:

- **Taken place when the proposal was at a formative stage.** Although no modifications were made directly because of the feedback provided through this consultation process, the change sponsor completed a supplementary consultation in 2021 as a result of modifications

made to the missed approach procedures in light of feedback received outside of this consultation process, thus demonstrating their willingness to alter their original proposal.

- **Presented the consultation material clearly and outlined the potential impacts that needed to be considered.** It is assumed that the presentation distributed to stakeholders at the start of the consultation formed the basis of the change sponsors consultation materials. This did provide useful context and information to the reader, but the consultation response document acknowledges that one of the consultees questioned the quality of the graphics provided, highlighting that it made it difficult to assess the likely impact.
- **Provided a sufficient timeframe to allow considered responses.** The consultation ran from 21<sup>st</sup> December 2018 to 21<sup>st</sup> March 2019, covering a period of 13-weeks in total therefore exceeding the widely recognised standard of 12-weeks.
- **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 impact. 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 95 (34 aviation, 46 non-aviation and 15 individuals) stakeholders were targeted and an acceptable response rate of 22% (21 responses from 95 targeted stakeholders) was achieved. No additional responses were received from stakeholders outside of those specifically targeted, which is a likely consequence of the change sponsor not taking proactive steps to promote the consultation to a wider audience.

It was noted during this assessment that there were discrepancies when cross-checking the content of the consultation response document with the consultation record spreadsheet. This issue was not able to be resolved due to the lack of raw data consultation responses, which also made it difficult to fully validate the content of the consultation response document.

On balance, I am satisfied that the change sponsor has demonstrated that they have completed a meaningful consultation. 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 proposal, and that this feedback was conscientiously considered by the change sponsor. Following on from this consultation, the change sponsor determined that it was necessary to modify the proposed missed approach procedures in response to feedback received (outside of this consultation process) from members of the gliding community. They undertook a supplementary consultation to seek views on the modified procedures in 2021 and a separate regulatory assessment has been completed accordingly.

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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> <b>Principal Airspace Regulator (Engagement &amp; Consultation)</b>	<div style="background-color: black; width: 100%; height: 100%;"></div>	1/4/2022
<b>Consultation Assessment approved by:</b>	<div style="background-color: black; width: 100px; height: 15px; margin-bottom: 5px;"></div> <b>Mgr AR</b>	<div style="background-color: black; width: 100%; height: 100%;"></div>	12/4/2023
<p>Mgr AR Comments:</p> <p>Regulators comments are noted and my overall recommendation and comments are set out in the Decision Log.</p>			

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