

Figure 1

AIRSPACE CHANGE PROPOSAL STANSTED TMZ

STAKEHOLDER CONSULTATION FEEDBACK Issue 1

Executive Summary

This document provides feedback to all stakeholders who participated in the consultation exercise undertaken by NATS for the Stansted TMZ airspace change proposal.

The Stansted TMZ stakeholder consultation was initially of 12 weeks duration commencing on 12 January 2009 and closing on 06 April 2009. Part way through the consultation period, NATS published a document providing clarification on the access procedures for non-complaint aircraft. Consequently, to provide time for stakeholders to analyse the information, the consultation period was extended by 11 days to 17 April.

The stakeholder consultation document was distributed to a number of ‘Primary Stakeholders’ of local aerodromes, some aerodromes adjacent to the airspace and aviation members of the National Air Traffic Management Advisory Committee (NATMAC). These are listed on page 22 of the Stansted TMZ consultation document. These primary stakeholders were requested to cascade the information to other groups as they deemed appropriate. The consultation material was also sent, for information only, to local MPs.

Various modifications to procedures were considered as a result of the consultation feedback and these are detailed in the main body of this report. The final design that will be submitted to the CAA for consideration in the ACP has not changed from the original described in the consultation doc, but the implementation and access procedures have been informed by the consultation feedback. Figure 2 below shows the proportions of responses from all those involved in the consultation.

All Stakeholders by Response Type

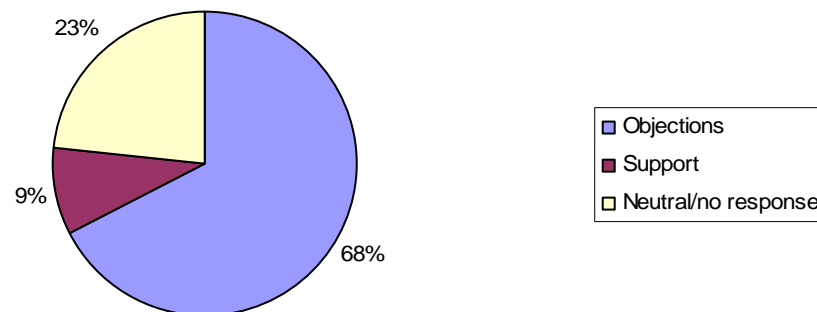


Figure 2. All stakeholders’ responses pie chart

As a result of careful consideration of all consultation responses, NATS will proceed with an airspace change proposal (ACP) to the CAA for the introduction of a TMZ that will initially cover only the stubs as shown in Figure 1 sections B & D. In the event that a representative organisation wishes to present **new** evidence or data to the Director of Airspace Policy, for consideration prior to making his regulatory decision regarding this proposal, the representative organisation must submit, in writing, the information to the following address:

The Director (Stansted TMZ ACP)
 Directorate of Airspace Policy
 CAA House
 45-59 Kingsway
 London
 WC2B 6TE

Table of contents

1. Introduction.....	3
2. Key Themes arising from Objections.....	Error! Bookmark not defined.
3. Comments on particular issues	4
4. Other options suggested by stakeholders	6
5. Summary of Responses	7
6. Summary of intended airspace change proposal.....	9

1. Introduction

During January – April 2009, NATS conducted a consultation process soliciting feedback on proposals to introduce transponder mandatory zones (TMZs) under the Stansted CTA. This document provides feedback to stakeholders who participated in this consultation exercise. This document will be sent to all stakeholders who participated in the consultation, and will be published on the Airspace and Environment section of the www.nats.co.uk website. All participants in the consultation will be notified of the publication of this feedback report.

This document should be read in conjunction with the stakeholder consultation document. All acronyms and technical terms are explained in full in the stakeholder consultation document.

For reference the stakeholder consultation document is available from:

http://www.nats.co.uk/text/252/stansted_tmz.html

2. Overview of Responses

The total number of responses received from stakeholders was 168 with 139 objections. 38 of the primary stakeholders did not respond to the consultation. There were 10 responses which indicated a neutral position and 19 respondents said they supported the proposal.

A number the stakeholders who objected to the whole proposal indicated that they did see a case for areas B & D and suggested that they could support that option.

2.1 Key themes arising from objections

Objections were categorised according to the key themes identified in Figure 2 below. One response could include several themes & hence would be counted in each category. Objections can be categorised under three broad headings; Traffic displaced from the airspace; Cost and practicality of fitting equipment and the consultation process itself.

Cost and practicality were the most frequent reasons for objecting to the proposal, with safety and environmental effects of displaced traffic also being cited frequently.

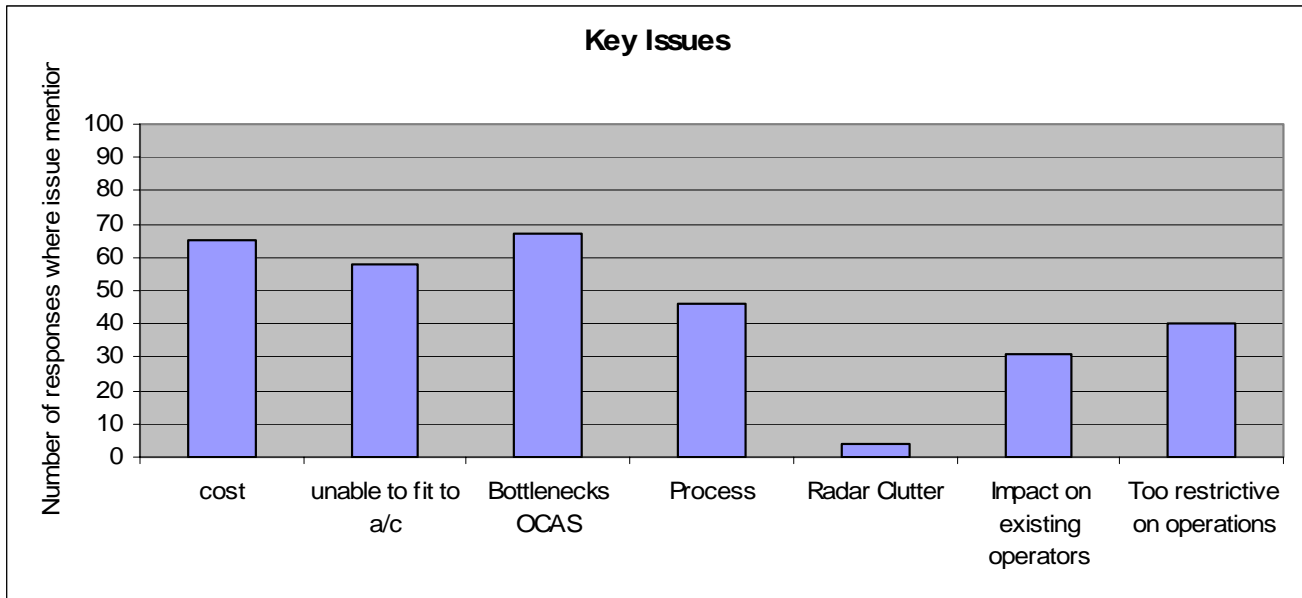


Figure 2. Key themes arising from objections

3. Comments on particular issues

Within each of the themes, particular and recurring issues could be identified. Some of the comments and objections informed the development of access procedures and the planned implementation. These are summarised below, with comments.

3.1 Cost & Practicalities

The consultation document included a small set of questions designed to elicit from stakeholders what impact a TMZ at Stansted might have on their flying or organisation. Not all stakeholders responded to these questions, but those who did offered a wide range of cost estimates. The comments received via the consultation response address reflected the sentiment expressed at the Duxford stakeholder open day (07/02/09) that equipment purchase costs could easily be equalled or exceeded by certification costs. Several respondents suggested that if certification costs were much smaller, many owner/operators would fit a transponder without compulsion.

Some respondents suggested that the cost of fitting transponders should be borne by commercial operators who fly into and out of Stansted, or by NATS as the air traffic service provider.

It was clear from responses by those owning/operating low weight aircraft or those with limited/no power supply; that fitting a transponder could be impossible or very difficult for some types. Some suggested that transponder equipment should not be included in the weight limit for microlights, VLA's etc.

3.2 Access

There was a general concern initially that a TMZ would mean large scale exclusion from the airspace and this was a key issue raised at the Duxford open meeting. It was clear from the attendees at Duxford that NATS should explore access options that did not rely on an air traffic controller issuing any sort of 'approval'. Access to the TMZ by non compliant aircraft should be 'by right' following establishment of successful two way radio contact.

The concern was that any 'approval' would not be forthcoming and therefore aircraft would be tactically excluded from the TMZ. Some respondents drew a comparison with perceived difficulty in gaining access to controlled airspace.

To clarify the access procedures, NATS issued a follow up document explaining the methods of access to a TMZ by non-compliant aircraft. Successful two-way contact does not provide enough meaningful information to the controller about the intentions of non-compliant aircraft; for example, an aircraft could be told to 'stand by' and assume that they could enter the TMZ. Therefore, in order to help create the 'better informed' environment NATS proposes the access procedures as detailed in section 6 of this document.

3.3 Creation of 'pinch points' outside controlled airspace

Along with cost and practicalities, the majority of objections to the TMZ were related to the effect that 'displaced traffic' might have on safety and the environment.

There was a concern that aircraft avoiding the TMZ would create a number of 'pinch points' between the TMZ and portions of controlled airspace leading to increased risk between aircraft outside controlled airspace. There was also a concern that excluding a large number of aircraft from the airspace may lead to infringements of neighbouring aerodromes' ATZs.

Some responses to the consultation suggested that the extra track miles required to route around a TMZ would increase fuel costs as well as exhaust emissions.

To address these concerns, NATS proposes three methods of access for non-compliant aircraft as well as initially only introducing TMZs under the 'stubs' (Figure 1 sections B&D) rather than the 'wings' (Figure 1 sections A&C). This would reduce the likelihood of 'pinch points' and eliminate the need for extended routing around a TMZ.

3.4 Process/documentation

Following initial release of the consultation document, there were a number of comments received from interested parties who believed that they should have been identified as a primary stakeholder because of their location under or adjacent to the Stansted CTA. The list of stakeholders identified as primary recipients of the consultation material was agreed in accordance with CAA guidance and at the framework briefing on 10 December 2008. The aerodrome primary stakeholders were identified as those appearing on the CAA 1:500,000 VFR chart and for whom the responsible person could be identified. Other organisations and individuals that were identified, or who came forward during consultation have been included in the dialogue, and their input has been given equal weighting. The number of responses from subsequent organisations and individuals suggests that the request for primary stakeholders to cascade the consultation material was successful.

Several concerns were expressed about the presentation of infringement information in the consultation material. NATS expressed the risk from non-transponding infringers as a percentage of overall safety risk. This was intended to describe the relative contribution to overall risk from non-transponding/no mode-c infringers and thus allow comparison with the estimated improvement that a TMZ could provide. However, many stakeholders requested the actual infringement statistics. The following information was supplied in response to those requests:

"In 2007 there were 97 infringements of the Stansted airspace, 15 of which were classified as presenting a significant safety risk. In 2008 there were 124 infringements with 19 significant safety risks.

In more recent months, there have been two infringements of the Stansted airspace by non-transponding aircraft which were classified as presenting us with the highest possible risk."

3.5 Other Concerns

Precedence setting. From stakeholders, there was a widespread concern that a TMZ at Stansted would be the 'thin end of a wedge'. This was taken to mean that many airspace users are concerned that should the Stansted TMZ be approved it would be followed by a number of requests for TMZs around other major airfields. CAA DAP has made it very clear that proposals for TMZs should follow the airspace change process and would be dealt with on an individual basis. NATS believes that a TMZ is one tool that can be used to mitigate the risks from non-transponding infringements. NATS would only embark on such a process when convinced that it is appropriate for a particular location.

Radar Clutter. A few respondents were concerned that a TMZ under the Stansted CTA would result in a situation experienced recently at Schipol Approach where radar clutter now requires pilots to switch their transponders off under a particular airspace.

The radar display and filtering functions are different at LTC Swanwick than those at Schipol with more flexibility in the information displayed to the controllers. Therefore, the issue at Schipol will not be repeated at Stansted should a TMZ be approved.

4. Other options suggested by stakeholders

A number of alternative suggestions for dealing with non transponding aircraft under the Stansted CTA were received both among the written responses and at the Duxford open meeting. The most common suggestions are listed here with some comments.

4.1 Mandatory radio areas

A common suggestion was to introduce a mandatory radio area (MRA) instead of a TMZ. Putting a MRA in place in isolation would require all aircraft in the airspace to be in contact with, and make reports to, an ATSU. This would result in increased restrictions on pilots and increased workload on the ATSU. With a TMZ in place, a MRA can be used as an alternative access method; contributing to the 'informed environment' and avoid introducing additional restrictions to aircraft complying with the equipment requirements.

4.2 Education/Training for pilots

It is generally agreed that preventing infringements is better than having to mitigate their effects. Education and improved navigation training are both areas being dealt with under the Airspace & Safety Initiative, of which NATS was one of the founding organisations. However, this is unlikely to see tangible improvements in the short term. Therefore, in parallel work must continue to mitigate the effects of infringements – particularly from those by aircraft not displaying height information.

4.3 Greater Enforcement action for infringers

Some respondents suggested that greater penalties should be placed on pilots who infringe controlled airspace. However, this is the domain of the CAA and therefore not a policy for air traffic service providers.

4.4 More Controlled Airspace

There were suggestions that NATS should change the proposal to seek the extension of class D airspace down to ground level, increasing the size of the Stansted CTR, and provide access to controlled airspace. However, it is not NATS intention to seek

to control the traffic in this airspace or mandate service provision, but to have better information on and assurance of the altitudes of aircraft below the CTA.

4.5 Raise Base levels of controlled airspace

The base levels and dimensions of the controlled airspace in this region are being addressed by the TC North project and therefore are outside the scope of this proposal..

4.6 ATS provision (improve LARS provision/more controllers)

NATS has already increased and improved the service provision outside controlled airspace under the London TMA by introducing the extended service from Farnborough Radar. This service has been largely successful in preventing and recovering pilots from infringements and has been well received by the aviation community. However, it is clear that there remains a high risk from non-transponding infringements at Stansted. A TMZ would supplement the steps NATS has already taken to reduce and mitigate infringements, supporting controllers in detecting them. As stated in 4.4 above, it is not NATS intention to mandate service provision or control the airspace.

5. Summary of Responses

5.1 Primary Stakeholders

The initial email distribution of the stakeholder consultation document to primary identified stakeholders occurred on 09 January 2009, to 58 organisations. These organisations were locally identified aerodromes, General Aviation representative groups and aviation members of NATMAC. The responses from these initial consultees are summarised in the pie chart at figure 3 below.

Primary Stakeholders by Response Type

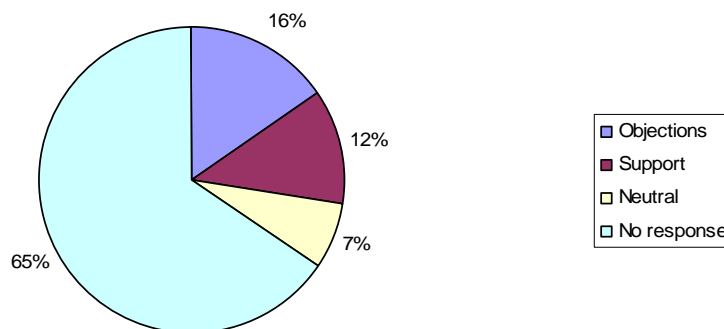


Figure 3. Primary stakeholders’ responses pie chart

5.2 All Stakeholders

Primary stakeholders were requested to cascade the information throughout their organisations and to other interested parties. The consultation material was also placed on the NATS public and customer web sites. This stimulated further responses from individuals and organisations, both local to Stansted and across the UK. The total number of responses received to the consultation was 168. The summary of all

responses (primary and subsequent stakeholders) is represented in the pie chart at figure 4.

All Stakeholders by Response Type

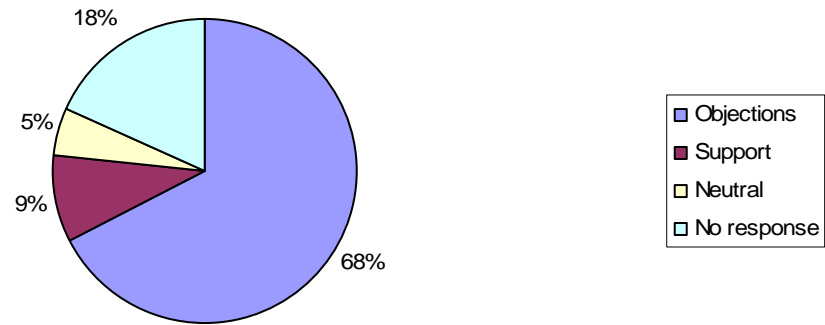


Figure 4. Summary of numbers of responses from all stakeholders

6. Summary of intended airspace change proposal

As a result of careful consideration of all consultation responses, NATS will proceed with an airspace change proposal (ACP) to the CAA. The basis of this proposal will be for the introduction of a TMZ that will initially cover only the stubs as shown in Figure 1 sections B & D. The wings (Figure 1 sections A&C) will remain as today for now. This will reduce the likelihood of 'pinch points' and mitigate the concerns voiced regarding the need for extended routing around a TMZ. NATS will agree with DAP a strategy for future consideration of sections A & C including the period of monitoring; metrics for justification; service provision requirements and any consultation requirements.

To allow access for aircraft that are unable to be transponder equipped, NATS proposes three methods of access for non-compliant aircraft. These will be

1. Letters of Agreement

Establish letters of agreement (LoA) between certain aerodrome operators and NATS, Swanwick (Terminal Control). Aerodromes holding LoAs with Swanwick will publish procedures to support these agreements including any routing or communication requirements for inbound/outbound traffic.

2. Ad-hoc access to airfields without LoA procedures

For airfields that do not hold LoAs, Farnborough Radar would facilitate access. Aircraft that are unable to comply with the transponder operation requirements may enter the TMZ for the purposes of landing at sites within the TMZ. Pilots would be required to pass their flight details to, and receive an acknowledgement from, Farnborough Radar (North). Following this, pilots may enter the TMZ in accordance with the detail passed. Farnborough will not be required to radar identify every aircraft.

3. Transits

Farnborough would also provide transit of the TMZs to aircraft unable to comply with the transponder operation requirements. Pilots would request a TMZ transit (where possible, at least 5 minutes prior to entering the TMZ) from Farnborough Radar and pass their flight details. Farnborough would make reasonable endeavours to ensure that access to the TMZ airspace is facilitated with minimal delay but would not withhold access indefinitely.