

Release of Controlled Airspace – Airway N864 – Post Implementation Review

CAP 1958

Published by the Civil Aviation Authority, 2020

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First published 2020

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Executive summary

1. The CAA's airspace change process is a seven-stage mechanism that is set out in detail in CAP 725/CAP1616. Under this process NATS submitted proposals to the CAA to release the lower part of the airspace defined by airway N864 between point WAL and point DCS. Stage 7 of this process is a Post Implementation Review (PIR) that normally begins one year after implementation of the change. The classification change was formally approved by the CAA on 24th August 2017 and implemented on 7th December 2017. Competing priorities for the allocation of resources resulted in a delay to us starting this particular review. The CAA commenced the PIR of the impact of its decision and the implemented change on 2nd March 2020. The content and outcome of the review process by the CAA is discussed in detail in this report.
2. On 2 January 2018 the CAA introduced a new process for making a decision whether or not to approve proposals to change airspace design. Irrespective of whether the CAA decision to approve the change was made under the previous process (set out in CAP 725), we will conduct all Post Implementation Reviews in accordance with the process requirements of CAP1616. However, when assessing the expected impacts against the actual impacts we will use the methodology adopted at the time of the original CAA decision in order to do so. In this particular case, the airspace change represented a "Release of Controlled and Segregated Airspace" (RoCSA). As such, the change followed a scaled CAP 725 process given the release of controlled airspace.. In particular, the requirements for pre-change justification and evidence were lighter than for more complex or environmentally sensitive ACPs as the sponsor had identified that the requirement for the airspace to remain as controlled airspace was not longer necessary".
3. During the review process, the CAA considered the formal response from the Sponsor which is contained in the Sponsor's document "Post Implementation Review Feedback Form – N864 (ROCSA)". A redacted version of this document is available on the CAA website.
4. As a result, the CAA has reached the following conclusion:

The CAA is satisfied that the reclassification of the airspace contained within ATS Route N864 below Flight Level 195 between point WAL and point DCS to Class G satisfactorily achieved the intended objectives, and the change is confirmed.
5. This report, and its annexes, provide the information the CAA has reviewed and taken into account before reaching these conclusions.

Scope and background of the PIR

What is a Post Implementation Review?

6. The CAA's approach to decision-making in relation to proposals to approve changes to airspace is explained in its Guidance on the Application of the Airspace Change Process, CAP [725/1616]. This detailed Guidance provides that the seventh and last stage of the process is a review of the implementation of the decision, particularly from an operational perspective, known as a Post Implementation Review (PIR).
7. The Guidance states that the purpose of a PIR "is for the change sponsor to carry out a rigorous assessment, and the CAA to evaluate, whether the anticipated impacts and benefits in the original proposal and published decision are as expected, and where there are differences, what steps (if any) are required to be taken".
8. If the impacts are not as predicted, the CAA will require the change sponsor to investigate why and consider possible mitigations or modifications for impacts that vary from those which were anticipated to meet the terms of the original decision.
9. A PIR is therefore focused on the effects of a particular airspace change proposal. It is not a review of the decision on the airspace change proposal, and neither is it a re-run of the original decision process.

Background to our conclusions in this PIR Decision

10. On the 24th August 2017 the CAA approved the Release of Controlled Airspace for that portion of airway N864 below Flight Level 195 between point WAL and point DCS. This change was implemented on the 7th December 2017.

Conditions attached to the CAA's decision to approve the change.

11. No conditions were attached to the CAA decision.

Relevant events since change (if any)

12. The principal user of the lower levels of ATS Route N864 was the UK airline Flybe. Flybe ceased operations on 5th March 2020 and thus was unable to provide any information to support this PIR. Anecdotal evidence is that Flybe had been content with the revised available flight levels, and with their cessation of flights there is now no regular controlled airspace user to be adversely affected by this change.

Data collected for the purpose of the PIR

Sources of Information

Change Sponsor

13. The Sponsor (NATS) provided a Post Implementation Review Feedback Form in May 2020. A redacted version of this document is provided on the CAA website.
14. The Sponsor also provided radar track diagrams showing current use of the airspace released by this airspace change.
15. Given the nature of this airspace change and the cessation of operations by the most affected airspace user, the CAA concluded that it was not necessary to seek other sources of information in order to conduct this review.

Objectives and anticipated impacts

The original proposal and its objectives

16. The objective for this airspace change was to return airspace which was no longer required by NATS for commercial airline traffic to “open access” Class G airspace, available to all airspace users without prior permission.
17. NATS submitted a proposal to the CAA to release the airspace defined by airway N864 between point WAL and point DCS and between Flight Level 155 and Flight Level 195 (approximately 15,500 to 19,500 feet about mean sea level, depending on local air pressure). This would be achieved by defining airway N864 to have a base of Flight Level 195 between WAL and DCS, and reclassifying any released airspace below this as “Class G”. N.B. due to overlaps between airway N864 and other controlled airspace structures, the airspace at the northern end of this segment would not be released as it is still required for other purposes.
18. The Airspace Chart extracts below show the lower airspace structures before and after the raising of the base level of Airway N864 between point WAL on the Wirral and point DCS in Cumbria.

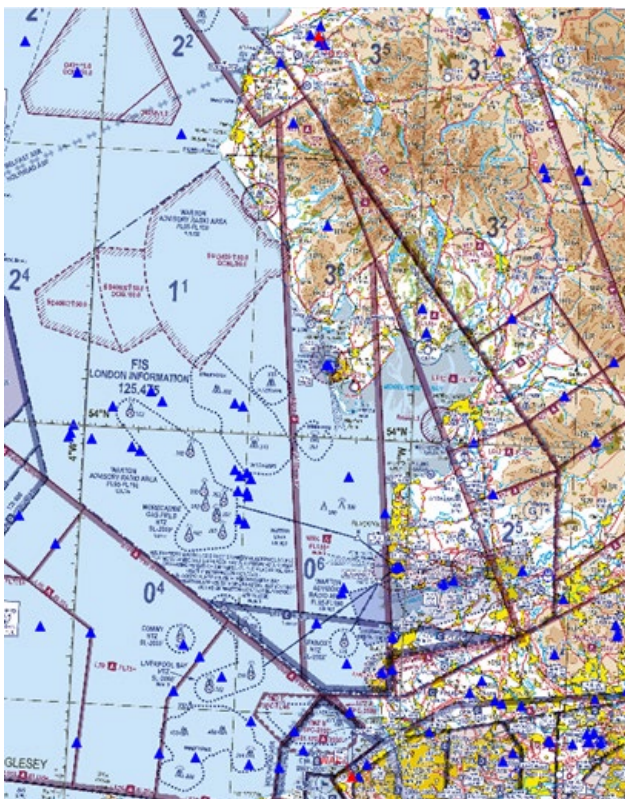


Figure 1:
Lower Airspace Chart including
Airway N864

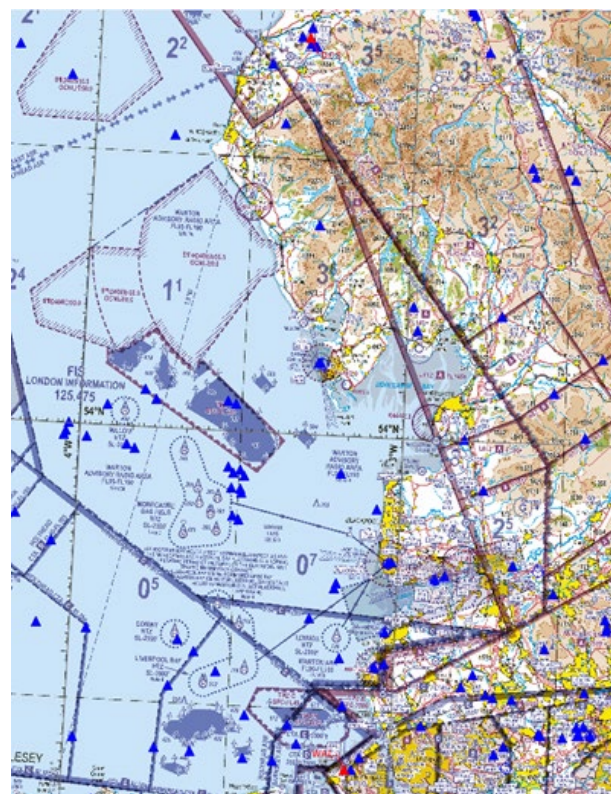


Figure 2:
Lower Airspace Chart after the base
level of Airway N864 had been raised

Anticipated Impacts

19. The anticipated impacts were:

- to release unneeded controlled airspace back to uncontrolled Class G airspace; and
- to improve access underneath ATS Route N864 between the Irish Sea and the English Mainland for aircraft not wishing to use the UK airways system.

CAA assessment

20. We have taken into consideration the interval since implementation and the change in utilisation of UK airspace when conducting this assessment.

Operational Assessment

Safety

21. The Sponsor has reported no safety incidents since implementation. The affected airspace is now “Class G” and as such is subject to the general Rules of the Air rather than being under the direct control of any specific air traffic organisation.

Operational Feedback

22. The primary user of the lower levels of ATS Route N864 (i.e. the ones which have been removed) was the airline Flybe. As Flybe went into administration 3 days after the start of this PIR, no feedback has been available from them. However, anecdotal evidence was that they were satisfied with the change and, in any case, there is now no commercial airline operator actively wishing to fly on N864 at the levels which have been removed.¹
23. It is not possible to get comprehensive views from the aircraft operators or pilots who may use the Class G airspace which has been made available by the changes to N864. However, the default UK position is that airspace should be Class G unless there is a reason for it to be something else. As such, this change is fully aligned to UK National Policy, and as such is assumed to suit those such as sport and recreational general aviation pilots who are among the main users of Class G airspace.
24. Airline and military stakeholders report no issues with the change.

Air Navigation Service Provision

25. As Class G, the airspace is no longer under active control by the Sponsor or any other air navigation service provider.

Utilisation and Track Keeping

26. As Figure 3 shows, very few flights now use the airspace block which was formerly airway N864 between FL155 and FL195 between the points identified in the

¹ A corporate shuttle service from Barrow-In-Furness does still fly along the route at low level, but this consists of one or two “air taxi” type flights per day in a light aircraft, and thus does not justify the provision of controlled airspace.

airspace change proposal. Further analysis has identified that all these tracks only relate to corporate shuttle aircraft leaving Barrow-In-Furness on a once or twice per day basis.



Figure 3:
Utilisation of the airspace previously designated as N864

Traffic

27. As a Release of Controlled Airspace ACP submitted by an Air Navigation Service Provider, the Sponsor was not required to collect traffic information on flights that were not under its control. In any case, VFR flights in Class G airspace are not required to file a flight plan and some smaller aircraft types do not show up on radar. As such, detailed traffic figures have not been obtained. This does not affect the validity of the ACP since the default expectation is that airspace in Classes

A/C/D/E (B and F are not currently in use in the UK) should be returned to Class G when they are not longer required to be at the higher classification.

Infringements and Denied Access

28. The airspace affected by this change has been returned to “uncontrolled” Class G. As such, airspace infringements and denied access are not possible.

Letters of Agreement

29. The airspace is no longer under the control of an Air Traffic Service Provider, with no requirement for there to be any Letters of Agreement.

Environmental Assessment

30. No meaningful environmental assessment can be undertaken in terms of releasing an under-used block of airspace which was only available part-time in any case.

Community Stakeholder observations

31. Ground community stakeholders would not be consulted about a Release of Controlled Airspace due to an identified lack of the relevant traffic and were thus not contacted about this PIR. In any case, the airspace change was above 15,000ft, and relates to a route which was only available to civil air traffic on a part-time basis.

International Obligations

32. Not applicable as this airspace change is wholly contained within the London and Scottish FIRs and does not reach any international borders.

Ministry of Defence Operations

33. The Sponsor reports that the MoD have confirmed that the change has had no impact on MOD aircraft operations.

Any other impacts

34. No other impacts have been identified by either the Sponsor or the CAA.

Conclusion

35. The CAA is satisfied that the raising of the base level of airway N864 from Flight Level 155 to Flight Level 195 between point WAL and point DCS, and the release of any airspace not contained within other structures to Class G satisfactorily achieved the intended objectives, and the change is confirmed.

Note on plain language

36. The CAA has attempted to write this report as clearly as possible. Our approach has been to include all the relevant technical material but also to provide a summary and of the conclusions the CAA has reached in reliance on it in as understandable a way as possible. Nevertheless, when summarising a technical subject there is always a risk that explaining it in more accessible terms can alter the meaning.