

Introduction

The British Microlight Aircraft Association (BMAA) represents the microlight flying interests of its membership, currently numbering above 3600. The members fly 1900 regulated microlights and another, estimated, 200 deregulated microlights.

All microlights are flown for the purpose of recreation with the exception of those used for flight training and testing. Flight training and testing is carried out by persons approved for the purpose by the UK Civil Aviation Authority (CAA).

Microlight pilots hold a licence issued by the CAA to fly their aircraft and are subject to both flight currency and medical requirements to maintain licence privileges.

Microlight aircraft come in many shapes and sizes. Some are very simple with low performance and limited flight instrumentation and equipment. Others are more complex with flight performance that rivals many of the traditional “light aircraft” designs and are equipped with modern radio aids and navigation equipment.

All microlights are restricted to flying by day in VMC to comply with the VFR.

Brize Norton (BZN) ACP

BZN Consultation process – BMAA Comment

Prior to the publication of the BZN ACP the BMAA had discussions with members of the BZN staff and consultants, Osprey. It was disappointing that no proper pre-design consultation was undertaken, resulting in a forgone conclusion being presented rather than any true attempt to develop solutions that would work for all. This failing has led to an air of confrontation rather than cooperation. This is not the way a significant ACP should be managed.

The BMAA is surprised to learn from direct contact with listed consultees, that many Parish Councils and Town Councils in Oxfordshire have not been notified of this consultation process.

BZN Consultation – BMAA Response

The views expressed in this response to the consultation represent BMAA policy with regard to proposals to establish or extend controlled airspace. These policies are:

1. Controlled airspace should only be established when it has been demonstrated to be the most appropriate alternative to satisfy a requirement for a known traffic environment for the purposes of flight safety, where a need to improve flight safety has been positively identified.
2. The establishment of controlled airspace should not lead to a potential decrease in flight safety due to a displacement of air traffic to another area.
3. The controlled airspace should not disadvantage or significantly affect other established aviation uses unless with the full agreement of those users.
4. The classification of a particular volume of controlled airspace should be the least restrictive, in terms of types of flight rules and aircraft able to operate within it, as necessary to achieve the flight safety standard sought.

5. The volume of controlled airspace should be the minimum needed to achieve the flight safety standard sought.
6. The Air Traffic Service provider must ensure that the airspace is managed so that transiting and local traffic wishing to penetrate the airspace is able to do so as a right when following normal procedures, and is not prevented from using the airspace, and so be disadvantaged, for the benefit of other aircraft operating from the aerodrome for which the airspace is established.
7. The Air Traffic Service provider must ensure that staffing levels are adequate to fulfil the responsibilities that the management of airspace puts upon them.

In addition to these policies the BMAA considers the requirements of the Future Airspace Strategy (FAS) and the CAA Airspace Charter, as noted below, when making this response.

FAS *Safe efficient airspace, that has the capacity to meet reasonable demand, balances the needs of all users and mitigates the impact of aviation on the environment",*

CAA Airspace Charter *"The Directorate is to ensure that UK airspace is utilised in a safe and efficient manner. This is to be achieved through the development, approval and enforcement of policies for the effective allocation and use of UK airspace and its supporting infrastructure, taking into account the needs of all stakeholders."*

With respect to these policies we make the following observations:

1. **Controlled airspace should only be established when it has been demonstrated to be the most appropriate alternative to satisfy a requirement for a known traffic environment for the purposes of flight safety, where a need to improve flight safety has been positively identified.**

Current operations at BZN are not unsafe.

The BZN ACP does not say that current operations are unsafe. If they were unsafe we would expect that BZN would cease operations.

This purpose of this ACP is not to create a known traffic environment.

That purpose would be satisfied by other airspace options such as the establishment of a Radio Mandatory Zone.

The purpose of the BZN ACP is to create a volume of controlled airspace allowing BZN to actively control the aircraft within it.

The ACP is specifically designed to give airspace priority to BZN traffic over other legitimate airspace users. BZN will also be able to prevent entry if it chooses. This purpose requires controlled airspace.

The proposal is likely to increase airspace infringements, not reduce them.

The BZN ACP contains details of airspace infringements experienced within the current airspace. The proposed airspace will increase the potential for infringement by increasing the length of both the horizontal and vertical boundaries. The lower levels of the proposed airspace are complex and in the case of the areas 5,6 and 7 are low. The design is confusing, complex and likely to cause vertical infringements. The document states:

Figure 2 also shows the number of CTR infringements that provided cause for concern, and the figures demonstrate the difficulty General Aviation (GA) pilots experience interpreting the boundary of the current airspace. Every effort has been made to ensure that the changes to the airspace incorporate alignment with geographical features to try to make it easier to interpret from the air.

We see no evidence of boundaries being aligned with significant geographical features.

Conclusion: BZN has not established a safety need for the ACP.

2. *The establishment of controlled airspace should not lead to a potential decrease in flight safety due to a displacement of air traffic to another area.*

The BZN ACP will lead to degradation of flight safety for traffic flying within the surrounding areas outside the proposed airspace.

The Class G airspace surrounding BZN is used by a variety of General Aviation aircraft and is recognised as being a busy airspace area. It is within the Oxford AIAA. There are local airfields hosting intensive gliding, microlight flying and light aircraft and rotorcraft flying, as well as many aircraft in transit across the region.

As with all ACPs, BZN will claim that non-BZN traffic will be able to fly within the proposed airspace in coordination with ATC. There is no evidence to support the assumption that ATC capacity will be sufficient to cope with the aircraft that will be required to make contact if they are not to be forced to reroute from today's normal flight paths. The ACP does not report that BZN has carried out any form of assessment to quantify the potential increase in air traffic service requirement as the result of the proposed increase in airspace.

The ACP recognises the knock-on effects of the proposal:

2.3 However, it is recognised that there might be some dispersion in General Aviation (GA) traffic that might choose to avoid the airspace rather than request clearance through it.

The proposed airspace will cause a displacement of other aircraft and cause a funnelling effect, particularly to the west. The choke point so created will increase the risk of collision, so putting aircraft outside the airspace at greater danger than the current airspace. A notable concern is the proximity of the ILS approach to Gloucestershire Airport to the choke point that will be created on the north west corner.

Conclusion: The ACP will lead to a decrease in flight safety by traffic displacement.

3. *The controlled airspace should not disadvantage or significantly affect other established aviation uses unless with the full agreement of those users.*

BZN has recognised that its proposal will disadvantage other legitimate airspace users, but is seemingly content that this is the case. The current Class G airspace is available to all users without constraint. The imposition of controlled airspace will inevitably displace other users. Although clearance for transit flights may be available subject to controller capacity this cannot be guaranteed, so by definition other users will be disadvantaged.

It is not a requirement to carry radio in an aircraft. Many microlights, hang gliders, paragliders and paramotors are not radio equipped. The majority of glider pilots do not hold a FTROL and so may not transmit on any frequencies other than those allocated to gliding. Preventing any aircraft not equipped with radio from entering the proposed airspace will disadvantage other legitimate users. There is no safety case to support this proposal.

Conclusion: We do not support the proposal on the basis that it will cause significant disadvantage to current airspace users without any resulting safety benefit.

4. *The classification of a particular volume of controlled airspace should be the least restrictive, in terms of types of flight rules and aircraft able to operate within it, as necessary to achieve the flight safety standard sought.*

Use of the current Class G airspace by BZN has not been claimed to be unsafe. There is no demonstrated safety need for the imposition of any expansion of the current level of controlled airspace.

Conclusion: The proposed airspace is not the least restrictive way to achieve the aim of creating a known traffic environment with the least disruption to others and so we do not support the proposal on these grounds.

5. *The volume of controlled airspace should be the minimum needed to achieve the flight safety standard sought.*

Use of the current Class G airspace by BZN is not unsafe. There is no demonstrated safety need for the imposition of any level of controlled or otherwise regulated airspace.

Conclusion: We do not accept that the volume of airspace proposed is justified and do not support the application.

6. *The Air Traffic Service provider must ensure that the airspace is managed so that transiting and local traffic wishing to penetrate the airspace is able to do so as a right when following normal procedures, and is not prevented from using the airspace, and so be disadvantaged, for the benefit of other aircraft operating from the aerodrome for which the airspace is established.*

We repeat our concern that BZN has not established the level of activity that it will be required to communicate with to allow continuation of current airspace access, and so cannot confirm that there will be a satisfactory level of service provision so that other users are not disadvantaged.

Conclusion: The sponsor has not demonstrated knowledge of the number of aircraft that will require cooperation to use the proposed airspace and we cannot support this approach to airspace management.

7. The Air Traffic Service provider must ensure that staffing levels are adequate to fulfil the responsibilities that the management of airspace puts upon them.

We repeat our concern that BZN has not established the level of activity that it will be required to communicate with to allow continuation of current airspace access and so cannot confirm that there will be a satisfactory level of service provision so that other users are not disadvantaged.

Conclusion: The sponsor has not demonstrated that a staffing programme has been put in place to ensure that all local airspace users are able to obtain the services required to operate efficiently and safely and we cannot support this approach to airspace management.

Environmental concerns.

In addition to the impact on the availability of airspace for aircraft that now routinely operate within it the BMAA has other concerns regarding the environmental impact of the ACP.

Noise

The predicted displacement of non-BZN traffic will create choke points around the airspace. This will concentrate noise levels, whereas the less well-defined flight paths that are used now spread the noise level giving some noise relief to local residents.

Track miles

The proposed airspace is likely to cause significant routing changes for non-BZN traffic. The resulting longer routings will result in more track miles, using more fuel and developing higher levels of emissions as well as increased noise. These effects of the ACP are entirely contrary to the CAA FAS, which this ACP should attempt to comply with, recognising the knock-on effects of the ACP.

Conclusion: The ACP does not meet the environmental commitment required by CAA SARG as part of the FAS: “Safe efficient airspace, that has the capacity to meet reasonable demand, balances the needs of all users and mitigates the impact of aviation on the environment”

Summary

The BMAA believes that:

- BZN has not established a safety need for the ACP.
- The ACP will lead to a decrease in flight safety by traffic displacement.
- The ACP will cause significant disadvantage to current airspace users without any resulting safety benefit.
- The volume of airspace proposed is not justified.
- The ACP does not meet the environmental requirements of the FAS:

Safe efficient airspace, that has the capacity to meet reasonable demand, balances the needs of all users and mitigates the impact of aviation on the environment”,

- The ACP cannot be accepted by the CAA as it does not conform to the requirements of the CAA Airspace Charter:

"The Directorate is to ensure that UK airspace is utilised in a safe and efficient manner.

This is to be achieved through the development, approval and enforcement of policies for the effective allocation and use of UK airspace and its supporting infrastructure, taking into account the needs of all stakeholders."

Conclusion

The BMAA does not support this ACP.

Submitted on behalf of the British Microlight Aircraft Association by Geoff Weighell BMAA CEO

27/03/2018