



British Gliding Association

By email

Stansted TMZ Consultation Co-ordinator
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Dear Sirs

BRITISH GLIDING ASSOCIATION RESPONSE TO THE STANSTED TRANSPONDER MANDATORY ZONE CONSULTATION

Introduction

The British Gliding Association is authorised to represent its member gliding clubs (ie all bar one of the UK's gliding clubs) and their approximately 9000 regularly participating and 25000 occasionally participating sport glider pilots. There are approximately 2300 gliders flying in the UK. The sport of gliding is funded entirely by its UK participants using their taxed income.

Gliding takes place during daylight hours. Cross country gliding takes place throughout class G airspace and in some CAS where access is approved by ATS or where appropriate LoA's are in place. The vast majority of gliders are privately owned and for detailed technological and economic reasons (which the BGA has described in detail to the CAA and can make available to NATS on request) are not equipped with transponders. Most are equipped with VHF transceivers. Almost all gliders flown cross country are equipped with GPS moving map displays and airspace files. Where transponders have been identified as a method of risk mitigation in the past, risk posed by gliders continues to be successfully mitigated by other means, including letters of agreement and use of radio.

The BGA and the gliding community believe that airspace safety is extremely important and operates accordingly. The measured risk to CAT presented by gliding is extremely low. The BGA recognises that there is an aeroplane infringement issue at Stansted. However, the scale and scope of that infringement issue is not clear as no data is supplied within the Stansted TMZ consultation.

The Stansted TMZ consultation includes a number of principal areas of concern for the BGA that the BGA believes has resulted in a disproportional approach by NATS. These areas of concern include;

- The concept of use of TMZ veils beneath controlled airspace
- The serious shortcomings in the published consultation
- The low infringement risk presented by gliders is not recognised by the consultation and other mitigation, including radio access, is not identified as of right for a glider or other non-transponder aircraft

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Additionally, the Stansted consultation provides an opportunity to instigate flexible use of airspace through an LoA giving glider access to CAS when not required by CAT.

TMZ Veils

The BGA believes that sanctioning TMZs as veils for CAS is unethical, unnecessary and unjustifiable. It would, moreover, be grossly unfair on the most vulnerable sections of aviation to exclude them from Class G airspace that is unused by CAT.

Where there is a potential CAS infringement safety issue, a proportionate mitigation would be the implementation of a Mandatory Radio Area (MRA). Whilst this may involve more manpower and technology, the cost would be born by CAT as the beneficiaries.

It would also be interesting to know how it is anticipated that the 'Amsterdam problem' will be avoided, that is missed approaches resulting from TCAS RAs caused by transponder equipped aircraft beneath the airspace. It would be ironic if after the expensive fitting of transponder equipment it became necessary for mode S transponders to be selected off beneath a CTA.

Consultation Proposal Deficiencies

The NATS' proposal is seriously deficient as outlined below;

- No data on traffic volumes in the proposed TMZs
- CAS infringement levels not quantified
- Relevant accident reports not addressed
- Loss of standard separation unquantified
- Relevant airprox reports not addressed
- Mitigation for unequipped aircraft, including financial assistance, omitted
- Level of displaced traffic not assessed
- No environmental or safety impact from displaced traffic
- Unable to review not yet drafted letters of agreement
- Significant stakeholders omitted
- The MRA alternative not addressed

Appendix 1 elaborates on the above and compares them with CAA ACP requirements

From the diagram of suspected Stansted CTA infringements shown at the Duxford stakeholder meeting, it is obvious that;

- The case for Area A is especially weak, particularly as its higher base reduces vulnerability
- Both Areas A and C have very significantly less CAT operating close to the base of CAS than the other areas

Radio Access for non-Transponder Gliders and other Aircraft

Radio access to the areas proposed as TMZs should be available at all times as a right to any aircraft unable to squawk. The latest Stansted consultation update proposes that Farnborough Radar will provide a service within TMZs B and D and not the significantly larger A and C. Farnborough is not at present operated H24. Lack of resources (manpower) cannot be accepted as a reason to deny access to radio only aircraft.

Flexible use of Airspace Permitting Access to Existing CAS

This consultation process is an opportunity to develop flexible use of airspace at Stansted through an LoA. This could involve an area to the north-east (outlined in green on the attached appendix 2 diagram) up to 5000ft AMSL when runway 05 is in use at Stansted. The BGA additionally intends to discuss FUA in this context and as a wider issue with NATS and the CAA.

The BGA requests that NATS take full account of this consultation response and in turn respond in detail and in writing to all the points raised.

Please do not hesitate to contact the undersigned if there are any questions or points within this consultation response that require further explanation.

Yours sincerely,



Pete Stratten
Chief executive
For The British Gliding Association

Appendix 1: Shortcomings of the NATS Stakeholder Consultation

Appendix 2: Suggested FUA LoA Area (in Green) when Stansted Runway 05 Active

Appendix 1: Shortcomings of the NATS Stakeholder Consultation

The following identifies some of the shortcomings in the NATS Stansted TMZ consultation document when it is measured against the relevant TMZ evaluation criteria published by the CAA. (*The words in italics at the end of each shortcoming are criteria from CAA documents unless the source is otherwise stated.*)

1. There is no data on traffic volumes in any of the four proposed TMZs. Data is only provided for traffic inside controlled airspace.
Aircraft movement statistics, such as passenger movements, freight movements, air traffic movements, military and General Aviation activity levels.
*Information on air traffic **must** include the current level of traffic using the present Airspace {CAP 725}*
2. There is no data provided about any airspace infringements and whether they were caused by transponder-equipped aircraft or otherwise.
Airspace infringement statistics, including analysis of categories of aircraft
3. There are no estimates for the number of vertical airspace infringements – the risk of which is the main justification for these four TMZs

Airspace infringement statistics, including analysis of categories of aircraft

4. There are no relevant accident reports, or statements to the effect that there were no accidents

Relevant accident reports, recommendations and statistics

5. There is no data presented for instances of loss of standard separation between controlled and uncontrolled traffic either vertically or horizontally and whether they involved transponder equipped aircraft, although again this risk is presented as a justification for all four TMZs

Airspace infringement statistics, including analysis of categories of aircraft

6. No data is presented about any relevant Airprox reports and whether the aircraft involved were transponder equipped

Relevant Airprox reports, recommendations and statistics

7. The consultation fails to make sufficient proposals, including those describing financial assistance, for mitigating the impact of the TMZs on aircraft without transponders or with defective transponders

It is also considered that applicants for TMZs would need to consider potential mitigations for aircraft that are technically not capable of being equipped with available SSR transponders. Consideration of these issues would form part of the consultation process within the ACP. The handling of any unserviceability of SSR equipment on aircraft within TMZs would also need to be addressed.

It is considered that the TMZ consultation process will need to identify and address potential mitigation measures for any affected parties for which transponder equipage is impractical. In this regard, CAP 725 already requires that applicants give specific consideration to the impact on VFR operations, including VFR routes where applicable, and must provide evidence of mitigation of the effects of a proposed change on this issue

Demonstration of commitment to provide airspace users equitable access to the airspace as per the classification and where necessary indicate resources to be applied or a commitment to provide them in-line with forecast traffic growth. {CAP 725}

8. There is no assessment of number of movements that will be displaced from any or all of the four proposed TMZs.

...effects of proposed changes to airspace use, such as the 'channelling' of non-compliant aircraft trying to avoid the TMZ, may need to be assessed

It is recognised that, where TMZs are introduced, there must not be any unintended consequences for other airspace users

9. There is no assessment of the impact of traffic displaced from the proposed TMZs on nearby airfields or other controlled airspace

...effects of proposed changes to airspace use, such as the 'channelling' of non-compliant aircraft trying to avoid the TMZ, may need to be assessed

It is recognised that, where TMZs are introduced, there must not be any unintended consequences for other airspace users

An analysis of the impact of the change on all airspace users, airfields and traffic levels must be provided, and include an outline concept of operations describing how

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operations within the new airspace will be managed. Specifically, consideration should be given to:

- a) *Impact on IFR General Air Traffic and Operational Air Traffic or on VFR General Aviation (GA) traffic flow in or through the area;*
- b) *Impact on VFR operations (including VFR Routes where applicable);*
- c) *Consequential effects on procedures and capacity, i.e. on SIDS, STARS, and/or holding patterns. Details of existing or planned routes and holds;*
- d) *Impact on aerodromes and other specific activities within or adjacent to the proposed airspace; and*
- e) *Any flight planning restrictions and/or route requirements.*

Evidence of mitigation of the effects of the change on any of the above must also be provided. {CAP 725}

...it is essential that consideration be given to the implications that a move from the status quo will have on the operations of the Change Sponsor, those of other airspace users, aerodrome operators, ANSPs and the general public.{CAP 725}

10. The funnelling of non-compliant traffic.

...effects of proposed changes to airspace use, such as the ‘channelling’ of non-compliant aircraft trying to avoid the TMZ, may need to be assessed

It is recognised that, where TMZs are introduced, there must not be any unintended consequences for other airspace users

It may also be appropriate to consider the re-design of airspace concomitant with a proposal to introduce a TM

11. Whilst possible LoAs are mentioned, details are insufficient for them to be evaluated.

12. The list of stakeholders consulted omits at least one unlicensed airfield within a proposed TMZ and one nearby gliding club with approximately 18,000 movements annually, even though airfields many miles further away were included.

*It is essential that interested parties are identified early in the process so that consultation exercises can be designed and targeted accordingly. When consultation exercises need to reach a diverse audience, several approaches may be required. In the consultation document it should be stated what ways are available for people to participate, how exactly to get involved, and why any supplementary channels have been chosen. **Over-reliance on standard lists of consultees to disseminate consultation papers can mean that key groups are excluded** and others receive consultation documents that are not relevant to them. {Government Code of Practice on Consultation - July 2008.}*

13. The Mandatory Radio Area option has not been considered.

Furthermore, the option of either TMZs or a Mandatory Radio Areas (MRAs) as potential options to resolve the problem areas that have been identified would be considered when assessing an application

14. The risks are stated purely in a qualitative way without any relevant statistics to back them up. The argument offered:

‘NATS Swanwick (Terminal Control), as the controlling authority for the Stansted CTA, believes that the risk posed from infringements by non transponding aircraft is not acceptable when a technical solution in the form of

mandated carriage and operation of mode-A and C transponders would significantly mitigate this risk.'

could be applied to any volume of airspace which has a boundary with controlled airspace.

The TMZ process should balance the extent of the applicability of the transponder carriage requirements against the causes of the risk that the TMZ is seeking to address, and provide suitable mitigation for affected parties where appropriate.

Appendix 2: Suggested FUA LoA Area (in Green) when Stansted Runway 05 Active

