

Citizen Participation and Public Petitions Committee

9th Meeting, 2022 (Session 6), Wednesday
18 May 2022

PE1804: Halt Highlands & Islands Airports Ltd's Air Traffic Management Strategy

Note by the Clerk

Lodged on	6 May 2020
Petitioner	Alasdair MacEachen, John Doig and Peter Henderson on behalf of Benbecula Community Council
Petition summary	Calling on the Scottish Parliament to urge the Scottish Government to halt Highlands & Islands Airports Ltd's Air Traffic Management Strategy Project to conduct an independent assessment of the decisions and decision-making process of the ATMS project.
Webpage	https://petitions.parliament.scot/petitions/PE1804

Introduction

1. At its meeting of [2 February 2022](#), the Committee agreed to write to the Civil Aviation Authority (CAA) and to hear evidence from the petitioners, Prospect and Highlands and Islands Airports Ltd, at a future meeting.
2. The Committee last considered this petition at its meeting on [4 May 2022](#). At that meeting the Committee took evidence from the petitioner, Peter Henderson and from David Avery of Prospect.
3. At the meeting on 18 May 2022 the Committee will take evidence from Inglis Lyon, Managing Director of Highland and Islands Airports Ltd.
4. The petition summary is included in **Annexe A**. The Official Report of the Committee's consideration of this petition on 22 February 2022 and 4 May 2022 is at **Annexe B**.

5. Prior to the evidence session on 4 May the Committee received new responses from the Civil Aviation Authority, HIAL and Prospect which are set out in **Annexe C**.
6. Written submissions received prior to the Committee's consideration on 4 May can be found on [the petition's webpage](#). All written submissions received on the petition before May 2021 can be viewed on the petition on the [archive webpage](#). Members may wish to note that this includes correspondence with airlines operating routes in the areas covered by this petition.
7. Further background information about this petition can be found in the [SPICe briefing](#) for this petition.
8. The Scottish Government's initial position on this petition can be found on [the petition's webpage](#).
9. A private SPICe questions paper has also been supplied to Members for this week's evidence sessions.

Action

The Committee is invited to consider what action it wishes to take.

Clerk to the Committee

Annexe A

PE1804: Halt Highlands & Islands Airports Ltd's Air Traffic Management Strategy

Petitioner

Created by Alasdair MacEachen, John Doig and Peter Henderson on behalf of Benbecula Community Council

Date lodged

6/05/2020

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to halt Highlands & Islands Airports Ltd's Air Traffic Management Strategy Project to conduct an independent assessment of the decisions and decision-making process of the ATMS project.

Previous action

This issue has been raised with Liam McArthur MSP, Alasdair Allan MSP and Rhoda Grant MSP. It has also been raised with Alistair Carmichael MP and Angus Brendon MacNeil MP.

Background information

We call on the Scottish Government to:

1. Halt HIAL's ATMS project and conduct an independent assessment of the decisions and decision-making process of the whole ATMS project and its potential safety, economic & quality of service impacts, and make recommendations on the options for ATS provision at HIAL airports accordingly. ATCOs at all HIAL airports should be called on for evidence, as the only experts in air traffic control at HIAL airports.
2. Instruct HIAL to suspend their policy on changing the Air Traffic Services provision at Benbecula and Wick until the UK Civil Aviation

Authority (CAA) have published their own official guidance to UK Air Navigation Service Provider's (such as HIAL) on the effects of European Union Authority for Aviation Safety (EASA) policy on Air Traffic Control provision.

3. Conduct an independent islands impact assessment as under the Islands (Scotland) Act 2018 for all affected island communities. Highlands & Islands Airports Limited (HIAL) announced its remote tower air traffic management strategy (ATMS) involving seven of its airports in January 2018. A Business Case was approved by the Board in December 2019, which listed four main challenges to ensure the resilience of Air Traffic Control (ATC) operations and the continuation of safe, efficient air travel through the Highlands and Islands:
 - Low staff numbers and difficulties with resilience, recruitment and retention have, in some instances, led to airport closures
 - The changing regulatory environment and compliance with new policies on safe service provision requires change
 - The urgent need to modernise an ageing infrastructure and outdated methods of controlling air traffic
 - The need to create a competitive edge in the operation and ultimately deliver a more sustainable and cost-effective service

We believe that difficulties with recruitment and retention have existed only at a minority of HIAL airports. This can be overcome by local recruitment as suggested in Highlands & Islands Enterprise's EKOS report where it states that "grow your own"... [has] been successful for HIAL in recruiting – this should continue in some form to address future staffing requirements". HIAL ATCO salaries have in the recent past been considerably less than the industry standard and may have been a factor in the retention of staff at some of HIALs locations.

We agree that the changing regulatory environment and compliance with new policies on safe service provision requires change, however, we do not believe HIAL's ATMS provides the best answer for HIAL airports. The option chosen by HIAL is the costliest and riskiest as stated in their own Helios report.

We agree there is a need to modernise ageing equipment and infrastructure, but this could be done at each airport without the need to move the ATC service to a centralised facility or downgrading the Air Traffic service provision.

We do not agree that HIAL's plans for ATMS will deliver a more sustainable and cost-effective service. In fact, in the long term the reverse may occur due to the expensive new infrastructure itself needing to be replaced after a number of years of service in a hostile environment (climate) and the extra Air Traffic Engineering support required to maintain the day to day integrity of these new systems.

We believe that quality of service of scheduled flights to the communities served at the seven airports may be compromised due to the potential for an increase in flight delays, cancellations and airport closures at Stornoway, Inverness, Sumburgh, Kirkwall & Dundee due to:

- Communications failures / malfunctions between the remote airport & Inverness centre.
- Equipment failures / malfunctions at the Inverness Centre may lead to airport closures.
- Operational limits of cameras – the maximum wind speed they can operate in before camera shake makes visuals unusable
- Maintenance of cameras due to salt corrosion and scouring on the lens by wind-blown sand / particles. There will be delays in repairing outages of cameras and associated equipment as Air Traffic Engineering (ATE) support staff need to be detached in.
- Loss of runway availability – existing digital remote towers do not support cross runway operations. Some runways will be closed resulting in more flight cancellations due to cross winds.

At Benbecula and Wick airports the use of an Aerodrome Flight Information Service (AFIS) in non-visual conditions in particular, would cause a significant increase in the number of flight delays compared to the present ATC service. No positive deconfliction advice to aircraft pilots in the air is possible with AFIS. (An AFIS current Licencing and legal issue).

We believe that the proposals will have a significant long-term adverse economic impact on the communities of Caithness, Orkney, Shetland, and the Western Isles through:

1. The relocation or loss of well-paid and high skilled ATC jobs at HIAL airports, particularly within the more rural and 'fragile' communities, and the loss of spouse and partner's jobs from the communities.

2. Loss of ATC associated jobs, e.g. air traffic and admin support staff.
3. A reduction in customer confidence caused by extensive new delays, technical failures, safety concerns and airfield limitations.
4. In communities reliant on airport accessibility for economic activity, a 'downgrade' of the airports at Benbecula and Wick will result in a reduction or end of the use of the airport by the following (because the norm is an ATC service): -
 - Ad-hoc civil charter flights at Benbecula in support of the Hebrides Ranges.
 - Aeroplane manufacturers for test flights in non-visual conditions.
 - The potential for new scheduled operators to be attracted to these airports or a change in status with the present scheduled service operator.
 - Ad-hoc tourism flights

We believe the ATMS plans will reduce the safety of services provided at all airports operated by HIAL due to the following reasons: -

1. Currently Meteorological (MET) observations are carried out by Air Traffic Controllers or MET qualified support staff who use local knowledge of geography and topography to assess the MET conditions. Instruments can be used as an aid to observations if necessary. Due to limitations of MET instruments they can be incorrect and the MET observer can disregard readings when appropriate. MET observations under ATMS will completely rely on instruments which will create high risks in these very exposed airports where weather conditions can be a considerable hazard to aircraft.
2. The potential for reduced safety in the air at Benbecula and Wick:
 - A downgrade to Aerodrome Flight Information Service will result in pilots receiving only generic information on any conflicting aircraft, with the pilots themselves having to resolve any conflicts based on the information received. Positive deconfliction advice to aircraft in the air would not be possible due to current legislation and AFIS licencing. Air

Traffic Controllers provide a layer of safety which will be removed from scheduled passenger flights, ambulance flights, transiting military aircraft, private visiting aircraft and helicopters used by local businesses such as fish-farms.

- Benbecula has military Ranges in the vicinity, and both airports have nearby aeronautical Danger Areas which can, if active, affect aircraft flight paths and profiles in/out of these airports
3. By relying on new, largely untested technologies, we are exposing Air Traffic Services to a suite of new, never seen before safety risks and points of failure which do not exist within current operations. Historically HIAL have never done this because of the risk – we ask what is their rationale for changing policy now?
 4. Multi-mode operations have been suggested by HIAL. This involves Air Traffic Controllers operating several airports and/or approaches simultaneously. This suggested concept is unproven and may come with additional safety risks.
 5. Safety critical local knowledge of geography, weather, facilities and much more will be lost, replaced with a “remote Air Traffic Controller” who will lack such awareness.
 6. Air Traffic Controllers currently look out a window to ensure the safety of aircraft in their vicinity. Seeing aircraft, obstructions, obstacles and everything else is more challenging when looking at a TV screen.
 7. Situational awareness is essential to aircraft safety. A digital remote tower will compress a 360 degrees’ view across 270 degrees on the TV screens, making situation awareness far more difficult.
 8. Being absolutely reliant on technology means technology failures will be another new risk factor which does not exist at present.
 9. Cyber security – air traffic services across the entire Highlands and Islands region will be IT based. A cyber-attack against any part of it would have the potential to shut down the entire operation, exposing every aircraft to yet more new risks that do not currently exist.
 10. The majority of ATC Staff are opposed to the proposed ATMS and if they refuse to move to the new centre it could be

necessary to staff it with ATCOs who have no previous experience at HIAL airports. HIAL have stated that they would consider training ATCOs from scratch with training provided by instructors who haven't worked at the airports concerned. This essentially removes decades of invaluable experience, training and safety management.

We believe the technical feasibility of this project has not been proven as the implementation and delivery of the remote tower and surveillance centre is the largest and most complex project HIAL have ever undertaken and yet the HIAL's Management team delivering the project, and HIAL's board who approved the project, do not have any civil aviation qualifications. The Scoping Study (Helios Report), the basis of the ATMS project, had many errors identified in it and these have not been corrected by HIAL or given sufficient answers as to mitigation.

Annexe B

Extract from Official Report of consideration of PE1804 on 2nd February 2022

The Convener: Our first continued petition is PE1804, which was lodged by Alasdair MacEachen, John Doig and Peter Henderson on behalf of Benbecula Community Council.

The petition calls on the Scottish Parliament to urge the Scottish Government to halt Highlands and Islands Airports Ltd's air traffic management strategy project and to conduct an independent assessment of the decisions and decision-making process of the project.

I am delighted to welcome Liam McArthur, who joins us online this morning, and Rhoda Grant, who is back with us in the committee room. Both are with us to speak to the petition.

Before I come to them, I will offer a little more background. The Scottish Government's latest submission provides an update following the assurance of action plan that was conducted in the week commencing 25 October.

The plan was set in the context of HIAL's announcement that a framework for discussion had been agreed with Prospect, the trade union, to establish a new way forward for the implementation of the ATMS programme.

It noted that programme delivery activities were largely paused to enable further delivery options to be appraised.

The submission confirms that the digital assurance office, the portfolio, programme and project assurance team and HIAL would continue to liaise to ensure that appropriate assurance arrangements are planned in as decisions are taken on the programme's direction.

In its most recent submission, HIAL explains that, as a result of those developments, all industrial action was suspended while talks continued. In addition, new ATMS working groups were established with 27 air traffic colleagues from across several airports to help detail the benefits and risks of a potential way forward. The first of those groups met on 6 December.

At the end of January, HIAL announced that the HIAL board had agreed "the future strategic direction for the ATMS programme. This will comprise a centralised surveillance operation for Sumburgh, Kirkwall, Stornoway, Inverness and Dundee airports, based at HIAL's existing approach radar facility on the Inverness Airport Site. Air traffic tower services will continue to be provided locally at each of these airports."

A late submission from one of the petitioners, commenting on the detail of that announcement, has been circulated to members. In summary, the petitioner raises

concerns about the timescales for the new developments; the £9 million that has been spent so far; the implementation of surveillance radar; the timeline for Inverness to be granted controlled airspace; whether HIAL intends to introduce controlled airspace at Dundee, Stornoway, Kirkwall and Wick and, if so, when; and moving Benbecula and Wick from air traffic control to aerodrome flight information service.

He is also concerned about what will happen to New Century house, the building that was bought to house the combined surveillance centre and remote tower centre. The petitioner asks the committee to correspond directly with the Civil Aviation Authority regarding the issues raised and would welcome the opportunity to discuss his concerns with the committee in person.

I understand that we heard from the petitioner two years ago. Like others, I got quite excited when I saw "Reporting Scotland" feature announcements in relation to the petition and thought that maybe we were seeing progress of some kind. However, the petitioners are underwhelmed, to say the least.

Before the committee considers the petition, ask Liam McArthur and Rhoda Grant whether there is anything that they would like to update us on, although we do not want to hear the original submissions all over again.

Mr McArthur, I will come to you first. Is there anything that you would like to update us on?

Liam McArthur (Orkney Islands) (LD): I will try to be as brief as possible, convener. The petitioner has set out very well some of the remaining issues.

For example, it is not at all clear where the idea of radar surveillance has come from. It certainly begs some questions about the £3.5 million that was spent on New Century house, which now seems to be a rather expensive white elephant in relation to ATMS.

That speaks to the concerns that both Rhoda Grant and I, and, more importantly, the petitioners raised about the incremental costs that have been incurred through the process on an objective that was seen as the only show in town but which has miraculously now been temporarily dumped.

There is an on-going concern that HIAL may simply dust down the remote tower proposals four or five years down the line and seek to reintroduce them.

The other point that I stress is about the extent to which HIAL is relying on co-operative surveillance.

There have been some suggestions from HIAL that that was up and ready to go, but that has been refuted by the CAA. It would be interesting to hear HIAL's response to that challenge, because, fundamentally, if the CAA is not convinced, it will not get off the ground.

There are many questions that remain to be answered. The immediate risk to jobs on the islands and at the other airports is to be lifted, but there is some deep anxiety about the medium to longer term.

There is also anxiety about HIAL's handling of a project that seems to have been calamitous and which looks set to rack up more and more costs at the public's expense.

If the committee were minded to hear directly from the petitioners and had time available in which to do so, that would be very valuable, in that more detail could be laid out on some of the issues that the committee could usefully continue to keep under review.

The Convener: Thank you very much, Mr McArthur. Has the immediate lifting of threats to jobs maybe underpinned Prospect's welcome? Have you had any contact with Prospect?

Liam McArthur: I think that that must be the motivation. We are at an impasse where, in a sense, HIAL was suggesting that installing remote towers was the only way of achieving the modernisation that everybody accepts is necessary for future air traffic services in the region.

Having reached an agreement that lifts that immediate threat to jobs, perhaps Prospect feels that things have been moved on. However, there is certainly an anxiety among staff at the local level that HIAL is buying the time that it was always going to need to achieve the remote towers.

I would be interested to know whether Prospect believes that that remains the case, but a number of its members, including staff in Orkney and, I understand, at other airports, remain anxious about the longer-term intentions of HIAL management.

Rhoda Grant (Highlands and Islands) (Lab): I agree with everything that Liam McArthur has said. The news that there has been a pause is welcome, because that is what Prospect was asking for and, indeed, what the staff and communities were asking for—they want time to look at the alternative solutions. Nobody is arguing that we do not need to improve safety; the argument was that HIAL's proposals did not provide additional safety but were about centralisation. They would cause huge economic damage without providing the safety that people want.

I would be grateful if the committee would look at a number of things.

The proposed discussions about Benbecula and Wick were overlooked because of the enormity of the proposals, which impacted all the airports.

There is concern that the downgrading of Benbecula and Wick will go ahead. Those airports need safe surveillance and locally based air traffic control.

Both Benbecula and Wick are looking at becoming satellite launch sites, so they need safe airspace. Benbecula is also host to QinetiQ's Hebrides range, which means that there is often a huge amount of air activity when tests are taking place.

The Hebrides range also provides a potential solution, in that it has radar. HIAL could work with the range to provide that in Benbecula. That would be a very affordable course of action that would not cause huge disruption.

One of the issues in all of this was the recruitment of air traffic control staff. The air traffic control staff in Benbecula tend to be young, so that airport has staff into the future. They are local people—they are not going to move anywhere. They will be lost to HIAL if it ends air traffic control at Benbecula.

There is also talk of a new island's impact assessment. Therefore, any downgrading of Benbecula should surely wait until that impact assessment has been done. That would be within the spirit of the law.

With regard to Wick, people will be aware of the closing of Dounreay and the need for an economic focus on the area. A lot of work is going on with renewables and with the maintenance of devices, but the area needs good air traffic links to other parts of the United Kingdom to be able to attract jobs. It is very important that it has a safe airspace. Indeed, we are trying to encourage more traffic there.

I will not repeat what the convener said about the CAA's comments, but it would be well worth the committee speaking to the CAA to find out what is happening, including about Wick perhaps being managed from Orkney.

There was some discussion about that, and the CAA was not keen.

HIAL used to be very good at staff recruitment. It used to recruit from local communities. It would train people up and those people stayed. HIAL had its biggest recruitment issue in Inverness, where people tended to be more mobile.

The committee should make HIAL look at that again and ensure that it starts recruiting again, because that is one of its reasons for stepping back—it says that if it cannot recruit, it will continue with the position as it was.

I know that the petitioners were keen to see Digital Scotland's second report published. HIAL has it so it would be useful if the committee would ask it to publish that report. There is also the centralisation of radar surveillance at Inverness. That does not make sense given that we are to have air traffic control at the airports, so how that decision was reached could be scrutinised.

I know that there are concerns in Shetland about that, because the airport there has its own radar and there might be an impact if radar were centralised at Inverness. I agree about the other issues that have been mentioned, such as the use of New Century house—I do not want to repeat everything.

The Convener: There are several increasingly focused and quite serious issues. Would anybody else like to come in?

David Torrance (Kirkcaldy) (SNP): The petition has been on-going for quite a while—since last session—and we have not been updated by the petitioner for a long time. I am sure that, like me, committee members have a number of questions that they would like to ask the petitioner and HIAL management. I would like to bring in the petitioner and HIAL management to give evidence so that we can ask those questions.

Alexander Stewart (Mid Scotland and Fife) (Con): I very much concur with that. We have looked at the petition in depth, but from the information that we have

received, it seems that there are more questions than answers. It would be useful to get the petitioner in. There are also questions to be asked of the CAA about what it is doing with HIAL. It would be useful to have some correspondence with the CAA about the co-operative radar system that has been discussed in the papers. If we are to understand the situation, we require more information. Liam McArthur and Rhoda Grant have given us a lot of detail. That has been very useful, but there are still questions that we can ask of the petitioner and the CAA.

The Convener: Mr McArthur would like to come back in.

Liam McArthur: I will be extremely brief, convener. I very much welcome the comments from the deputy convener and Alexander Stewart. As Rhoda Grant said, local recruitment is essential. HIAL almost made the process an exemplar when it last recruited locally. Since then, it has moved away from that model and sought to hire ready-made air traffic controllers. That was always a short-term fix, and it has left the company with some retention issues. It would offer staff at various airports some reassurance if HIAL were to embark on a local recruitment drive. The approach has proven to be the best way of not just recruiting but retaining staff. If HIAL management gives evidence to the committee, that is a point that could be very usefully put to them.

The Convener: In your role as Deputy Presiding Officer, you promoted Mr Stewart; my deputy convener is David Torrance.

Liam McArthur: I was talking about the deputy convener and Alexander Stewart, rather than the deputy convener being Alexander Stewart.

The Convener: Thank goodness for that. David Torrance was on the previous Public Petitions Committee, which heard from the petitioner. Given the recent developments, I am minded to fall in with the suggestion that we bring in HIAL. I think that we should write to the CAA in the first instance to get its views on the petitioner's latest concerns. I would quite like to get some information from Prospect about what underpins its welcome for the developments and where it now sits in the process. It may well be that that would lead us to invite Prospect to give evidence as well. Are there any other suggestions? Does what I have proposed seem reasonable?

Paul Sweeney (Glasgow) (Lab): I would be interested to hear from airspace operators—the main scheduled carrier, which is Loganair, and others who use the airspace, such as the training school at Dundee airport—to understand what their concerns might be. I do not think that we have heard anything from them.

The Convener: Thank you. I was going to ask the clerks whether that had been covered by any evidence. I ask the clerks to review that and see whether there is scope to follow up on Paul Sweeney's suggestion, as I think that that is another facet of the approach that has to be understood. I do not think that there is anything for us to write to the Minister for Transport about at this stage. Are members content to take evidence as proposed in the first instance?

[Members indicated agreement].

Extract from Official Report of last consideration of PE1804 on 4th May 2022

The Convener (Jackson Carlaw): Good morning and welcome to the seventh meeting in 2022 of the Citizen Participation and Public Petitions Committee.

We will take evidence for the first item on the agenda, which is consideration of continued petitions. The first of those is PE1804, which was lodged by Alasdair MacEachen, John Doig and Peter Henderson on behalf of Benbecula community council. The petition calls on the Scottish Parliament to urge the Scottish Government to halt Highlands and Islands Airports Ltd's air traffic management strategy project and to conduct an independent assessment of the decisions and decision-making process of the ATMS project. We last considered the petition on 2 February, when we agreed to write to the Civil Aviation Authority and to hear evidence from the petitioners and Prospect at this meeting, and from HIAL at our meeting on 18 May.

I am delighted that we are joined by the two representative MSPs—Rhoda Grant and Liam McArthur—who have been following the petition at its various torturous stages of progress through our proceedings. I welcome Peter Henderson, who is joining us virtually and is one of our petitioners who will give evidence.

I will ask members whether they have questions that they would like to explore with Peter. Peter, is there anything that you would like to say before we launch into our questions?

Peter Henderson: I still have some concerns that I would like to raise. I do not know whether you would like to hear them. I was hoping that someone from HIAL would be at the meeting to answer my points, but they do not seem to be.

The Convener: We will move to questions, because that may bring out some of the reservations that you still have. We will see what comes up as we do that. The first question tees that up. What concerns do you have about the agreement between HIAL and the Prospect trade union on the future development of air traffic control? How might those concerns be addressed?

Peter Henderson: The first point is that, on page 11 of the digital assurance office's "Technology Assurance Review, Assurance of Action Plan", which was published in October 2021, it says: "It has become evident from the RTS procurement and the SCS RIBA 3 design that the Programme in its current form, exceeds the programme budget" of £48.4 million. I was hoping that HIAL could explain that, because I think that that is probably what drove it back to the negotiating table, rather than anything that the committee or the petitioners have said.

The Convener: You want to know whether the change of heart was cost driven rather than being a "Mea culpa, we might have got it wrong" change of heart.

Peter Henderson: Basically, I would like to know whether the remote tower procurement process and the design of the remote tower centre at New Century house played a part in the decision to write off the entire programme, rather than anything that we have done. I suspect that that is the truth.

Secondly, HIAL was due to take over the running of the Sumburgh radar from NATS—the national air traffic service—last September. You would think that it is pretty straightforward to transfer an existing radar service into HIAL’s control. It was due to take over in September, then in December, then in April 2022. Nobody now knows when, or whether, it will take over the Sumburgh radar from NATS. The story seems to be that it has recruited nine controllers but has not managed to train them and some of them have left. HIAL might not take over the radar until a year from now, which seems to be a bit disastrous, considering that it wants to have a centralised radar service that is based in Inverness. If it cannot recruit staff for one airport, how can it recruit staff for all the airports and guarantee that it can provide a service? Inverness airport already struggles to provide control; the radar part of it shuts twice a day every day, and probably will do so for a year.

My worry is that, if HIAL centralises all radar services, which airports will it prioritise? Will it prioritise Inverness over all the other airports to make sure that it can provide a service there? Will it shut other airports in order to man Inverness and Sumburgh? I do not believe that it is capable of running a centralised service, which is what it wants to do. It cannot staff, recruit or train for Inverness or Sumburgh at present, so how can it do that for all the airport systems?

The Convener: I will pause you there. You have looked for an independent assessment. What do you think that that would deliver?

Peter Henderson: I think that it would shine a light on the situation. We have a team that has been appointed by HIAL and we have existing HIAL management. It has been exhibited that the ATMS project, which it said was the only way forward, has failed miserably. HIAL still wants to progress an air traffic management system that centralises services. It seems to be failing to do that at the moment. The current management and the teams that are in place do not seem to be able to run that properly. I would like someone from the outside to ask why that is the situation and why there is still a threat to the reliability of our air traffic services.

We do not seem to have progressed. The ATMS still exists in principle. The aims are changing, but HIAL still seems to want to centralise rather than start from scratch and have a proper look at it. None of the project has worked, but HIAL still keeps stumbling on with the same people making the same decisions.

The Convener: How should HIAL have approached the development of the project in the first place?

Peter Henderson: By listening to its staff and the communities, which it refused to do. That is why we brought the matter to the committee and why our politicians, community councils and councils backed us.

HIAL is now engaging with the staff because it was basically forced into that situation. The union, Prospect, is now actively trying to sort out the mess that has happened. However, it seems that a whole new ATMS is being developed without any oversight from anybody outside HIAL, as far as I can see.

The Convener: It is plain from the subsequent submissions that you have made that concerns were expressed. What was HIAL's response to and management of those concerns like?

Peter Henderson: Initially, HIAL ignored everything and said that the ATMS was the only way forward. There was a sudden change of heart, which I suspect was brought about by budgetary constraints, which meant that it could not achieve anything, and now it is looking for a way out so it decided to negotiate. HIAL has not been honest and open about anything all the way through, as we have found out.

The Convener: My final question sits on the back of evidence that we have received. What evidence do you have that the Civil Aviation Authority would authorise anything that was unsafe?

Peter Henderson: It will not authorise anything that is unsafe, but we were at a meeting with the CAA regulator, who summed up the situation by saying, "If you came to me and said that you wanted to fly a rocket to the moon, I would say that, in principle, that was fine. If you then came back to me with a cardboard rocket, I would turn you down." HIAL seems to be coming up with a cardboard rocket most of the time.

The CAA will not sign something off until the final phases. It has encouraged HIAL to scope some trials of the surveillance system that it wishes to use. There has been no word on whether HIAL wants to do those trials and foot the bill. It seems to be sitting back and waiting for regulations to change in its favour rather than actively seeking solutions.

The CAA should not sign off anything that is unsafe, but it will wait until the whole project has been decided on and then sign off on whether it will accept it. It does the same with controlled airspace. You can put everything in place, but the final judgment is down to the CAA. If it decides that something is not suitable, it will tell you why and you can then either try to change it or not.

HIAL is trying to operate outwith existing regulations. It is new territory, for which HIAL needs to fund solutions.

David Torrance (Kirkcaldy) (SNP): Good morning. How would you like HIAL to involve communities that are served by its airports in the development of future plans and proposals?

Peter Henderson: Rather than coming out with a done deal, it needs at least to put out a public consultation in much the same way as other Government departments do. It should say what its aims and goals are and ask the public whether they want to comment on them. A consultation should mean just that: HIAL should listen to what people say and have a conversation with them.

On the islands, we want a good, reliable service that does not let us down. Coming up with ideas that remove all the resilience from our local areas is not good. HIAL just needs to be a little bit more open. It has not been. It just seems to make a decision and expect everybody to go along with it.

David Torrance: I have one final question—this is your opportunity to raise issues. The committee will take evidence from representatives of HIAL and Prospect. Are there any issues that you would like us to raise with them and, if so, why?

Peter Henderson: When the digital assurance office's assurance of action plan says that the remote tower procurement and RIBA 3 design mean that the programme "exceeds the current budget", does that mean that two aspects of the entire project cost more than £48.4 million, and is that what drove HIAL back to the negotiating table?

Why is the takeover of Sumburgh radar a mess and way behind schedule? If HIAL cannot take over an existing radar service for an airfield, how can it be expected to run a centralised radar service for all the airfields?

In evidence that HIAL submitted previously, it said: "None of the petitioners are directly involved in the programme or directly impacted by it".

However, we are impacted by everything that HIAL does, because we live in the communities that its airports serve. Had we been involved from the beginning and if HIAL had listened to us, which it refuses to do, the programme might not have developed into the mess that it is.

I have a problem with HIAL management still being the same people who are still making the same bad decisions and trying to run a project. I hope that those people have learned their lesson. As Prospect said, I hope that HIAL will work with and listen to the people, rather than continuing with the bull-headed approach that it has taken.

We have achieved an awful lot. The ATMS programme is basically dissolved—there is nothing much left of it, so that has served our purpose. However, I think that it would have failed anyway, purely on cost, without our even intervening.

David Torrance: Thank you.

The Convener: We will meet HIAL on 18 May, so we will be able to put some of the points that you have raised to it directly. However, we have received strong representation from HIAL that the change is not window dressing and that, whatever the motivation—we can chase that up—it is not simply a cover in order to bring back the proposal that has been set aside in five years' time. That position is quite robust and clear in the submission from HIAL. As petitioners, do you accept that?

Peter Henderson: I had hoped that, because I asked the questions in the way that I did, HIAL would come back in a robust way and make it clear that it would not revisit the issue, because it was still a bit vague. For example, HIAL still wanted to have a remote tower at Inverness, and I could not see the reason for that.

We probably now accept that HIAL will not go ahead with ATMS, as it said. As I said, we have achieved a lot, but most of the programme has collapsed. HIAL still seems to want to have controlled airspace and radar at some of the airports, which is fair enough. It has withdrawn the applications to the Civil Aviation Authority for the airspace changes. When HIAL has redrawn the ATMS proposals, we will find out where it intends to go. However, when it comes up with its plan, I ask it please to make that plan very public, to run it by the communities and to ask for our input and ask us whether we think that it is okay.

Alexander Stewart (Mid Scotland and Fife) (Con): You have talked about openness and honesty in the process. It is evident from the concerns that you have raised that the community feels that it has not been listened to and has not had the impact that it wanted in the process. You said that you hope that lessons have been learned. How did the management handle the concerns that were expressed about the proposal initially? Were the proposals completely flawed from the beginning, or were there areas within what was produced that the community might have been open to? Would the community have been willing to participate in the process?

Peter Henderson: Basically, every single point that we raised initially was rebutted with the reply that ATMS was the only way forward, and there were no other ways—we were told that, without it, nothing else could be done, so HIAL had to do it. The islands impact assessment was very negative about the effects on all the islands, but HIAL said that all it needed to do was mitigate the effects rather than address the problems. There was constant rebuttal of anything and everything that was said, whether by staff or by MPs and MSPs. It has all been in the newspapers, in the evidence that has been submitted and all over the place. There was then a sudden change.

In relation to ATMS modernisation, it would be extremely useful to have radar or some form of surveillance at the airports, but taking people out of the airports was a step too far. When I worked for HIAL, I can remember me and colleagues laying out our concerns. We would raise safety concerns and be told that it was a matter of

opinion, so I left—I could not take it any more. I thought, “They won’t listen. What’s the point?” When there is a culture of not listening, you stop raising concerns, which is a worry.

Even though Benbecula community council did an extremely good thing, there is no word yet on whether Benbecula air traffic control will continue. The story seems to be that it will, which it should, and the same is true of Wick air traffic control, but we need something concrete about that.

Alexander Stewart: You mentioned the opportunities that the community has had. The community ought to be congratulated on its endeavours, because it has highlighted the issue. You have worked with politicians and other groups in the community to ensure that the issue has been kept live. That is to your credit. What do you want to be done differently? What do you want HIAL to try to achieve with its proposals for the future?

Peter Henderson: Basically, there has been an outcry, with people asking why there cannot be people who live in the communities on the boards of organisations such as HIAL and CalMac Ferries. If you have people who live in the community, interact with it and get feedback from it, as is the case with MSPs and MPs, it is possible to feed in directly to them. People who are remote do not understand what we are going through.

All the airports are run as individual airports, but HIAL needs to get some feedback from the customers—if it decides to make a change, it needs to examine whether that change will be for the better or the worse. It is difficult to say how it should go about doing that, but it could put the issue in the local papers or make some sort of announcement.

All I know is that, with everything that it has done, HIAL’s approach has been simply to stonewall. Its attitude has been, “We’re doing this and we don’t care what you say.” Often, the people who work at the airport, who live in the community, are the best measure of what the community feeling is. HIAL just needs to listen to what its staff say, and I fear that it still does not do that.

I could go to my airport manager and say, “This is all a complete shambles”; in fact, at Kirkwall, we got the board members in, talked to them directly and said, “This will never work as you want it to— it’s a mess.” Their response was, “Yeah, yeah— we’ll look into it,” and they continued anyway. What are you meant to do?

Fergus Ewing (Inverness and Nairn) (SNP): Good morning, Mr Henderson. I joined the committee only recently, so please forgive me if this question covers ground that might already have been covered in the history of the petition thus far. You are asking for an independent assessment to be carried out. Who do you think could conduct such an assessment? How might that person or persons be appointed?

I ask because it seems to me that the Civil Aviation Authority has the role of conducting a proper assessment of any proposal. Given that it is the statutory body that is charged with the responsibility of regulating air safety in the United Kingdom, and given the critical importance of that function, it is not immediately obvious to me who else could be expected to carry out an assessment of a system that, at the end of the day, is designed to protect people against air accidents, which would almost certainly result in fatalities. I would like to get a sense of how, in practice, an independent assessment could be carried out and who could do it.

Peter Henderson: The CAA oversees rules and regulations regarding aviation, so when it comes to safety it is the ultimate arbiter. When it comes to throwing money at a project that was never going to work, which is funded by the taxpayer, is damaging to communities and is run by an organisation that refused to listen to the concerns of its own staff, I suspect that somebody in the Government—because the Government and Transport Scotland fund HIAL—needs to look at how decisions on services that are provided at airports are made and at the ideas that are bandied about.

There is an aviation safety aspect to everything that HIAL comes up with, but to centralise staff to Inverness and to decide to take over an existing radar contract from NATS at Sumburgh, which has run reliably for decades, only to find that it cannot even staff it so that the contract is a year behind schedule, are managerial tasks that seem badly handled.

Ultimately, the HIAL board is meant to examine the management of HIAL and pull them up on mistakes that they have made. However, the HIAL board obviously just rubber-stamps stuff, as it has done all along. It does not seem to understand the things on which it signs off. Is there not a Government—

Fergus Ewing: I am sorry to interrupt. I got the gist of that—it is more a question about the financial and managerial aspects of how HIAL has failed thus far, as you see it. To be clear, in your view, should it be somebody in the Scottish Government who carries out that independent assessment?

Peter Henderson: I believe so, because £9 million have been chucked down the drain on something that we said all along would not work in the way that HIAL wanted it to work, but we were basically told, “It’s the only way—it’s my way or the highway.” That is not a way to run an organisation.

The Convener: That has been very helpful. I thank you for your persistence in pursuing the petition.

We will see HIAL on 18 May, so we will be able to pursue some of your specific questions with the organisation then. I thank you for your time this morning, Mr Henderson.

[Meeting suspended]

The Convener: Welcome back. We move to our second witness on PE1804, on HIAL's plans. I am delighted to welcome David Avery, from Prospect, whose name has been referred to and brought up numerous times in our deliberations. You are very welcome to the meeting.

We have read Prospect's most recent response to events in our papers ahead of this morning's session, so we will move straight to questions.

Paul Sweeney (Glasgow) (Lab): Welcome to the committee, Mr Avery, and thanks for the submission on behalf of your members in HIAL. How confident are you that the arrangements for the development of a new air traffic control strategy will produce results that are acceptable to your members in HIAL?

David Avery (Prospect): I am reasonably confident that the new direction is far more palatable than where we were before. It was not our members' preferred choice—they would have preferred local deployment—but the new direction has achieved all our goals around protecting local jobs and preventing the downgrade of two airports. We have been given assurances that that will be the case for at least five years. If we consider that HIAL is a Government body, which is subject to ministerial direction, five years is a reasonable guarantee of no change.

On whether HIAL is able to deliver, I hope that it is better able to deliver this system than the previous one. This system replicates the one that HIAL has had in Sumburgh for decades. It involves established technology and procedures; the remote tower project proposed by HIAL did not. This system is far simpler and far more likely to be delivered. That is still not easy, but the system has a better chance of delivery than HIAL's previous proposals.

Paul Sweeney: In your submission to the committee of 7 March, you said that working groups on the future of air traffic control, particularly at Wick and Benbecula, were yet to be established. Has there been any progress on that? Would you like to see that happen? Is there a need for that?

David Avery: I am pleased to confirm that the working groups have not been set up because they have not been needed. The company has given us the same assurance for both airports that there will be no downgrade of service for at least five years, at which point there will be a review. The review will look at the issue with an open mind, rather than with an aim to justify a decision.

Again, that is the goal that members have been seeking.

The airports are not the same—they have very different communities and needs. There will be two separate reviews, because the long-term solutions for the two airports will not necessarily be the same.

The Convener: When was the change of view in relation to Benbecula confirmed? That is quite recent and not something that we were aware of from our papers.

David Avery: It was subsequent to the last submission that was made. I do not have the exact date. I think that the Benbecula one may have been about four weeks ago and the Wick one is very recent—within the past week.

Paul Sweeney: The main consideration for a lot of people in relation to the changes has been aviation safety. What is your union's position on the implications of the changes in air traffic control for aviation safety?

David Avery: Our view has always been that radar is a welcome improvement. It is a vital safety tool for any controlled airspace with any scheduled commercial traffic. It will provide an improved safety service and, potentially, open up markets to other airlines that are not prepared to fly without radar. We see all of that as a positive. Controlled airspace is welcome, too. There is acceptance that, were those two things to be done, procedural control could be phased out. That is not something that members are opposed to, assuming that it is done safely and in the right way.

There has always been the aim to seek to make safety improvements. Where we disagreed was on how HIAL was intending to do that and, ultimately, whether remote towers would bring their own set of problems with them.

Fergus Ewing: Good morning, Mr Avery. Can any lessons be learned by HIAL about the way in which it has handled the whole thing?

David Avery: Absolutely. I hope that HIAL and, indeed, other organisations have learned lessons about the involvement of staff and communities, and being more sceptical of consultants. I have been very critical of the fact that HIAL kicked off the project without public consultation. There was very little staff consultation—frankly, the views of staff were disregarded. The justification for the case was based on the report of one consultant, and that was not the direction in which the rest of the industry was moving. No major remote towers, in the way that HIAL intended to do them, have been announced anywhere else in the UK in the past five years. HIAL's original view was that it was at the bow wave of a tide of change, but that is clearly not the case.

The project has never been subject to public consultation. It involved a major change in the service and in the way that air traffic would be delivered.

I think that there still should be change, but the time to do that would be at the point at which the Transport Scotland infrastructure board has approved the case.

Fergus Ewing: As I said earlier, the petition has quite a long history. I have only recently become a member of the committee, but I have been aware of, and have followed, matters. It is plain that progress has been made, partly as a result of the work that Prospect has done and the engagement from MSPs and the petitioners. Do you feel that that progress has covered some of the defects— as you see them—that you have just described? In other words, are you confident that, going into the

future, HIAL will listen more to staff and engage more with communities? As I understand it, you have been in the thick of it.

David Avery: I hope that that will be the case. HIAL is involving staff far more in the current phase of the project. I am not sighted on community engagement in particular. Currently, the work is of a pretty technical nature rather than the kind of work that we would want to take out to communities for discussion, but that will come in the future. In particular, communities would rightly want to have a view on questions around schedules, deployment, staffing levels and opening hours.

Fergus Ewing: Yes. Those issues are hugely important to all the islands that are served by HIAL with what are, in many cases, lifeline services.

What about the financial side? Do you have an idea of how much HIAL has spent on the now-aborted air traffic management strategy?

David Avery: No more than what is in the public domain. The papers that I see do not include commercial in confidence numbers, and I would not be able to discuss those. I would suggest that that question needs to be put to HIAL.

Fergus Ewing: Okay. Do you think that those figures should be made public, or are there good reasons why that should not be the case?

David Avery: It is not for me or the union to say whether they should or should not be. It is a public project, and there has been significant expenditure on it, so it is worth looking into some of the decisions that have taken us to this point. That would include the costs incurred.

Fergus Ewing: We heard earlier from one of the petitioners, who confirmed that he felt that the Scottish Government should take charge of an independent analysis. That surprised me a little, because I had thought that he had perhaps envisaged an individual analysis that was independent of not only HIAL but the Scottish Government. Be that as it may, if you think that the project should be analysed and that the costs incurred to date should be studied, do you have an idea of who the right person or the right body to do that work would be?

David Avery: I have thought about that only recently, having listened to Peter Henderson's evidence. My view is that it should probably be Audit Scotland. You do not need to be an aviation expert to look at the problems in the project. I am not an aviation expert—professionally, I am a scientist—but I have learned a lot, having dealt with the project for five years. Advice on specialist issues relating to information technology, air traffic engineering, air traffic control and so on can be sought from various learned sources. The questions around decision making, finance, confidence and risk and management of risk are the types of questions that Audit Scotland is professionally able to deal with.

Fergus Ewing: That is very helpful. If you have further thoughts after the meeting, given that these questions are being sprung on you, we would be very keen to receive them.

Alexander Stewart: Mr Avery, you have talked about the lack of communication and consultation with staff and communities in the whole process. How are industrial relations progressing? What impact has the handling of the whole affair had on industrial relations between HIAL and Prospect?

David Avery: HIAL is very different from almost any of the organisations that I deal with, and it always has been. I have been involved with it for seven years, so I was involved with it for a significant time before the project began. My predecessor, who had dealt with HIAL for far longer, expressed the same view. It is the only air navigation service provider that is run under public ownership in that manner, so its situation is not analogous to that of Prestwick or NATS, which are run as private companies. HIAL is run as a public body, but it is not like any of the other public bodies, because it has significant commercial elements and highly operational staff. Its aim is to achieve service delivery in a way that most other public bodies do not seek to do. HIAL was already a difficult company to deal with because of those challenges.

Industrial relations have been strained, but we have never fallen out or stopped talking—we have always had good discussions, even through the industrial action periods. I hope that, given the new engagement with staff, there will be more staff involvement in decision making, not just within air traffic but across the board in HIAL.

Alexander Stewart: You talked about lessons being learned in the process. It is vital that lessons be learned about how to manage the staff and industrial relations in the future. What would you like HIAL to try to achieve to ensure that that becomes a reality?

David Avery: I would like HIAL to involve its staff at whatever level whenever it makes any decisions that relate to staffing or service delivery. Whether the decision is about a change of opening hours, a change in a security protocol or something big, such as air traffic control changes, the staff who are involved in the delivery of the service should be involved in it. I would also like the communities to be involved and things not just to be sprung on them as what HIAL is now going to do. I hope that that change will happen, but HIAL is a large and difficult organisation because of the disparate nature of multiple airports, so it will not happen overnight.

The Convener: Mr Avery, we explored with the previous witness what has brought about the change of view in HIAL. He was sceptical that it was our investigation into the matters, our representations or your representations, and he thought that it was all down to a realisation that the costs involved in the project were no longer sustainable. What do you think the cornerstone of HIAL's change of approach is?

David Avery: I have to say that I was not inclined to look a gift horse in the mouth and question HIAL's motivations when it came to us for a discussion on a more positive note, given the previous five years, in which there had been no discussion about the strategic direction.

It is probably not one thing. I hope that the HIAL board's view on why a change of direction was necessary was not down to any one factor. I think that it was the result of a combination of the committee's work, the industrial action from staff, the islands impact assessment, the constant negative stories about HIAL—it was struggling to get any positive media coverage about other things that it was doing because the matter was driving them out—costs, and the fact that the project was still not going anywhere. Ultimately, it is very hard to implement such a project without the buy-in of staff.

The Convener: I invite our two parliamentary colleagues who have joined us and have been with us at various stages during our consideration of the petition over an extended period to ask you anything.

Rhoda Grant (Highlands and Islands) (Lab): Thank you, convener. I have a question for clarification. Prospect has worked well on the matter and I am pleased that we are where we are and are making progress. We talked about replicating the Sumburgh service. Peter Henderson, the petitioner, had some concerns about what might happen in Sumburgh with radar being centralised to Inverness. Does that have staffing implications and do you see issues with it?

David Avery: As Peter Henderson said, HIAL has hired staff in Inverness who are working on delivering the radar service for Sumburgh. It is being delivered as a so-called greenfield radar— as if it had not existed before. HIAL is not transferring any staff or procedures from NATS: it is being done almost from scratch. That is not an easy thing to do, so the regulator is rightly taking a significant interest. HIAL might well need more staff than it has. It will take as long as it takes.

The proposal is a far more achievable prospect than the previous remote-towers proposition and at least replicates something that HIAL has already done. The controllers at Sumburgh do not have to learn new procedures; they are handing over to another provider—this time, in Inverness rather than Aberdeen—but there will not be a significant change for them. That is far easier to manage than what would have happened had HIAL centralised the tower and the radar.

Rhoda Grant: NATS currently operates the radar service for Sumburgh from Aberdeen. Is that right? No one is based in Sumburgh; there are no job implications for Shetland.

David Avery: There are no job implications at all—the roles of the staff in Sumburgh will remain as they are. As I understand it, the roles in Aberdeen can be redeployed

to other work in NATS—it has other work that it would like the staff to move on to when the HIAL contract ends.

Liam McArthur (Orkney Islands) (LD): I will make a couple of observations before I turn to the issue on which Rhoda Grant was pressing Mr Avery.

I still cannot get my head round the fact that we were told for years by HIAL management that its air traffic management strategy project was the only show in town and the only credible option. It has backed off from that much later in the day than I and many others hoped it would. Mr Avery's assessment that that is the result of a number of factors is probably fair, but the cost and delivery of the project were always seriously under question, which might well have driven HIAL back to the negotiating table.

However, there has been no reckoning with those who marched us up that hill then marched us back down again. The earlier point about Audit Scotland casting its eyes over the matter seems to be entirely sensible and reasonable. The cost is one component; another aspect is how decisions were made. The cost to the public purse is a real concern. I have had discussions with Audit Scotland, which suggested that that is more a matter for Transport Scotland to deal with. However, in a sense, Transport Scotland has skin in the game, given its responsibility for HIAL. I am keen to understand the extent to which Audit Scotland could provide satisfaction that due process was followed and that public money was not needlessly wasted, as appears to have been the case.

On centralising radar, which Mr Henderson mentioned and Rhoda Grant pursued just now, similar concerns, although they are a little different, are now being raised. Mr Henderson spoke about those concerns. The issue seems to fall into the same category—that is, it concerns a review or a decision that has been predetermined. Although it appears to be consulting more, HIAL is asking how to deliver what it has already determined that it will deliver. I wonder whether work needs to be done to get HIAL almost to go back to first principles.

HIAL might have delivered on that, but the matter is not completely alien to it. If the concerns that Mr Henderson raised are legitimate—they seem to be borne out by evidence—I would hope that the committee and Prospect, in its discussions with HIAL, might be able to persuade HIAL to go back to first principles and determine whether a centralised model for radar surveillance is more practicable and in the interests of the island communities that rely on the lifeline services. Does Mr Avery agree with that? Might Prospect be able to carry forward that approach in its negotiations?

David Avery: The preferred model of our members was local deployment, but they have agreed to a remote system from Inverness. You need to bear it in mind that I am not a controller, but my understanding of the technical feasibility of delivering radar from Inverness and delivering radar from a room downstairs in Sumburgh

tower is that they are not wildly different. The questions that you would have to ask are around procedure; validation of staff and training are largely the same. The challenges that HIAL would face doing a greenfield radar implementation on site—whether at Sumburgh or at any other airport— versus doing it remotely are the same.

Prospect, as a union, does not have a particular view about whether the associated jobs would be better based in Inverness or in Sumburgh—or, indeed, in Aberdeen, where they are currently based. There are Prospect members in all those areas; I would not want to speculate about which option was better than another.

I highlight that the greenfield radar application is genuinely a difficult thing to do. HIAL currently has only one radar base, which is at Inverness airport. Inverness is short staffed and cannot share the experience of those controllers in the project. Delivering the service is not easy, but that is a far more doable challenge than the one that HIAL previously embarked on. I do not take a view on the jobs question.

I will expand on the point about Audit Scotland. My previous industrial relations work involved the creation of Marine Scotland. Audit Scotland audited that when it was finished. That provided insights into lessons that can be learned from machinery-of-government changes. Audit Scotland is probably the appropriate body to look at the matter. As Liam McArthur said, Transport Scotland is involved in decision making in HIAL; it sits on the board and will, ultimately, sign off—or not—the changes to the project. I am not sure that it is in a position to audit itself.

The Convener: Does Prospect retain confidence in HIAL and its existing board?

David Avery: We have never put to our members the question whether they have confidence in HIAL's board, and I do not want to speculate on how they would vote, were we to do so.

The Convener: That is one gift horse that you are prepared to look in the mouth. Thank you very much. That has been extremely useful and helpful.

Colleagues, I think that we will probably consider the evidence afresh after we have met HIAL. Liam McArthur made general comments in addition to the points that we put to Mr Avery. Rhoda Grant asked a specific question. Do you have general comments to add for us to bear in mind before I draw the discussion to an end?

Rhoda Grant: I have a comment about community involvement. I have spoken to Prospect members and the like. They seem to be happier with their current involvement, but we have heard from Peter Henderson that he is concerned about community involvement. He is representing the community—albeit that he is doing so as a previous employee of HIAL. We need to get everybody on side. The issue is so important that we must ensure that, whatever comes from the discussions, there is buy-in from everyone, and that they all have confidence in the system that will be put in place.

The Convener: Do you have a final point, Liam?

Liam McArthur: I will make a final point to follow up what David Avery said about not having a particular concern about where radar surveillance jobs are based. I understand that, and that the primary concerns are that jobs are secure and well paid, and that training is in place. As representatives of the various communities that HIAL serves, we have an interest in where the jobs are based. If there are not overwhelming arguments for their being based centrally as is proposed, rather than being dispersed round the network, HIAL needs to explain why that is happening. The expectation should be that, as far as possible, HIAL and other public bodies disperse jobs around the region. Peter Henderson has also set out real concerns about the practicability of what is proposed.

The Convener: As that flag has been run up the mast, I will draw this evidence session to a conclusion. Thank you all very much. I suspend the meeting briefly.

[Meeting suspended]

Annexe C

Civil Aviation Authority submission of 11

February 2022

PE1804/VV - Halt Highlands & Islands Airports Ltd's Air Traffic Management Strategy

Thank you for your letter of 7 February 2022 to Richard Moriarty where you sought, on behalf of the Citizen Participation and Public Petitions Committee, the CAA's views in relation to statements made in the petition calling on the "Scottish Parliament to urge the Scottish Government to halt Highlands and Islands Airports Ltd's Air Traffic Management Strategy Project to conduct an independent assessment of the decisions and decision-making process of the ATMS project."

Some elements within the text of the petition are beyond the remit of the CAA, so our view will be limited to those aspects that fall within our horizon. Namely:

1. The provision of surveillance capability to support the Air Traffic Management Strategy (ATMS),
2. The provision of services at multiple airports from one controlling position.

Aspects of the petition related to airspace change fall within the scope of the **CAP1616** process and progress for individual applications is made publicly available through the **CAA's airspace portal**.

Currently, surveillance throughout the UK is based on a set of layered surveillance capabilities made up of both cooperative (requiring both ground and airborne equipment such as secondary surveillance radar (SSR)) and non-cooperative (requiring only ground-based systems such as primary surveillance radar (PSR)). Although there are occasions when cooperative surveillance is the sole radar source used in the provision of an ATC service, these occasions are limited to those times when the primary (non-cooperative) radar has become temporarily unavailable. Currently **CAP670 - Air Traffic Services Safety Requirements states** that, below FL100 "All Terminal Control Areas

shall have at least a single layer of coverage by a suitable non-co-operative surveillance technique". It further states: "non-co-operative surveillance is required wherever an ATSU providing surveillance-based air traffic services identifies that it is probable for non-transponder equipped aircraft, whether identified or not, to present a hazard to operations due to the uncertainty of their positions"

Although, the text currently within CAP670 inhibits the provision of an ATC service based solely on non-cooperative surveillance, under the Civil Aviation Authority (Air Navigation Directions) 2017, as amended (the Air Navigation Directions), the Secretary of State has given the CAA the function to prepare and maintain a co-ordinated strategy and plan for the use of all UK airspace for air navigation up to 2040, including for the modernisation of the use of such airspace. **The Airspace Modernisation Strategy (AMS) – CAP1711** states that *"there are opportunities that allow for the phased modernisation of the UK's surveillance capability"*. Further developments to the Airspace Modernisation Strategy are currently under **consultation**.

While cooperative surveillance, as a standalone solution in the provision of air traffic services, is not something the CAA would consider in this case in the near term, the Airspace Modernisation Strategy strives to enable its wider use in the medium to long term and HIAL have been advised to scope trials or studies to assist in realising its benefits and bringing the Airspace Modernisation Strategy to life. The issues highlighted during the 12 January meeting relate to the timing of the implementation rather than overall possibility.

With regards to plans for a single controller to offer services at multiple airports simultaneously, the CAA considers the proposal to be feasible, but not without some limitations. HIAL are aware that there may be conditions or limitations placed on the ATC services offered by the proposal. HIAL have a mature and established safety management system (SMS) and have experience in implementing changes of this nature. Specific details of the change are not expected to be submitted to the CAA for some time, but the CAA will review the safety arguments related to the proposal when they are submitted. Any proposed change will be subject to approval from the CAA.

I hope the text above assists the Citizen Participation and Public Petitions Committee in their deliberations, at least in those aspects related to CAA activities.

Highlands and Islands Airports Ltd submission of 3 March 2022

PE1804/XX Halt Highlands & Islands Airports Ltd's Air Traffic Management Strategy

Following the meeting of the Citizen Participation and Public Petitions Committee on 2 February, we write to update the Committee on the outcome of the ballot of Prospect members on the future strategic direction for the ATMS programme agreed by the HIAL Board on 24 January.

The ballot closed on Monday 21 February, with the majority of HIAL's air traffic controllers accepting the new direction for the programme. We are pleased that our colleagues have recognised the level of engagement and the compromise position that HIAL and Prospect have worked hard to achieve.

There are fiscal and regulatory hurdles to overcome and moving forward we will continue to work closely with our air traffic colleagues and seek their input to develop the necessary detail.

We would like to take this opportunity to address some of the points raised by the Petitioners in their submission PE1804/UU and to address some of the points raised in the oral submissions given at the committee meeting held on 2 February 2022, from parliamentary members Liam McArthur and Rhoda Grant.

As we have previously informed the committee, we established new ATMS working groups to help detail the benefits and risks of a potential way forward.

The output from these groups was discussed by the Board when making their decision on 24 January.

Without wishing to reiterate our previously stated position, HIAL has resolved the impasse with Prospect and agreed a new way forward, which has now been approved by our air traffic colleagues.

This has taken compromise on both sides and all relevant parties are now focused on delivering a system that is safe and fit for purpose.

Once again, we reiterate that safety is paramount. At every stage, the Civil Aviation Authority (CAA) is informed of our plans.

Regarding cooperative surveillance and multiple endorsements, having received confirmation that the CAA see no regulatory impediment to either, HIAL will continue to develop proposals for scrutiny by the regulator.

The new proposal for a combined surveillance centre will bring all our approach services together under the one roof and enable controllers to operate approach services for multiple airports which increases resilience across the estate and is not uncommon in the UK.

We have also agreed with the union and notified the CAA that HIAL intends to phase out procedural air traffic control services and will move forward with more modern and widely used techniques, practiced globally.

To suggest that HIAL will “dust down” the remote tower proposals four or five years down the line and seek to reintroduce them is misleading and unhelpful.

Our goal in introducing remote tower technology was to provide an air traffic management system that would future proof air traffic provision and provide the overall resilience we believe the technology offers.

However, we acknowledge and respect the position of our colleagues, and have therefore agreed an alternative delivery strategy which has meant compromise on both sides.

In the medium to longer term, we cannot predict how the aviation industry and technology will advance in the years to come and that is why we have programmed in a review in five years against a framework, jointly agreed with Prospect to look at all aspects of ATC.

None of the petitioners are directly involved in the programme or directly impacted by it and we note that their opinion appears to be at odds with Prospect and the majority of HIAL's air traffic controllers who voted to accept the revised proposals for the modernisation of air traffic services in the Highlands and Islands.

Prospect submission of 7 March 2022 PE1804/WW - Halt Highlands & Islands Airports Ltd's Air Traffic Management Strategy

In October I wrote to the committee setting out an agreement between Prospect and HIAL to work together on a possible new direction for the modernisation of air traffic services in HIAL.

I am pleased that following a period of intense negotiation with the union and engagement with the workforce through joint working group a new way forward has been agreed. Prospect members voted to accept the offer in a recent ballot and the dispute is now resolved with one notable exception. The solution now being developed mirrors the arrangement which has been operating at Sumburgh for decades.

Local air traffic towers will remain at Dundee, Inverness, Kirkwall, Sumburgh and Stornoway with radar surveillance being delivered from Inverness at a facility on the airfield.

While this remains a challenging project from a regulatory perspective, the technology and process required are not novel, and the whole concept is several orders of magnitude easier to deliver than the previously proposed remote towers option.

The proposal protects highly skilled jobs in island communities. Any staff who wish to relocate to Inverness to work in the surveillance centre may of course do so, but those who wish to remain (which we believe is the vast majority) will be able to remain.

The new approach is not without difficulty: there remain a number of people challenges which we will work with the company to resolve, including agreeing a staff complement for each station which will ensure a long-term resilient service.

There also remain recruitment and retention challenges at Inverness, but not at other locations.

Working groups have been established to consider these issues. We have agreed a review at the five-year point. I have been clear with the company that members expect that the review will be conducted in a fair manner without a predetermined outcome.

If in five years' time the implementation of remote surveillance has been successful, there would be no business case to make further changes. We therefore do not view this as simply a delaying tactic to introduce remote towers by stealth.

The one remaining area of dispute is the downgrade of Benbecula and Wick aerodromes.

Our members are still of the view that this is neither required or desirable. They remain of the view that moving to a FISO service provides a less safe, less flexible service and would not be fit for the low carbon/electric flight vision proposed by the Scottish Government in its most recent consultation on the future of aviation.

A working group to consider the level of service at Benbecula and Wick has been proposed, but at time of writing we are yet to see the terms of reference. Benbecula was one of the only areas of the island impact assessment to show any positives for the remote towers project, however this was comparing the proposals for a FISO service with the total relocation of services to a remote tower centre.

Now that the company have accepted that local tower and centralised radar is a valid option, the impact of this assessment is no longer valid and the impact on Benbecula should be reconsidered as negative compared to both the status quo and the proposed future model of operation for the other ATC airports.

This has been a long running dispute that I am glad to see drawn to a close. I hope HIAL and indeed other organisations will learn lessons about the perils of not involving the workforce and the communities it serves in the strategic direction of the organisation.

The solution now being adopted was viable when HELIOS prepared their original report, but it has taken five years and millions of pounds of expenditure for that to finally be accepted.