

CAA assessment of the criteria for call in by the Secretary of State of Leeds Bradford Airport's December 2018 airspace change proposal

CAP 1770

Published by the Civil Aviation Authority, 2019

Civil Aviation Authority
Aviation House
Gatwick Airport South
West Sussex
RH6 0YR

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First published March 2019
Second edition

Enquiries regarding the content of this publication should be addressed to: graham.french@caa.co.uk

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Chapter 1

Background

Introduction

- 1.1 On 18 December 2018, Leeds Bradford Airport submitted an airspace change proposal to the CAA (“Leeds Bradford Airport ACP, Proposal for Revised Airspace and Instrument Flight Procedures”¹, ACP reference ACP-2015-10), proposing additional Controlled Airspace and implementation of revised Instrument Flight Procedures that will reduce reliance on conventional navigational aids which are due to be withdrawn. On 15 and 19 February 2019, the CAA received requests for the airspace change decision of this proposal to be called in by the Secretary of State² and, also on 19 February, the Secretary of State asked the CAA to assess whether the call in criteria set out in the 2017 Secretary of State Directions to the CAA have been met. The Secretary of State’s request asked the CAA to take into account statutory guidance on the call-in criteria³ and the details provided in the call in requests when making its assessment. No updates to the airspace change proposal were submitted to the CAA before the deadline for call in requests of 19 February 2019 and so the CAA’s assessment will be made against the details of the proposal submitted on 18 December 2018 (hereafter called the “Leeds Bradford Proposal”).
- 1.2 This report represents the CAA’s assessment of the call in criteria as they apply to the Leeds Bradford Proposal, and will be provided to the Secretary of State to inform his decision whether he has a discretion to exercise to call-in the proposal for decision by himself rather than the CAA.
- 1.3 The remainder of this chapter outlines the relevant Directions and Guidance given to the CAA. Chapter 2 sets out the CAA’s assessment of each of the call in criteria and Chapter 3 gives the CAA’s overall assessment of whether any of the call-in criteria are met such that a discretion for the Secretary of State (SoS) to call in the Leeds Bradford Proposal arises.

¹ Available on the CAA website at [https://www.caa.co.uk/Commercial-industry/Airspace/Airspace-change/Decisions/FASI\(N\)/](https://www.caa.co.uk/Commercial-industry/Airspace/Airspace-change/Decisions/FASI(N)/).

² Available on the CAA website on the same webpage.

³ Available on the CAA website at

https://www.caa.co.uk/uploadedFiles/CAA/Content/Standard_Content/Commercial_industry/Airspace/Airspace_change/181007%20Guidance%20to%20the%20Civil%20Aviation%20Authority%20on%20call%20in.pdf.

Relevant Directions and Guidance

- 1.4 The Civil Aviation Authority (Air Navigation) Directions 2017, issued to CAA on 18 October 2017 contain the primary definition of the call in criteria and the exceptions which the CAA must consider in this assessment.

- (5) For the purposes of this direction, the “call in criteria” are that the proposed change—
- (a) is of strategic national importance,
 - (b) could have a significant impact (positive or negative) on the economic growth of the United Kingdom, or
 - (c) could both lead to a change in noise distribution resulting in a 10,000 net increase in the number of people subjected to a noise level of at least 54 dB LAeq 16hr and have an identified adverse impact on health and quality of life.
- (6) This direction does not to apply to a proposal which is—
- (a) submitted by, or on behalf of, the MoD,
 - (b) directly related to a planning decision which had already been determined by the Secretary of State,
 - (c) directly related to a planning decision made by another planning authority which involved detailed consideration of changes to flight paths in UK airspace, consequential on the proposed development, which the sponsor has taken into account when developing its proposal, or
 - (d) submitted to the CAA for approval before the coming into force of these Directions.

- 1.5 The Secretary of State’s Air Navigation Guidance 2017, providing guidance to the CAA on its environmental objectives when carrying out its air navigation functions and to the CAA and wider industry on airspace and noise management 2017, published in October 2017, states that.

6.7 In accordance with the call-in criteria as set out in the Air Navigation Directions 2017, the CAA must require that the sponsor assesses whether the anticipated noise impact of its proposals will meet the relevant call-in criterion and provide that assessment to the SofS to enable the expected noise impact to be checked and determined by the SofS.

- 1.6 The statutory guidance (version 1.1, dated October 2018) which the DfT has requested the CAA takes into account when undertaking a call in assessment is hereafter referred to as “the Guidance” and is set out below: