

CAA response to Heathrow Airport Limited's June 2019 Airport Expansion Consultation

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Introduction

1. The Civil Aviation Authority (CAA) welcomes the opportunity to respond to Heathrow Airport Limited's (HAL) statutory consultation on airport expansion in its capacity as a statutory consultee under planning law.
2. The CAA has consistently stated that additional runway capacity in the south east of England will benefit air passengers and cargo owners. The timely delivery of more aviation capacity is required to prevent future consumers experiencing higher airfares, reduced choice and lower service quality.
3. The CAA has a number of statutory functions which impact on the success of any scheme proposed to meet or deliver the objectives of the designated Airports National Policy Statement (ANPS).
4. We are using our response to this statutory consultation on HAL's preferred masterplan to provide clarity and transparency on the roles and responsibilities we are performing and will continue to perform with respect to HAL's expansion scheme.
5. A number of HAL's proposals for expansion will be subject to CAA regulatory processes and approval. Some of these regulatory processes are already under way and our regulatory processes will continue throughout and beyond the DCO process (including after DCO consent, if granted, and during the construction phase).
6. We have engaged and will continue to engage with HAL over the coming months to understand its proposals for expansion insofar as they relate to our relevant regulatory roles and statutory functions and thus in our capacity as a statutory consultee.
7. This response is based on the available information in HAL's statutory consultation as at 13 September 2019 (the closing date of HAL's statutory consultation) and the current status of our relevant policies at this date. As our work on our regulatory processes will continue after this date, this response should be considered as a "snapshot" of our position on the issues discussed as at that date and remains subject to further development in those processes.

The CAA's regulatory roles and statutory functions

8. The CAA is the UK's specialist aviation regulator. We work so that:
- the aviation industry meets the highest safety standards. We regulate the safety of airport design against UK, European and international safety criteria.
 - consumers have choice, value for money, are protected and treated fairly when they fly. We regulate the cost of operating Heathrow airport and will regulate the costs of expanding the airport.
 - airspace is well managed. We make decisions on proposals to change airspace design, which we do against the background of our duties under the Transport Act 2000, Directions and environmental guidance from the Secretary of State. and
 - the aviation industry manages security risks effectively.

We also provide the government, and third parties on a commercial basis, with environmental advice as requested, including information about the noise effects of aviation operations. In general, it is for government to determine environmental policy and for the CAA, where required, to implement such policy as it relates to our functions.

The CAA's role as a statutory consultee under planning law

9. The CAA is prescribed as a statutory consultee in relation to applications for development consent made under the Planning Act 2008 and must be consulted on all such applications relating to an airport or which are likely to affect an airport or its current or future operation. We therefore respond to consultations and information from an applicant insofar as their application is relevant to our regulatory roles and statutory functions and we have comment to make.
10. As a statutory consultee, we are expected to provide advice and assistance to the Planning Inspectorate and Secretary of State on whether we see any impediments to HAL's proposed development proceeding insofar as they relate to our regulatory roles and statutory functions, and, if so, whether we consider those impediments are capable of being properly managed¹. We make that assessment at the time of HAL's DCO submission. In making that assessment, we will need to decide whether there are any unmanageable impediments. Our assessment will be based on the evidence then available. The assessment we carry out and the advice and assistance we provide do not in any way fetter the

¹ This is likely to be in the form of a 'no impediments' and/or 'statement of common ground' document.

CAA's decision-making discretion in relation to regulatory decisions at a later stage; all regulatory decisions will be taken based on the information available and relevant considerations at the time.

11. The Airports National Policy Statement states HAL, as the promoter, must:

“provide the CAA with the information it needs to enable it to assist the Examining Authority in considering whether any impediments to the applicant's development proposals, insofar as they relate to the CAA's economic regulatory and other functions, are capable of being properly managed.”

We note the importance of HAL engaging with us and providing the information we need to fulfil our statutory consultee role.

Structure of this response

12. We welcome the opportunity to respond to HAL's Statutory Airport Expansion Consultation. Each chapter of this response deals with a different topic for which we have a regulatory role and indicates at the start the particular consultation documents on which we are providing comments.
13. There is evidently a very large volume of consultation material, much of which does not appear to be directly relevant to the CAA's regulatory roles and statutory functions. We have not reviewed all of the consultation documents published by HAL as part of this consultation. We have focussed our attention on those areas which are within or are closely related to the CAA's areas of regulatory responsibility. Also, we have only included reference to documents where we have a comment to make.
14. Given the CAA's diverse range of regulatory functions, the format and layout of this response differs significantly across our different functions ranging from specific technical points to more general commentary. We have not applied a uniform format to our responses as we do not consider this would assist the applicant any further.

Chapter 1

Aerodrome Safety

Consultation documents commented upon in this chapter

Preferred Masterplan
PEIR chapter 16 – Major Accidents and Disasters
Updated Scheme Development Report – Document 2 of 5
Construction Proposals

Aerodrome Safety

- 1.1 The CAA is the UK regulator of aviation safety. UK Aerodromes that fall within the scope of EASA are currently subject to regulations set by EU/EASA. The CAA's role is to ensure that all the relevant aerodrome regulations (the EASA Basic Regulation, Implementing Rules, Acceptable Means of Compliance and Certification Specifications) are complied with by UK aerodromes in scope.
- 1.2 In Table 1.1, we set out the CAA's comments on the above documents together with some general comments.

Table 1.1: CAA comments concerning Aerodrome Safety

General		
HAL should ensure it has considered the ICAO manual on simultaneous OPS on parallel or near-parallel instrument runways (SOIR), since that has material on runways spacings and independent parallel approach requirements. An update to that manual is shortly to come into effect.		
Preferred Master Plan Document		
Page	Para	Comment
69	Fig 6.2.3	A cargo transshipment area has been proposed directly in line with runway 27C (existing 27R). HAL should consider if this conflict or is likely to conflict, with public safety zone requirements.
72	Fig 6.3.3	CAA supports the end around and western bypass taxiways, and their location to minimise the impact on runway 09C/27C. This design is also in accordance with the European Action Plan for the Prevention of Runway Incursions (EAPPRI) recommendations and

		mitigates the risk of runway incursions.
81	6.5.2	The desire for displaced thresholds to alleviate noise overhead communities on approach is noted, but sufficient landing distance is required to minimise the use of reverse thrust which generates additional noise on the aerodrome. Additionally, the location of the rapid exit taxiways should be used to reduce the use of reverse thrust – to reduce noise and the maintenance burden of aircraft engines. This is not mentioned in the masterplan or updates scheme development documents reviewed.
	6.5.2	There are presently warnings published in the AIP for both 27L and 27R regarding building induced turbulence/windshear during strong southerly/southwesterly winds or strong northerly winds. HAL should consider if displacing the landing thresholds could impact this.
83	Fig 6.5.4	There is a risk that displacing the landing thresholds on runway 27C by such a large distance could lead to confusion for aircrews as the touch down zone markings for both ends of the runway could overlap. HAL should consider designing the distance between the thresholds to avoid this.
89	6.7	Some aircraft have significant towing distances between the MRO east facility and T5 which can add to the workload of ATC ground and which can also add to the congestion around the 27L and 27R holding areas when in use as departure runways. Rationalising and adding more MRO facilities in this area may increase this congestion so HAL should consider this as they develop their proposals.
102	Fig 6.10.3	A cargo truck park area has been proposed directly in line with runway 27L. HAL should consider whether this conflicts with public safety zone requirements.
165	Fig 7.10.2	A blast wall has been proposed in line with and to the west of the end of both existing runways. The height of this should be such that it does not interfere or infringe the obstacle limitation surfaces or the instrument flight procedures protection surfaces. This also applies to any noise attenuation, blast protection or visual mitigation structures (as identified on page 164).
160	7.9	The section on Landscape and Biodiversity needs to account for and propose species and habitats that do not attract wildlife that could increase the wildlife or bird strike risk. Guidance is provided in CAP 772.

Updated Scheme Development Report – Document 2 of 5		
7	1.2.6	This section states that the existing runways are dependent owing to their distance apart. The masterplan document at para 5.2.2 states that the new runway will operate independently of the existing runways, notably what will become 09C/27C. However, the distance between these runways is less than between the existing runways. HAL will need to propose suitable mitigations with appropriate safety cases in order to operate the runways independently with the proposed runway spacings. The intention to have operational independence for all the runways is again highlighted at 1.3.4.
	1.2.6 Fig 1.4	Present operation is preferred westerly operations up to a tailwind of 5kts. This is not mentioned in the report, so if this preference was removed HAL should consider how much impact it would have on percentage use between easterly and westerly operations. HAL should also consider whether landing with a 5kt tailwind on a shortened LDA of 2800m might present an issue.
9	1.3.2	Sub para 1 states that the runway will be designed to recognised international standards set down by EASA and ICAO and quotes “EASA Certification Specifications and Guidance Material for Aerodromes Design CS-ADR-DSN Issue 4”. This should be modified to include “or as amended”. This will ensure that the published set of certification specifications at the time of design are used.
67	2.3.6	The benefits of around the end taxiways (ATETs) are stated in capacity terms when it is a significant safety design feature to remove the runway incursion risk and follows EAPPRI recommendations which is not mentioned; these other justifications should be stated. However, the operation of the ATETs needs to be reviewed in detail to ensure the mobile obstacles are not affecting the operation of the runway.
79	2.4.2	The design of any new Rapid Exit Taxiways (RETs) or Rapid Access Taxiways (RATs) should take into account the runway incursion risk and should follow recommendations in the EAPPRI document.