

CAA assessment of the criteria for call in by the Secretary of State of London Oxford Airport's July 2020 airspace change proposal

CAP 1970

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Chapter 1

Background

Introduction

- 1.1 On 23rd July 2020, London Oxford Airport (LOA) submitted an airspace change proposal to the CAA (“London Oxford ACP, Proposal for Revised Airspace and Instrument Flight Procedures”¹, ACP reference ACP-2014-03), proposing the introduction of new PBN arrival procedures and restructure of the local airspace to protect the most critical stages of these procedures (hereafter called the “LOA Proposal”). On 8 September 2020, the CAA received a request for the airspace change decision to be called in by the Secretary of State². No further updates to the airspace change proposal were submitted to the CAA before the deadline for call-in requests of 8 September 2020 and so the CAA’s assessment will be made against the details of the proposal submitted on 23 July 2020 (hereafter called the “LOA Proposal”).
- 1.2 The Civil Aviation Authority (Air Navigation) Directions 2017 (as amended) (“**the 2017 Directions**”) Direction 6(1A) require the CAA to provide an assessment of whether the CAA considers the proposal meets one of more of the call-in criteria set out in Direction 6. Direction 6(1B) requires the CAA to take account of any guidance the Secretary of State has given to the CAA when doing so. This report represents the CAA’s assessment of the call-in criteria as they apply to the LOA Proposal, and will be provided to the Secretary of State (SofS) 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 SofS to call in the LOA Proposal arises.

¹ Available on the CAA website at <https://www.caa.co.uk/Commercial-industry/Airspace/Airspace-change/Decisions/London-Oxford-Airport-Airspace-Change-Proposal/>.

² Available on the CAA website on the same webpage.

Relevant Directions and Guidance

- 1.4 The 2017 Directions 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, ~~or~~
 - (d) could lead to any volume of airspace classified as Class G being reclassified as Class A, C, D or E.
- (6) This direction does not to *[sic]* 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 1.2, dated October 2019³) which the 2017 Directions require the CAA takes into account when undertaking a call-in assessment is hereafter referred to as “the Guidance” and is set out below:

³ Available on the CAA website at

https://www.caa.co.uk/uploadedFiles/CAA/Content/Standard_Content/Commercial_industry/Airspace/Airspace_change/191031%20Guidance%20to%20the%20Civil%20Aviation%20Authority%20on%20call%20in.pdf