

Leeds Bradford Airport ACP2015-10

CAP 1805



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Executive summary

Objective of the proposal

This document details the UK Civil Aviation Authority's (CAA) decision regarding Leeds Bradford Airport's (LBA) Airspace Change Proposal (ACP) to introduce new Standard Instrument Departures (SIDs), Instrument Approach Procedures (IAPs) and to expand Controlled Airspace (CAS) around the airport. The ACP was submitted on 18th December 2018.

Summary of the decision made

1. The CAA has decided not to approve ACP 2015-10.

Next steps

2. Should the sponsor decide to address the issues identified, any future submission must follow the current ACP process as documented in Civil Aviation Publication 1616.

Decision process and analysis

Aims and objectives of the proposed change

3. LBA identified a requirement to update flight procedures and airspace around the airport as part of the Future Airspace Strategy Implementation (North) (FASI(N)) program and in response to European legislation¹ that requires airports to introduce new procedures that utilise Performance Based Navigation (PBN).

Chronology of proposal process

Framework Briefing

4. A Framework Briefing took place at CAA House, London on 23rd Sep 2016. During this briefing, LBA outlined its position. Having started the project in 2013, the sponsor highlighted that it believed that the current airspace was no longer fit for purpose, as the current procedures were not fully contained in controlled airspace. There was limited airspace for sequencing and there were issues in containing the increased volume of traffic. The sponsor confirmed that the initial conceptual design was too ambitious, too complex and would have had a significant adverse impact on other airspace users. LBA also stated it had concerns with regard to the maintenance of Doncaster Sheffield Airport's Class D airspace and how there was an assumption that this would be required to remain extant in order to progress their proposal. Other issues highlighted were the turnover of staff at the airport and the ongoing engagement with Prestwick Centre. Despite these issues, it was stated that RNAV SIDs, transitions and approach procedures had been developed in conjunction with Prestwick Centre and the Prestwick Lower Airspace Systemisation team. Furthermore, due to the Section 106 Agreement granted by Leeds City Council, it was agreed to replicate the current SIDs in order to avoid changing the Noise Preferential Routes (NPRs).

Consultation

5. The consultation was started on 23rd June 2017 and was extended, through an Addendum Document, until 29th December 2017 due to some confusion regarding

¹ European Implementing Rule 2018/1048.

the details in the consultation material. An area of the proposed airspace encroached on several Parish Councils that had not been included in the initial distribution of consultation notifications. Having been advised of the omission by the CAA, the sponsor resisted further engagement until pressed. It is stated in the Consultation Feedback Report that the Consultation Document, was circulated to 408 organisations and individuals, including the MOD, airlines, aircraft operators and many national bodies representing the aviation community, such as the National Air Traffic Management Advisory Committee (NATMAC). Sixteen responses were received from these consultees and a further 429 responses were received from other individuals, members of the GA community and other organisations.

Submission of Airspace Change Proposal

6. The formal ACP was submitted to the CAA on 18th December 2018. It was published on the CAA's website to ensure process transparency. However, there were a number of associated documents (enclosures) omitted at the time of submission. As a result of this, the assessment did not commence until 21st Jan 2019. The assessment process raised the requirement for the CAA to be provided with further information and a meeting was held at CAA House on 6th February 2019 in order to raise questions with the Change Sponsor. The CAA then identified inadequacies in the consultation process because of this meeting and its ongoing assessment of the ACP.

CAA analysis of the material provided

7. As a record of our analysis to date, with regard to this ACP, the CAA has produced:
 - [A Consultation Assessment](#).

This assessment has been published on the CAA Website.

CAA assessment in respect of operations and the environment

8. The CAA considered the airspace change proposal and all the consultation material(s) submitted. The CAA is satisfied, owing to the recommendations that have resulted from the consultation assessment, that there is no requirement to conclude an operational or an environmental assessment at this stage.

CAA assessment and decision in respect of consultation

9. The Consultation Assessment was undertaken with reference to the Gunning Principles² and Government Consultation Principles³.
10. The CAA Consultation Assessment⁴ details the reasons for the failings of the consultation process. The key elements that did not meet the regulatory standards are as follows:
 - a) The justifications for the changes were presented ambiguously and were difficult to comprehend⁵.
 - b) The Operators and Owners of all classes of aircraft⁶ who participated in the consultation did not have their concerns, which were raised in the consultation process, conscientiously considered and mitigated adequately.
 - c) Consultations should be informative⁷ and provide enough information for those participating to understand the issues. The diagrams presented in some of the submitted documents do not accurately portray the impact of the change to the communities involved.

Explanation of statutory duties

11. The CAA has a regulatory duty to assess all ACPs, against Section 70 of the Transport Act 2000.

² Gunning Principles (R v. London Borough of Brent ex parte Gunning [1985] 84 LGR 168)

³ Cabinet Office Consultation Principles: [Guidance 2016](#)

⁴ CAA Consultation Assessment for ACP 2015-10

⁵ Second part of the Gunning Principles

⁶ s70(2)(a) Transport Act 2000

⁷ Cabinet Office Consultation Principles

CAA's regulatory decision

12. As a result of the inadequacies of the consultation element of this ACP and noting the anticipated impacts on the material factors we are bound to take into account, the CAA must exercise its duty in accordance with s.70 of the Transport Act 2000. The CAA has decided not to approve this ACP.

Conditions

13. None; any further application will be progressed under the CAP 1616 process.