

CAA assessment of the criteria for call in by the Secretary of State of Edinburgh Airport's October 2018 airspace change proposal

CAP 1728



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Chapter 1

Background

Introduction

- 1.1 On 13 August 2018, Edinburgh Airport submitted an airspace change proposal to the CAA (“Edinburgh Airport Arrivals and Departures version 2.0”¹, ACP reference ACP-2015-02), proposing changes to the arrival and departure routes to and from Edinburgh Airport. This proposal was a modification of an airspace change proposal submitted to the CAA in August 2017. On 6 September 2018, the CAA received a request for the airspace change decision of this proposal to be called in by the Secretary of State. On 20 September 2018, 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 has been met. The Secretary of State’s request attached draft guidance to the CAA on making this assessment (“Call in Guidance”) which the CAA was asked to take into account².
- 1.2 On 15 October 2018, the CAA received an update of Edinburgh Airport’s airspace change proposal (“Edinburgh Airport Arrivals and Departures version 2.1”, hereafter referred to in this document as the “Edinburgh Proposal”). Since this version pre-dates 17 October 2018, the closing date of the 28-day window during which stakeholders may request that the proposal is called in by the Secretary of State, the CAA has based its assessment on this version.
- 1.3 This report represents the CAA’s assessment of the call in criteria as they apply to the Edinburgh 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.
- 1.4 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 to call in the Edinburgh 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 On 18 October, CAA received new amending directions from the Secretary of State, which added the new function for CAA to provide him with an assessment of this nature.

Relevant Directions and Guidance

- 1.5 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.

- 1.6 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.

- 1.7 In a letter to the CAA dated 20 September 2018³, DfT requested that the CAA assess whether the call in criteria in this case are met and that the CAA take into account attached draft statutory guidance on carrying out that assessment when doing so⁴.
- 1.8 The guidance described above is hereafter referred to as “the Guidance” and is set out below:

³ Attached to this report as Appendix A

⁴ On 22 October, the CAA received amended guidance from the DfT, although it is our view that the amendments do not change our overall assessments of this case.

Call-in criterion (a) – Strategic national importance

9. A proposal would be of strategic national importance if it supports or conflicts with the delivery of national policy to the extent that the approval or rejection of the proposal will impact the overall delivery of one or more of the following government policies only:

I. an Airports National Policy Statement (NPS), for example if the CAA considers that a proposed airspace change could prevent the successful delivery of on-going or future airspace changes that could increase future capacity as agreed in that NPS;

II. *[Section deleted in Version 1.1 of the Guidance to the CAA]* the UK's Airspace Modernisation Strategy, for example:

a. two or more airspace change proposals put forward together by a single sponsor that the CAA considers could affect the airspace arrangements of multiple airports, or

b. a proposal that conflicts with successful and timely implementation of the CAA's "co-ordinated strategy and plan for the use of UK airspace for air navigation up to 2040, including for the modernisation of the use of such airspace" and any road map and airspace changes developed to deliver the CAA's strategy and plan;

III. maintaining UK national security, for example a proposal that the CAA has been advised by the Ministry of Defence or another government department might have a national security impact on the operations of a site of critical national infrastructure, such as a nuclear installation or prison;

IV. the UK's Industrial Strategy as it relates to space ports, but only where a proposal establishes the airspace needed for operations from the first space ports designed for sub-orbital use and vertical launchers, and which therefore sets the precedent for future design and airspace change decisions;

V. airspace zones specifically linked to the UK policy on the safe use of drones in the UK, but only in respect of the first proposal to establish the airspace needed for the use of drones commercially (i.e. excluding testing) and which therefore sets the precedent for future design and airspace change decisions.

10. The DfT will notify the CAA at the point that the CAA no longer needs to take paragraphs 9. IV and/or 9. V into account.

Call-in criterion (b) – Could have a significant impact (positive or negative) on the economic growth of the United Kingdom

11. A proposal would have such an impact if it were directly linked to a plan to increase capacity at an airport or airports by more than 10 million passengers a year. This is the passenger threshold used for an airport to be classed as a Nationally Significant Infrastructure Project.

Call-in criterion (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

12. To enable this criterion to be assessed, the CAA must ensure that a sponsor submitting any airspace change proposal to the CAA for a decision includes either (a) an assessment of whether the 54 dB LAeq 16hr test set out in criterion c is met, based on satisfactory noise modelling, or (b) where agreed with the CAA, other satisfactory evidence demonstrating that the anticipated change in noise impacts will not meet this criterion.

13. The Air Navigation Guidance 2017 (section 6.7) states that “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.” This assessment must be made for all proposals submitted to the CAA for decision after 1 January 2018, including those that are being considered under CAP 725 and against the Air Navigation Guidance 2014.

14. This criterion concerns proposals that have both “a change in noise distribution...and....an identified adverse impact on health and quality of life”. For the purposes of this assessment, the CAA should consider whether any proposal leading to the specified change in noise distribution in criterion (c) will consequently have “an identified adverse impact on health and quality of life” and therefore will meet this criterion.

Exceptions

15. Direction 6(6) specifies the following exceptions from the call-in process:

- VI. a proposal which is submitted by, or on behalf of, the Ministry of Defence (MoD); this would include a proposal jointly submitted with a civilian sponsor;
- VII. a proposal directly related to a planning decision
 - a. which has already been determined by the SofS; or
 - b. 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.

16. In the case of a proposal that is subject to an exception under para 15 above, the CAA is requested to provide its views as to why the exception applies and no detailed assessment of the call in criteria against the proposal is required.

Chapter 2

CAA's assessment of the call-in criteria

- 2.1 In this chapter, the CAA sets out its assessment of the various call in criteria as they pertain to the Edinburgh airspace change proposal.
- 2.2 It must first be ascertained whether the airspace change falls into any of the exception categories from 2017 Directions, Direction 6(6), since if it does then – irrespective of other considerations – no detailed assessment of the other call in criteria needs to be made. If the proposal does not appear to be an exception, then it must be assessed against the three call in criteria from 2017 Directions., Direction 6(5).

Exceptions

- 2.3 Direction 6(6) states the conditions under which a proposal is exempted from call in. The proposal is exempted if it is:
- Submitted by, or on behalf of, the MoD,
 - Directly related to a planning decision which had already been determined by the Secretary of State,
 - Directly related to a planning decision made by another planning authority which involved detailed consideration of changes made to flight paths in UK airspace, consequential on the proposed development, which the sponsor has taken into account when developing its proposal, or
 - Submitted to the CAA for approval before the coming into force of these Directions.
- 2.4 **Submitted by, or on behalf of, the MoD:** the Edinburgh Proposal was submitted by Edinburgh Airport Ltd, and makes no mention of the proposed changes being made jointly with or on behalf of the MoD. Therefore, the CAA's assessment is that this exception is not met.
- 2.5 **Directly related to a planning decision already determined by SoS:** the CAA is not aware of any planning decision already determined by the SoS to which the Edinburgh Proposal is directly related. Nor is there any mention of such in the Edinburgh Proposal. Therefore, the CAA's assessment is that this exception is not met.
- 2.6 **Directly related to a relevant planning decision by another authority:** the CAA is not aware of any planning decision already determined by any other body to which the Edinburgh Proposal is directly related in the manner specified. Nor

is there any mention of such in the Edinburgh Proposal. Therefore, the CAA's assessment is that this condition is not met.

- 2.7 **Submitted before the Directions came into force:** 1(1) of the Directions states that they came into force on 1 January 2018. The Edinburgh Proposal was submitted to the CAA on 13 August 2018. An earlier version of the proposal was submitted to the CAA in August 2017. However, this earlier version did not proceed to a CAA decision and was withdrawn, amended and then resubmitted to the CAA for decision on 13 August 2018. In the CAA's opinion, the 13 August 2018 date is the relevant date for the assessment of this exception and this date is after the Directions came into force. Therefore, the CAA's assessment is that this exception is not met.
- 2.8 From the analysis above, the Edinburgh Proposal does not meet any of the conditions required to be an exception, and therefore it can be called in by the Secretary of State if it meets one or more of the criteria set out in the Directions 5(5).
- 2.9 The following sections will examine each of these criteria in turn.

Of strategic national importance

- 2.10 Direction 6(5)(a) states that an airspace change proposal shall meet one of the call in criteria if it is of strategic national importance.
- 2.11 The Guidance provided to the CAA states that a proposal would be of strategic national importance if it supports or conflicts with the delivery of national policy to the extent that the approval or rejection of the proposal will impact the overall delivery of one or more of the following government policies only:
- an Airports National Policy Statement (NPS)
 - the UK's Airspace Modernisation Strategy⁵
 - maintaining UK national security
 - the UK's Industrial Strategy as it relates to space ports
 - airspace zones specifically linked to the UK policy on the safe use of drones in the UK
- 2.12 **An Airports NPS:** The Government's only Airports NPS was formally designated by the Secretary of State on 26 June 2018. Paragraph 1.12 of the Airports NPS⁶

⁵ The only material change between the Guidance (issued on 6 September 2018 by DfT) and the amended guidance issued on 22 October 2018 was the removal of this policy from the list defining policies of strategic national importance.

⁶ 'Airports National Policy Statement: new runway capacity and infrastructure at airports in the South East of

states, “The Airports NPS provides the primary basis for decision making on development consent applications for a Northwest Runway at Heathrow Airport, and will be an important and relevant consideration in respect of applications for new runway capacity and other airport infrastructure in London and the South East of England.” There is no mention of Edinburgh Airport or airspace in the Airports NPS. Therefore, the CAA’s assessment is that the approval or rejection of the proposal will **not** impact the overall delivery of this national policy and therefore this condition is not met.

- 2.13 **The UK’s Airspace Modernisation Strategy:** the CAA’s function to develop and publish an airspace Modernisation Strategy derives from 2017 Directions, Directions 3 (e-g). The CAA has recently consulted on a draft Airspace Modernisation Strategy, the first of its kind, and expects to publish a final strategy by the end of the year⁷. Until this time, there is no final UK Airspace Modernisation Strategy against whose delivery the effects of the Edinburgh Proposal can be measured. In the CAA’s assessment, as the UK’s AMS is still in draft, the potential effects of the Edinburgh proposal against its delivery should not be assessed for the purpose of our assessment of whether this call in criteria has been met. The CAA also notes that the final guidance issued by DfT on 22 October 2018 removed this condition from the list of policies the CAA is guided to consider when the CAA is assessing whether the proposal is of strategic national importance.
- 2.14 The CAA’s assessment is that there is no final UK AMS against which this condition could be compared and so this condition is not met.
- 2.15 **Maintaining UK national security:** the CAA has not been advised by the Ministry of Defence or any other government department that the Edinburgh Proposal might have a national security impact on the operations of a site of critical national infrastructure. Nor is there any mention of such in the Edinburgh Proposal. Therefore, the CAA’s assessment is that the approval or rejection of the proposal will **not** impact the overall delivery of this national policy and therefore this condition is not met.
- 2.16 **Space ports:** the Edinburgh Proposal makes no mention of the proposed changes being made in relation to space ports, nor does it appear to the CAA to be related to this. Therefore, the CAA’s assessment is that the approval or rejection of the proposal will **not** impact the overall delivery of this national policy and therefore this condition is not met.

England’, June 2018

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/714106/airports-nps-new-runway-capacity-and-infrastructure-at-airports-in-the-south-east-of-england-web-version.pdf

⁷ See <https://www.caa.co.uk/Commercial-industry/Airspace/Future-airspace-strategy/Future-airspace-strategy/>

- 2.17 **Airspace zones for safe use of drones:** the Edinburgh Proposal makes no mention of the proposed changes being made in relation to use of drones, nor does it appear to the CAA to be related to this. Therefore, the CAA's assessment is that the approval or rejection of the proposal will **not** impact the overall delivery of this national policy and therefore this condition is not met.
- 2.18 Since the CAA's assessment is that none of the above conditions have been met by the Edinburgh Proposal, our assessment is that this criterion is not met.

A significant impact (positive or negative) on the economic growth of the United Kingdom

- 2.19 Direction 6(5)(b) states that an airspace change proposal shall meet one of the call in criteria if it could have a significant impact (positive or negative) on the economic growth of the UK.
- 2.20 The Guidance provided to the CAA states that a proposal would have such an impact if it were directly linked to a plan to increase capacity at an airport or airports by more than 10 million passengers a year.
- 2.21 The Edinburgh Proposal does not contain a forecast of increased passenger numbers expected to arise from the airspace change. However, it does state (section 2.2) that one objective is to increase runway capacity and that "Current declared runway capacity is 42 movements per hour, the aspiration is to increase this to 50 movements per hour" and (section 5.2) gives the following estimates for air traffic movement (ATM) growth:
- "Traffic growth used for the noise analyses is:
- | | |
|--|----------|
| 2016 (source data) to 2019 (implementation): | + 9.6%* |
| 2016 to 2024 (implementation +5 years): | + 20.0%* |
| 2016 to 2024 (no airspace change, hence constrained growth): | + 15.99% |
- * (ref 16) EAL Masterplan (page 60) Traffic Forecast"
- 2.22 'EAL Masterplan' refers to the November 2016 Edinburgh Airport Masterplan 2016-2040⁸, which also includes passenger traffic forecasts (page 58), albeit only for 2011, 2017, 2020 and then every five years to 2040 (reproduced below). This illustrates the roughly 20% growth in ATMs between 2017 and 2025 is associated with a growth of 4.1m (= 16.6 – 12.5) passengers per annum. However, as indicated above, the airspace change is associated with just over four percentage points of that 20% growth in ATMs, and so is likely to account for about a growth of 0.8m (= 4.1 x 4 / 20) passengers per annum over the first five years of implementation.

⁸ See <https://www.edinburghairport.com/about-us/airport-expansion>

Passenger (Pax) and air traffic movement (ATM) forecasts

	2011	2017	2020	2025	2030	2035	2040	2045	2050
Pax	9m	12.5m	14.3m	16.6m	19.2m	22.3m	25.8m	29.9m	3m
ATM	110k	124k	134k	149k	166k	186k	208k	233k	261k

- 2.23 It is reasonable to expect that, beyond the first five years after implementation, the airspace change will account for a smaller proportion of the growth in passengers than it did just after implementation. Therefore, it seems unlikely to the CAA that the Edinburgh Proposal will be directly linked to an increase in capacity of more than 10m passengers per annum. Therefore, the CAA's assessment is that this criterion is not met.

A change in noise distribution and an identified adverse impact on health and quality of life

- 2.24 Direction 6(5)(c) states that an airspace change proposal shall meet one of the call in criteria if it could both lead to a change in noise distribution resulting in 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.
- 2.25 The Guidance provided to the CAA states that to enable this criterion to be assessed, the CAA must ensure that a sponsor submitting any airspace change proposal to the CAA for a decision includes either (a) an assessment of whether the 54 dB LAeq 16hr test set out in criterion c is met, based on satisfactory noise modelling, or (b) where agreed with the CAA, other satisfactory evidence demonstrating that the anticipated change in noise impacts will not meet this criterion.
- 2.26 The Edinburgh Proposal (section 5.3) calculates the expected noise impact of the airspace change in terms of population subjected to various noise levels (and therefore fulfils condition (a) of DfT's Guidance to CAA above). The table of results is reproduced below.

Leq (dBA) contour	2019			2024		
	Population within contour		Delta	Population within contour		Delta
	Current [†] (see Ref7a Table 3)	Proposed [‡] (see Ref7a Table 1)		Current* (see Ref7a Table 4)	Proposed [‡] (see Ref7a Table 2)	
>51	35,500	19,200	-46%	37,300	23,600	-37%
>54	12,100	6,600	-45%	13,800	6,900	-50%
>57	4,200	3,900	-7%	4,600	4,100	-11%
>60	2,300	2,000	-13%	2,700	2,100	-22%
>63	400	400	0%	400	400	0%
>66	200	200	0%	200	200	0%
>69	<100	<100	0%	<100	<100	0%
>72	0	0	0%	0	0	0%

Table 13 Summary of Leq contour population data

† current airspace, unconstrained growth

Figures from Ref7

* current airspace, constrained growth

‡ proposed airspace, unconstrained growth

(Note populations are rounded to the nearest 100. The population database used is a 2016 update of the 2011 Census supplied by CACI Ltd.)

- 2.27 This analysis indicates that the number of people subjected to a noise level of at least 54 dB LAeq 16hr will be subject to a net decrease following implementation of the airspace change. Since this number is not an increase of at least 10,000, there is no requirement to assess whether the airspace change proposal has an identified adverse impact on health and quality of life. Therefore, the CAA's assessment is that this criterion is not met.

Chapter 3

CAA's overall assessment

- 3.1 The CAA has assessed the Edinburgh Proposal against the call in criteria in the Directions, taking account of the DfT's Guidance, and found that it does not meet any of the exceptions in the 2017 Directions, but also does not meet any of the call in criteria. Therefore, the CAA's overall assessment is that in accordance with the terms of Directions and taking into account the Guidance, a discretion for the Secretary of State to call in the Edinburgh Proposal for decision by himself rather than the CAA does not arise.
- 3.2 In accordance with the terms of the Directions, it is a decision for the Secretary of State whether he agrees with the CAA's assessment and conclusions, or whether he agrees with the CAA's conclusion but for different reasons or whether he reaches a different conclusion.

APPENDIX A

DfT letter to CAA dated 20 September 2018



Sarah Bishop
Deputy Director, Aviation Policy
Department for Transport
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33 Horseferry Road
London
SW1P 4DR

Tel: 07825 931068

To: Jon Round
Head of Airspace, Air Traffic Management and
Aerodromes, Civil Aviation Authority

Date: 20th September 2018

cc: Tim Johnson, Trevor Metson,
Stu Lindsey, and Imogen Brooks

Dear Jon,

The Civil Aviation Authority (Air Navigation) Directions 2017, Direction 6 Edinburgh Airport airspace design change proposal

We note that Edinburgh Airport has submitted a proposal for a change to airspace design and that the CAA has received a request from a third party (North Queensferry Community Council) that the proposal be referred to the Secretary of State for determination by him rather than the CAA. In accordance with The Civil Aviation (Air Navigation) Directions 2017, the Secretary of State must now determine whether one or more of the call-in criteria listed at direction 6(5) have been met before his discretion to call-in the proposal is engaged.

On behalf of the Secretary of State, I request that the CAA provide the Secretary of State with the CAA's assessment whether one or more of the criteria set out in direction 6(5) may be met and whether any of the exclusions in direction 6(6) apply. I also request that, when doing so, the CAA take into account the draft statutory guidance on the call-in criteria which I attach.

Please provide this advice by 7th November 2018, which is 7 weeks from the date of publication of the redacted version of the Edinburgh proposal on your website. Please let me know if you are unable to comply with this timeline.

In accordance with paragraph 6.14 of the Air Navigation Guidance, we will seek to advise you and the requestor of our decision as to whether the call-in function is to be exercised by 14th November, subject to receiving your advice by 7th November.

Yours sincerely,

A handwritten signature in black ink that reads "SBishop".

Sarah Bishop

Guidance to the Civil Aviation Authority (CAA) on providing an assessment to the Secretary of State (SofS) as to whether a proposal for a permanent change to airspace design meets one or more of the call-in criteria

Introduction

1. This document provides guidance to the CAA on its function to provide an assessment to the SofS as to whether a request for the SofS to call-in a proposal for a permanent change to airspace design meets one or more of the criteria set out in Direction 6(5) of the Air Navigation Directions.¹
2. This document explains how the SofS will apply the call-in criteria and exceptions set out in Direction 6. The decision as to whether the criteria are met, whether the exceptions apply, and whether to exercise any consequential discretion to call-in the proposal remain with the SofS.
3. This document will be regularly reviewed by Department for Transport (DfT) officials to ensure it remains up to date with government policy.

Call-in process

4. Any party has four weeks from the date an airspace change proposal is submitted to the CAA for a regulatory decision to request that the final decision on the proposal should be made by the SofS rather than the CAA.
5. The CAA will have a further three weeks (i.e. seven weeks from the date the proposal was submitted) to assess whether the airspace change proposal meets at least one of the criteria.
6. The CAA will then send to DfT officials the airspace change proposal that one or more third parties has requested to be called-in, together with the CAA's assessment as to whether at least one of the call-in criteria is met. The SofS can use this assessment to inform the final decision on whether the proposal is to be called in.
7. The CAA should alert DfT officials on all of the following occasions:
 - I. **when it has received an airspace change proposal submitted by a sponsor** – within seven working days of the date the proposal was submitted via an automatic notification to the DfT from the CAA's online airspace change portal;
 - II. **when it has received a request to call-in a given airspace change proposal** – within seven working days for the first request, with a list of all subsequent requests made within the call-in timeframe to be provided alongside the CAA's assessment against the call-in criteria of that proposal;

¹ The Civil Aviation Authority (Air Navigation) Directions 2017, which came into force on 1 January 2018. The CAA must also have regard to the Air Navigation Guidance 2017, published on 24 October 2017.

- III. **when the CAA has made its assessment against the call-in criteria of a proposal that is the subject of a call-in request** – advising the DfT of the conclusions of that assessment within seven weeks of the date the proposal was submitted.

Guidance to the CAA on the assessment it should provide to the SofS

8. This document provides guidance to assist the CAA in assessing whether an airspace change proposal meets the call-in criteria. In its assessment, the CAA will set out its view as to whether the proposal meets one or more of the following three criteria.

Call-in criterion (a) – Strategic national importance

9. A proposal would be of strategic national importance if it supports or conflicts with the delivery of national policy to the extent that the approval or rejection of the proposal will impact the **overall** delivery of one or more of the following government policies only:
 - I. **an Airports National Policy Statement (NPS)**, for example if the CAA considers that a proposed airspace change could prevent the successful delivery of on-going or future airspace changes that could increase future capacity as agreed in that NPS;
 - II. **the UK's Airspace Modernisation Strategy**, for example:
 - a. two or more airspace change proposals put forward together by a single sponsor that the CAA considers could affect the airspace arrangements of multiple airports², or
 - b. a proposal that conflicts with successful and timely implementation of the CAA's "co-ordinated strategy and plan for the use of UK airspace for air navigation up to 2040, including for the modernisation of the use of such airspace"³ and any road map and airspace changes developed to deliver the CAA's strategy and plan;
 - III. **maintaining UK national security**, for example a proposal that the CAA has been advised by the Ministry of Defence or another government department might have a national security impact on the operations of a site of critical national infrastructure, such as a nuclear installation or prison;
 - IV. **the UK's Industrial Strategy as it relates to space ports**, but only where a proposal establishes the airspace needed for operations from the first space ports designed for sub-orbital use and vertical launchers, and which therefore sets the precedent for future design and airspace change decisions;
 - V. **airspace zones specifically linked to the UK policy on the safe use of drones in the UK**, but only in respect of the first proposal to establish the airspace needed for the use of drones commercially (i.e. excluding testing)

² For the purposes of this paragraph, the CAA does not need to consider proposals by airports with fewer than 50,000 commercial air transport movements a year.

³ Direction 3(e).

and which therefore sets the precedent for future design and airspace change decisions.

10. The DfT will notify the CAA at the point that the CAA no longer needs to take paragraphs 9. IV and/or 9. V into account.

Call-in criterion (b) – Could have a significant impact (positive or negative) on the economic growth of the United Kingdom

11. A proposal would have such an impact if it were directly linked to a plan to increase capacity at an airport or airports by more than 10 million passengers a year⁴. This is the passenger threshold used for an airport to be classed as a Nationally Significant Infrastructure Project.

Call-in criterion (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 L_{Aeq 16hr} and have an identified adverse impact on health and quality of life

12. To enable this criterion to be assessed, the CAA must ensure that a sponsor submitting any airspace change proposal to the CAA for a decision includes either (a) an assessment of whether the 54 dB L_{Aeq 16hr} test set out in criterion c is met, based on satisfactory noise modelling, or (b) where agreed with the CAA, other satisfactory evidence demonstrating that the anticipated change in noise impacts will not meet this criterion.
13. The Air Navigation Guidance 2017 (section 6.7) states that “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.” This assessment must be made for all proposals submitted to the CAA for decision after 1 January 2018⁵, including those that are being considered under CAP 725 and against the Air Navigation Guidance 2014.
14. This criterion⁶ concerns proposals that have both “a change in noise distribution...**and**...an identified adverse impact on health and quality of life”. For the purposes of this assessment, the CAA should consider whether any proposal leading to the specified change in noise distribution in criterion (c) will consequently have “an identified adverse impact on health and quality of life” and therefore will meet this criterion.

Exceptions

15. Direction 6(6) specifies the following exceptions from the call-in process:

⁴ This will only apply where the SofS has not already reviewed the change through a planning procedure, as per exception II(a)

⁵ Direction 6(6)(d)

⁶ Direction 6(5)(c)

- VI. **a proposal which is submitted by, or on behalf of, the Ministry of Defence (MoD)**; this would include a proposal jointly submitted with a civilian sponsor;
 - VII. **a proposal directly related to a planning decision**
 - a. which has already been determined by the SofS; or
 - b. 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.
16. In the case of a proposal that is subject to an exception under para 15 above, the CAA is requested to provide its views as to why the exception applies and no detailed assessment of the call in criteria against the proposal is required.