

**By e-mail**

██████████  
Department for Transport

2<sup>nd</sup> May 2019

Dear ██████████,

**Southend airspace change process**

I refer to the letter dated 28 March 2018 from ██████████ (copy enclosed) giving the CAA further guidance on the terms and effects of ANG 2017 on airspace change proposals that were and are already part way through the CAP 725 airspace change process.

The CAA should be grateful for DfT's view in respect of another issue with regard to transition that has arisen.

**Southend**

Southend initiated the CAP 725 airspace change process in respect of their proposal to implement controlled airspace in February 2013. A regulatory decision was published in January 2015 which approved a "*limited airspace change*" on the basis that the number of commercial movements supported by the airport at that time did not justify the implementation of Control Areas (CTAs) 10 and 11, two portions of controlled airspace included in Southend's airspace change proposal (please refer to the enclosed diagram).

We also stated in our regulatory decision that if Southend pursued another ACP and submitted a new proposal to us within two years of the date of implementation (2<sup>nd</sup> April 2015) justifying the requirement for CTAs 10 and 11 as originally proposed, we would agree that as part of that process no additional consultation requirements would be placed on them for that new ACP.

On the 31<sup>st</sup> March 2017, Southend submitted an application for CTA's 10 and 11 to be implemented as originally consulted on and proposed.

Despite the CAA receiving numerous requests from the airport for their case to be progressed, it was not formally allocated to a CAA Case Officer for assessment and ultimate decision until July 2018. A meeting was subsequently held with Southend airport and although the CAA accepted that Southend had observed the conditions specified in the original regulatory decision, we advised them we required them to undertake engagement with stakeholders (but specifically not a consultation), to inform them that the airport was re-presenting the proposal for CTA 10 and CTA 11 given the length of time that had passed between the original consultation and subsequent proposal being submitted to the regulator for regulatory decision.

Southend accepted this requirement and has been preparing to commence this activity in the very near future. However, as this proposal is on CAP 725 (and the CAA will be applying ANG 2014) we

**Civil Aviation Authority**

Aviation House Gatwick Airport South West Sussex RH6 0YR [www.caa.co.uk](http://www.caa.co.uk)

Telephone ██████████ ██████████

have advised the change sponsor that we would be writing to the DfT for a decision on whether we should apply ANG 2014 or whether we would be required to apply ANG 2017 (in which case the proposal would have to transition onto CAP 1616) once they have completed the required engagement activity and submitted their proposal for a decision.

I am advised by [REDACTED] that in his view there are less than 10,000 people in Southend's airport 54dB noise contour.

Please could you let me know whether the DfT requires the CAA to apply ANG 2014 or ANG 2017 to this proposal if and when it is submitted to the CAA for a decision.

For the avoidance of doubt the proposal is not yet at the stage of the CAA process where it has been submitted to the CAA for a decision.

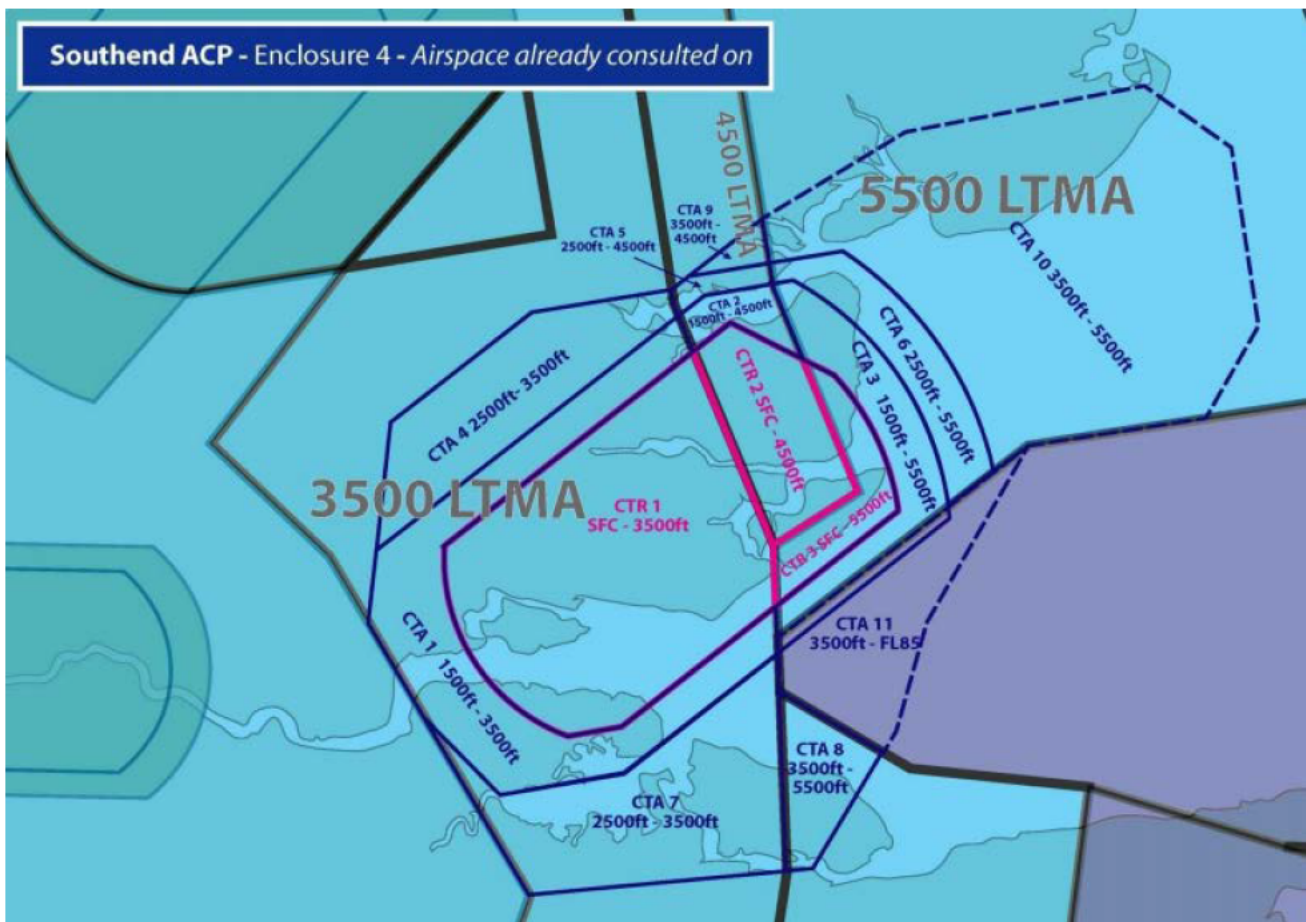
Please let me know if you need any further information. We should be grateful to have your decision as soon as you are able.

Yours sincerely

[REDACTED]

[REDACTED]

Airspace Regulation





Department  
for Transport

[REDACTED], Aviation Policy  
Department for Transport  
Great Minster House  
33 Horseferry Road  
London  
SW1P 4DR

Tel: [REDACTED]

Date: 28<sup>th</sup> March 2018

To: [REDACTED]

CC: [REDACTED]

Dear [REDACTED],

Thank you for your letters of 8 March 2018 to [REDACTED] concerning the transitional arrangements for the UK's airspace change process, and the implications this has for the introduction of the use of the 2017 Air Navigation Guidance that came into effect on 24<sup>th</sup> October 2017.

First of all, I wish to emphasise that the Department remains committed to the need for our airspace to be modernised since we recognise the benefits this will bring not just to airspace users but also to the environment.

As you know, the Government made a considerable effort to review its airspace and noise policies and this led to the biggest update for many years; a key outcome of which was the publication of the 2017 Air Navigation Guidance. Whilst we are keen to ensure that our airspace is modernised it is clear that the interests of communities need to be taken fully into account during this process. We therefore consider that it is important for the 2017 Air Navigation Guidance to be applied to airspace change proposals, and for communities to benefit from the changes made. This is particularly the case for those airspace change proposals which involve low-level flightpaths over urban communities.

We do, however, recognise the need to be proportionate and accept that this would not be the case if every sponsor of a change that was well advanced in working through the proposal against the 2014 Air Navigation Guidance should now be asked to follow the 2017 Air Navigation Guidance. We have also taken into consideration the fact that CAP 1616 became effective on 2<sup>nd</sup> January 2018.

So after consideration of this important matter our Ministers have come to the view that ongoing airspace change proposals which had commenced their consultation by 2<sup>nd</sup> January 2018, or which would have done but for the Christmas period, and whose noise impact currently affects less than 10000 people in the standard 54 dB LAeq 16 noise contour, should be allowed to continue to follow the 2014 Air Navigation

Guidance. All other proposals which had not commenced their consultation by that date should follow the 2017 Air Navigation Guidance

Yours sincerely,

