

CAA Policy on Secretary of State Call In for Airspace Change Proposals

CAP 2092



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Chapter 1

Introduction

Background

- 1.1 Changes to the design of UK airspace are proposed by an airspace change sponsor, usually an airport or a provider of air navigation services (including air traffic control). The CAA, as the UK's independent aviation regulator, has responsibility for deciding whether to approve changes proposed to the design of airspace over the UK – the airspace structure and instrument flight procedures within it that are used by aircraft. The CAA requires the change sponsor of any permanent change to the published airspace design to follow our airspace change process, as set out in CAP 1616¹ Chapter 1 or, for proposals which were instigated and had completed a specified part of the process before 2018, CAP 725.
- 1.2 However, the Secretary of State may determine that an airspace change proposal (ACP) will be decided by them rather than by the CAA. They may only do so if a request is made to the CAA that they do so, and they are satisfied that any one of four call-in criteria apply².
- 1.3 Where the CAA has received a call-in request, we will provide an assessment to the Secretary of State as to whether the proposed change to airspace design meets one or more of the call-in criteria (and therefore whether the Secretary of State's discretion to decide to call the decision in arises). The Civil Aviation Authority (Air Navigation) Directions 2017³ include one criterion relevant to noise modelling, namely that the proposed change:
- 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 54dB L_{Aeq,16h} and have an identified adverse impact on health and quality of life.*
- 1.4 This policy clarifies how the CAA will interpret this criterion for the purpose of providing the advice required to the Secretary of State. In particular, it indicates the years over which we will assess whether a change in the number of people subjected to a noise level of at least 54 dB L_{Aeq,16h} has occurred, the data which the ACP sponsor should provide to us in order for us to make this assessment,

¹ www.caa.co.uk/CAP1616

² See [Secretary of State call-in process | UK Civil Aviation Authority \(caa.co.uk\)](https://www.caa.co.uk/secretary-of-state-call-in-process)

³ As amended by The Civil Aviation Authority (Air Navigation) (Amendment) Directions 2018 and The Civil Aviation Authority (Air Navigation) (Amendment) Directions 2019.

and how we will identify whether any increase constitutes an adverse impact on health and quality of life.

- 1.5 We consulted on these proposals in CAP 1875 and this document is the outcome of that part of the that consultation.

Chapter 2

CAA interpretation of the noise criteria from the Secretary of State's call in assessment

- 2.1 When a stakeholder requests that the Secretary of State calls in an airspace change request, the CAA is required to assess the call in request against criteria published in directions to the CAA, The Civil Aviation Authority (Air Navigation) Directions 2017 (as amended). These include one criterion relevant to noise modelling, namely that the proposed change:

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 54dB $L_{Aeq,16h}$ and have an identified adverse impact on health and quality of life.

- 2.2 In making this assessment, the CAA will consider the largest such increase expected in the 10 years following the introduction of the proposed airspace change. This period is in line with the requirement for the ACP sponsor to provide traffic and noise forecasts in CAP 1616.
- 2.3 Unless the sponsor has provided evidence other than calculated noise contours to the CAA showing that the proposed airspace change clearly affects significantly fewer than 10,000 residents, then they must provide sufficient noise calculations from noise modelling that i) the number of people subjected to a noise level of at least 54 dB $L_{Aeq,16h}$ can be assessed for the 'do nothing' and 'do something' scenarios and ii) if it seems likely that there may be a net increase of 10,000 people in this contour, the necessary data to assess the adverse impact on health and quality of life, in accordance with the latest webTAG guidance⁴. As set out in CAA policy published in CAP 2091⁵ the Category of this noise modelling must be the same as that required for the airspace change options analysis.
- 2.4 If it seems likely that the airspace change may meet the first sub-clause of the call in criterion (that is, the proposed change may 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 $L_{Aeq,16h}$), then the sponsor will have to provide the CAA with noise calculations to allow us to evaluate the second sub-clause (whether the proposed change will have an identified adverse impact on health

⁴ See DfT's 2017 publication 'Guide to WebTAG Noise Appraisal for non-experts' for details (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/669423/webtag-for-non-experts.pdf)

⁵ Paragraph 5.15 CAP 2091

and quality of life) in accordance with webTAG guidance, and the webTAG calculation of the change in health and quality of life for residents.

- 2.5 Any worsening of health and quality of life measurement arising as a result of the airspace change will be treated as 'an identified adverse impact' for the purposes of interpreting the Directions. Further, we will also consider the criterion met should the sponsor not provide us with the necessary data and calculations to assess this aspect of the ACP, and we have identified that there is a greater than 10,000 net increase in the number of people subjected to a noise level of at least 54 dB $L_{Aeq,16h}$ ⁶.

Implementation date

- 2.6 These changes to our guidance on the Secretary of State's call in criteria will apply to all those ACPs whose call in request submission period ends after 8 February 2021, and any associated noise modelling will need to comply with the requirements and implementation dates of our minimum requirements published in CAP 2091. That is, the minimum noise modelling requirements will only apply to those ACPs which have not passed Gateway 2 on 8 February 2021. For ACPs undertaken under CAP 725, the minimum noise modelling requirements will only apply to those which have not completed all their public consultations on 8 February 2021.

⁶ It is possible that an increase in the numbers of people exposed to 54 dB $L_{Aeq,16h}$ could come alongside a decrease in the numbers exposed to higher noise levels (if, for example, concentrated flight paths were being dispersed) and/or with a decrease in numbers exposed to lower levels of noise (if, for example, flight paths were being concentrated more). Therefore, whilst it may be likely that a change which increases the population exposed to 54 dB $L_{Aeq,16h}$ by more than 10,000 will also adversely impact overall health and quality of life, it may not always be the case.