

Leeds East Airport RNAV IAPs

Airspace Change Decision - Full Reasons

CAP 2389



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Executive summary

Objective of the Proposal

1. Makin Enterprises, owner and operator of Leeds East Aerodrome (EGCM) are the Sponsor of an ACP to introduce Required Navigation Performance (RNP) Global Navigation Satellite System (GNSS) Instrument Approach Procedures (IAPs) to two runways (06 and 24) at EGCM.
2. The Sponsor is not requesting any new volumes of controlled airspace (CAS), the procedures will be flown in Class G airspace in accordance with Part 5, Section 2 of the Air Navigation Order 2016.

Summary of the decision made

3. The CAA has decided to approve the implementation of RNP IAPs to runways 06 and 24 at EGCM.
4. CAA's decision is made subject to the following conditions being met:
 - a. Prior to implementation, all the agreed draft Letters of Agreement (LoAs) must be reviewed and accepted by the CAA.
 - b. Prior to implementation, the Sponsor must ensure that the documentation which refers to agreed procedures for air ground communication service officers (AGCS/Os) and pilots flying the procedures, is aligned with the AGCS phraseology in Chapter 4 of [CAP413](#)
 - c. The slot allocation system, as described in the documentation (EGCM/EGCJ LoA), must ensure that there is no possibility of aircraft being booked into EGCM and Sherburn-in-Elmet aerodrome (EGCJ) concurrently and be aligned in terms of local procedures with EGCJ concerning visual circuit occupancy.
 - d. Prior to implementation, the Sponsor must provide details, which will need to be accepted, to the CAA on what is meant by 'special handling' of CAT C recoveries and confirm that CAT C approaches will not be carried out for training purposes.

- e. Prior to implementation the Sponsor is to provide the CAA with details, which will need to be accepted, on the out of hours operation (OHOs) for use of the IAPs and the CAA will consider approval of the OHOs.
- f. Should the Sponsor see an increase (2019 figure was 76, so anything above this) in the number of CAT C aircraft types utilising the procedure over the next 5 years, they must review their safety case and inform the CAA of the outcome.
- g. Prior to implementation the DOC for the Fenton Radio frequency must adequately cover the geographical span of the procedures and align with the Pilot Brief (suitable communication infrastructure to be installed and tested.)
- h. Prior to implementation, any reference to Leeds East ATC or the provision of an ATS is to be removed from the relevant documentation (LoAs) prior to signature (An AGCS is not ATC).
- i. Prior to implementation, all the mitigations to the hazards in the safety case are to be accepted by the operating authority and all outstanding controls/mitigations are to be in place.
- j. Prior to implementation (at least 28 days) evidence of the completion of outstanding controls and mitigations to be supplied to the CAA.
- k. On completion of the actions required for controls or mitigations, safety hazards are to be reviewed in accordance with the units SMS (CAP760/795) to confirm post mitigation risk.
- l. Prior to implementation, evidence of the publication of updated procedures and the completion of training for AGCS/Os, must be provided to the CAA ATS Inspector.
- m. A pilot may not make an initial airborne request for a procedure slot, unless in an emergency (update pilot brief accordingly).
- n. Following implementation, should the sponsor determine that the risk of a MAC while flying either procedure is heightened due to increased glider activity, then the procedure(s) are to be suspended until such time as the activity is considered not to present a heightened risk.
- o. The procedures for EGCM should ensure that, in the event of a missed approach, EGCJ is advised by telephone to assist in the management of potential conflicts.
- p. All periodic post monitoring reports, including performance against SPIs are submitted to the CAA for review.

Next Steps

- 5. Implementation of the revised airspace will be notified through a single AIRAC cycle (AIRAC 08/2023) and will become effective on 10 August 2023.

6. The CAA's Post Implementation Review (PIR)¹ of the changes approved by the CAA in this decision is due to commence no sooner than one year after implementation of these changes. It is a condition of the CAA's approval that the sponsor provides data required by the CAA throughout the year following implementation to carry out that PIR. In due course, the sponsor will be advised of the specific data sets and analysis required, and the dates by when this information must be provided. The PIR is the seventh stage of the CAA's airspace change proposal process (set out in CAP 725, the Guidance on the Application of the Airspace Change Process) and will consider whether "the anticipated impacts and benefits, set out in the Airspace Change Proposal, have actually been delivered".

7. The PIR will follow the process set out in [CAP 1616](#). However, as this ACP decision was made under the former airspace change process, CAP 725, we will use the methodology that applied at the time of the original decision when assessing the expected impacts against the actual impacts. This means we will use the Secretary of State's [Air Navigation Guidance 2014](#), as agreed with the Department for Transport.

¹ PIR is the seventh stage of the CAA's airspace change proposal process, in which the CAA reviews how the airspace change has performed, including whether anticipated impacts and benefits in the original proposal have been delivered

Decision Process and Analysis

Chronology of Proposal Process

Statement of Need and Framework Briefing

9. A Statement of Need (SoN) was submitted to the CAA 14 July 2016. This resulted in a Framework Briefing 26 October 2016, during which the sponsor presented their rationale for the proposed a RNAV (GNSS) approach to runways 06 and 24 at EGCM. The meeting notes are [published](#) on the CAA website.

First Formal Submission of Airspace Change Proposal

10. The sponsor submitted an ACP to the CAA in October 2019; however, it was not published as the sponsor chose to address some design concerns in response to ongoing engagement. The first formal [ACP](#) was submitted and published 19 August 2021. Following this submission, the CAA requested that the sponsor clarify certain elements of the ACP and following further engagement, the sponsor re-submitted their amended ACP 9th November 2021.

Second Formal Submission of Airspace change Proposal

11. The sponsors second submission of their [ACP](#) was uploaded to the CAA website 11th November 2021.
12. The submission was reviewed by the CAA and resulted in further clarification questions being sent to the sponsor.

CAP725 Stage 5 Case Study

13. The Sponsor chose to update their submission, following the clarification questions, with an amended ACP and associated documents, which were uploaded to the CAA website 21st February 2022.
14. The CAA asked the sponsor to publish their safety case and pilot brief in order to allow relevant stakeholders to understand the hazard(s) that were being considered by the sponsor and how they intended to mitigate the risk(s) created by the hazard(s).

15. The CAA provided stakeholders with a 28-day period in which to read and respond, if required, to the updated documentation; however, as the proposal had not materially changed, there was no requirement for further consultation or another DfT call-in window.
16. As a result of receiving feed-back from a number of stakeholders (local gliding clubs) the CAA (Airspace Regulation, AR) approached the GNSS IAP Facilitation Team² who have been providing process guidance to the sponsor, to ascertain how the relationships between local stakeholders and the sponsor had developed during the ACP process, as cooperation and liaison between local airfields is considered vital to maintaining safety in uncontrolled airspace.
17. The Facilitation Team offered to convene a workshop for the relevant local stakeholders and the sponsor in order for them to discuss the opportunities and impacts associated with the ACP. This workshop did not form part of the regulatory assessment and it was not required to complete the assessment. However, it was considered a proportionate and worthwhile endeavour, that resulted in an action on all at the workshop to, '*Continue working together to try and develop and agree LoAs, including areas discussed and agreed at the meeting*', therefore reducing perceived risks, prior to the CAA making a decision on the ACP.
18. The provision of an ATS for the published EGNC airspace was withdrawn in Dec 2022. The CAA provided a 3-month consideration period during which time, the CAA accepted submissions to manage all or part of the extant EGNC airspace. As a result of this, the CAA requested that LEA re-submit their IFPs to take account of the de-notification of the EGNC airspace.

Consultation

19. The sponsor has carried out three consultations for this ACP. The first ran 18th March to 26th June 2017. The second ran 21st December 2018 to 21st March 2019 and the third ran 18th February to 13th May 2021.
20. The sponsor chose to address issues with the design and weaknesses in their consultation, concluding with the Nov 2021 ACP and an updated consultation report.

² A DfT funded team of SMEs who support Sponsors with ACPs for IAPs without an Approach Control Service.

Secretary of State call-in

21. The ACP was subject to a call-in window, under the [Secretary of State for the Department for Transport \(DfT\) Call-in Process](#). The call-in window opened 25 August 2021 and it closed 22 September 2021.

22. The CAA did not receive a request for the ACP to be called-in by the Secretary of State for DfT. It is therefore a CAA decision whether to approve this proposal.

CAA Analysis of the Material provided

23. The CAA considered all the documentation published on the CAA website for this ACP, while completing our regulatory assessment. The document Airspace Change Proposal February 2022 (v.6.7) was used to determine our decision. It was assessed in conjunction with the associated supplements (some of which are not publishable³ due to legitimate commercial interest being asserted by the sponsor), clarification question answers and technical instrument flight procedure reports.

24. As a record of our analysis of this material the CAA has produced the following:

Leeds East Airport Consultation Assessments.
Leeds East Airport Environmental Assessment;
Leeds East Operational Assessment;
Letter of Acceptance - Leeds East Airport Safety Review

The CAA Assessments will be published on the CAA airspace change webpage for this ACP together with this document.

CAA assessment and decision in respect of Consultation

25. The fundamental principles of effective consultation are targeting the right audience, communicating in a way that suits them, and giving them the tools to make informative, valuable contributions to the proposal's development.

26. The CAA is satisfied the correct stakeholders were given sufficient time to consider and comment on the airspace change proposal, and that their feedback was conscientiously considered by the change sponsor.

³ Draft letters of agreement (LoAs) and procedures.

Explanation of statutory duties

27. Pursuant to the Civil Aviation Authority (Air Navigation) Directions 2017 Direction 5, it is one of the CAA's air navigation functions to decide whether to approve a proposal for a permanent change to airspace design in accordance with our published strategy and procedures, that is our Airspace Modernisation Strategy (CAP 1711) and (for the purpose of this proposal) CAP 725.
28. The CAA's statutory duties when carrying out its functions under Direction 5 are contained in Section 70 of the Transport Act 2000 (the Transport Act). The CAA must exercise its air navigation functions so as to maintain a high standard of safety in the provision of air traffic services. That duty is to have priority over the CAA's other duties in this area of work.
29. Noting that priority, the CAA's duties in relation to air navigation is to exercise its functions in the manner it thinks best calculated so that:
 - a) It secures the most efficient use of airspace consistent with the safe operation of aircraft and the expeditious flow of air traffic.
 - b) It satisfies the requirements of operators and owners of all classes of aircraft.
 - c) It takes account of the interests of any person (other than an operator or owner) in relation to the use of any particular airspace or airspace generally.
 - d) It takes account of any guidance on environmental objectives given to the CAA by the Secretary of State.
 - e) It facilitates the integrated operation of air traffic services provided by or on behalf of the armed forces and other air traffic services.
 - f) It takes account of the interests of national security.
 - g) It takes account of any international obligations of the UK notified to the CAA by the Secretary of State.
30. The analysis of the application of the CAA's function and statutory duties in this airspace change proposal is set out below.

Conclusions in respect of the CAA's Airspace Modernisation Strategy

28. The proposal seeks to deliver benefits in respect of four of our Airspace Modernisation Strategy's objectives or ends, namely
 - i. Maintaining and enhancing high aviation safety standards;

- ii. Securing the efficient use of airspace;
 - iii. avoiding flight delays by better maintaining the airspace network;
29. The proposal seeks to deliver Initiative 8 in our Airspace Modernisation Strategy, that is ‘**Satellite Navigation route redesign**: redesign of new arrival and departure routes using satellite- based navigation standards’.
30. The objectives of the proposal are in accordance with our Airspace Modernisation Strategy.

Conclusions in respect of safety

31. The CAA’s primary duty is to maintain a high standard of safety in the provision of air traffic services and this takes priority over all other duties.⁴
32. In this respect, with due regard to safety in the provision of air traffic services, the CAA is satisfied that the proposal maintains a high standard of safety for the reasons set out in the CAA’s Safety Review Summary⁵. By way of summary only these reasons are:
- a. The IAPs have been designed to international standards.
 - b. The Sponsor will ensure that only one aircraft per hour⁶, into either EGCM or EG CJ, utilise the IAPs during normal operating hours and no aircraft will be in the visual circuit.
 - c. The in-scope flights already take place under the current operation without the assistance of IAPs.
 - d. The IAPs provide in-scope aircraft with defined terrain-safe procedures that should reduce cockpit workload and enable stabilised approaches to be established.
 - e. Other Class G users can derive an awareness of the aircraft utilising the IAPs and plan accordingly.

Conclusions in respect of our duty to secure the most efficient use of airspace and an expeditious flow of traffic

33. The CAA has a duty to secure the most efficient use of the airspace consistent with the safe operation of aircraft and the expeditious flow of air traffic.

⁴ Transport Act 2000, Section 70(1).

⁵ See CAA Safety Review Summary for ACP 2016-13 – Letter of Acceptance, for more detail.

⁶ When notified as operational (AD2.3).

34. The CAA considers that the most efficient use of airspace is defined as ‘secures the greatest number of movements of aircraft through a specific volume of airspace over a period of time so that the best use is made of the limited resource of UK airspace’.
35. The CAA considers the expeditious flow of air traffic to involve each aircraft taking the shortest amount of time for its flight. It is concerned with individual flights.
36. In this respect, the CAA is satisfied that the introduction of the IAPs will not affect the efficient use of the extant Class G airspace. In-scope flights already occur under the current operation and, as such, the IAPs will not impact other airspace users.

Conclusions in respect of aircraft operators and owners

37. The CAA’s duty is to satisfy the requirements of operators and owners of all classes of aircraft.⁷
38. In this respect the CAA is satisfied that the proposed IAPs have been designed to international standards that meet the requirements of in-scope aircraft operators and do not impose any additional conditions on out-of-scope aircraft operators. The IAPs do not constitute a ‘barrier’ or ‘airspace construct’ and the fact that an aircraft may utilise the IAPs to make an approach to EGCM does not alter how other airspace users should operate in class G airspace.

Conclusions in respect of the interests of any other person

39. The CAA’s duty is to take account of the interests of any person⁸ (other than an owner or operator of an aircraft) in relation to the use of any particular airspace or the use of airspace generally.
40. In this respect the CAA considers that the proposal will not negatively impact other interests and will not create any additional adverse impacts on the general public. This is because the number of in-scope flights are considered very low, and that these aircraft movements already take place without the support of the IAPs.

Conclusions in respect of taking into account the Secretary of State’s guidance to the CAA on environmental objectives

41. As one of our statutory duties when considering whether or not to approve a proposal for a permanent change to airspace design, the CAA is obliged to take account of the extant guidance provided by the Secretary of State.⁹ This guidance on environmental objectives is

⁷ Transport Act 2000, Section 70(2)(b).

⁸ Transport Act 2000, Section 70(2)(c)

⁹ Transport Act 2000, Section 70(2)(d)

contained within the DfT's Guidance to the Civil Aviation Authority on Environmental Objectives Relating to the Exercise of its Air Navigation Functions 2014. This 2014 Air Navigation Guidance sets out a framework for the environmental objectives that the CAA must consider when assessing changes to airspace.¹⁰

42. In October 2019 the Secretary of State issued the CAA with updated Directions which amended the Civil Aviation Authority (Air Navigation) Direction 2017 to strengthen how airspace is managed.¹¹ As part of these updated Directions, and in accordance with section 70(2)(d) of the Transport Act 2000, the Secretary of State provided additional Air Navigation Guidance outlining that the environmental objectives set out in the Air Navigation Guidance 2014 are not to apply to decisions concerning proposals for permanent changes to airspace design which seek to implement GNSS approaches Without Approach Control (WAC).
43. Although exempted, the Secretary of State still expects Sponsors of exempted proposals to consider the environmental consequences. Therefore, for the assessment of environmental impacts for ACPs related to establishing Required Navigation Performance (RNP) IAP WAC services, the CAA expects change sponsors to set out the change that is anticipated from the introduction of the proposed IAPs, along with any supporting evidence. This should include the anticipated change in the number of aircraft using the aerodrome, the change in the type of aircraft using the aerodrome, changes to the altitude of aircraft using the procedure and the change to areas overflowed by the introduction of the IAPs. No further environmental assessment will be required if the sponsor meets all three requirements of the following screening criteria:
- The change sponsor can reasonably demonstrate that the introduction of the RNP IAP is not expected to increase the total number of aircraft movements at the aerodrome in the first two years after introduction, by 10% or more (by at least a minimum of 3,650 movements per year).
 - The proposal does not change the final approach path of aircraft to the runway within 1nm from the runway end.
 - The proposal will not change the environmental impact of aircraft utilising other aerodromes.
44. The CAA confirms that all such factors have been considered, as detailed in the Environmental Assessment (published on the CAA's Portal).

¹⁰ [Air Navigation Guidance 2014](#)

¹¹ [Amendment to The Civil Aviation Authority \(Air Navigation\) Directions 2017](#)

Integrated operation of ATS

45. The CAA's duty is to facilitate the integrated operation of air traffic services provided by or on behalf of the armed forces of the Crown and other air traffic services.¹²
46. In this respect the CAA is satisfied that the impacts of the new procedures associated with this ACP will not impede the operational requirements of the MoD.

Interests of national security

47. The CAA's duty is to take account of the impact any airspace change may have upon matters of national security.¹³
48. In this respect, the CAA is satisfied that the proposal has no impact on national security.

International obligations

49. The CAA's duty is to take account of any international obligations entered into by the UK and notified by the Secretary of State.
50. In this respect the CAA is satisfied that the proposal has no impact on international obligations.

¹² Transport Act 2000, Section 70(2)(e).

¹³ Transport Act 2000, Section 70(2)(f).

CAA's Regulatory Decision

51. Noting the anticipated impacts relevant to the material factors the CAA is bound to take into account, the CAA have decided to approve the proposed ACP 2016-13 RNP IAPs to EGCM for Aircraft category's A-C. These procedures take account of the NOTAM'd de-notification of EGCM's airspace at the point of decision. The CAA has not concluded its consideration regarding the permanent de-notification of EGCM's airspace and this decision does not prejudice the outcome of ACP2022-082. Further details of the reason for the CAA's decision can be found in the CAA documents referred to in paragraph 24 above. By way of a summary only, the CAA has made this decision for the following reasons:
52. We have made this decision because the intent of this ACP is to increase the safety of the operations conducted at Leeds East Airport and is not intended to significantly increase the volume of operations. Noting the limited intent to utilise this procedure, subject to the conditions described in the Operational Assessment, and the ATM Safety Assessment (as outlined in para 4), the CAA considers that this proposal is both safe and proportionate. This ACP proposes to introduce an IAP into class G airspace. This proposal is therefore fundamentally dependent upon the application of the see and avoid principle, within a volume of airspace where there are competing user groups. As such it relies greatly upon letters of agreement, pre-flight planning procedures and the maintenance of relationships with surrounding airspace users. The importance and maintenance of these relationships therefore cannot be overstated and is reflected in the conditions stipulated in paragraph 4.

Conditions

53. It is a condition of our decision to approve the proposal that the Sponsors meets the list of conditions as stated in paragraph 4 of this document.

Implementation

54. The airspace change will become effective on 10 August 2023. Any queries are to be directed to the SARG Technical Regulator, by emailing airspace.policy@caa.co.uk.

Post Implementation Review

55. In accordance with the CAA standard procedures, the implications of the change will be reviewed after one full year of operation, at which point, CAA staff will engage with interested parties to obtain feedback and data to contribute to the analysis.
56. The Sponsors will be sent a letter detailing the PIR requirements.

Civil Aviation Authority

May 2023