

CAA Decision Log

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| Airspace Change Proposal Title | GNSS Instrument Approach Procedures at Sherburn-in-Elmet |
| Airspace Change Proposal Reference | ACP-2015-04 |
| Change Sponsor | Sherburn Aero Club Ltd |
| AIS Submission Target Date | 17 March 23 (AIRAC 06/2023 effective 15 Jun) |
| CAA Decision Target Date | March 2023 |
| <p><i>Instructions</i></p> <p>In providing a response to each question and/or status, the following colour coding should be used:</p> <ul style="list-style-type: none"> • COMPLIANT/NOT APPLICABLE • NOT COMPLIANT/ACTION REQUIRED • ISSUE/CONCERN TO HIGHLIGHT | |
| <p>Executive Summary</p> <p><i>Insert narrative to provide the decision maker with a brief summary of the nature of this airspace change proposal – this should cover the following:</i></p> <ul style="list-style-type: none"> • <i>Issue/opportunity to be addressed – This is a legacy CAP1122/CAP725 ACP. The proposal intends to introduce RNP IAPs to Rwy10/28 at Sherburn-in-Elmet EGCJ.</i> • <i>Desired outcome – To provide instrument approach procedures at EGCJ that will allow aircraft to recover in IMC with less risk than they do today.</i> • Challenges/Risks – <ul style="list-style-type: none"> • <i>The proposal does not include any new airspace and as such the procedures, if approved, will be in Class G airspace.</i> • <i>Opposition from local gliding and flying clubs. External responses received suggested that there is a risk to flight safety based on a misunderstanding of the proposal. The procedure to the westerly runway is proposed to fly approximately 1nm north of the Burn gliding site (WP CJ28F).</i> • <i>The apparent lack of understanding between the local gliding community and Sponsor with regard to the perceived risks of the proposal lead to the publication of the Safety Case and a Workshop being held.</i> | |

- *The work that has been done has lacked coherence and consistency, resulting in the requirement for updated submissions to be provided.*
- *The Sponsor was challenged on their decision not to publish their Safety Case (just because it something that we did not do). There appeared not to be any proprietary interest or commercially sensitive information in the first drafts we were sent and as such the Sponsor agreed to up-date and publish a safety case.*
- *It was announced on 23 Sep 22, that EGCN (Doncaster Sheffield Airport) would be closing. This raised two key questions:*
 - 1) *Given that the safety case (published) references a mitigation to a MAC as requesting a FIS from EGCN, the safety case must be re-examined and the safety arguments reconsidered. – Updated safety case still pending reviewed Jan 23.*
 - 2) *The procedure designs were based on the EGCN airspace being in place and managed accordingly. The design could arguably be simpler if the EGCN airspace is removed. – Procedures amended accordingly Nov 22. See [RW28 Plate](#) for issues.*
- **Chronology** – *DAP1916 submitted 29 Jan 15, Framework Briefing 26/10/16, First ACP Submission 18/1/19 (call-in window closed 18/11/19, no requests). Pause due to Covid Pandemic, progress meeting held 24 Apr 21. Second submission 30/9/21 (call-in window closed 28/10/21, no requests). ACP Paused 17/12/21 following the request for further clarification questions to be answered (first set of questions were not fully answered and we chose not to pause). We agreed to allow a 28-day feed-back window upon the safety documents being published. DfT/CAA Facilitation Team workshop agreed to be held virtually in Jan 22. Email sent 17th Jan 22, following an agreement by the Sponsor to publish some safety documentation in order to support their safety arguments and engage with Stakeholders. We received the updated ACP, Safety Case and answers to our clarification questions 10 Mar 22 (un-paused). They were uploaded to the CAA Website 11 Mar 22 allowing for a 28-day feed-back window, the pilot brief was late and uploaded 18 Mar 22). The facilitation team held the glider workshop 31 Mar 22. Final set of IFP queries sent back to Sponsor and APDO 27 Apr 22. Request sent to ██████████ (Burn GC) for some statistics to add context to the assertions being stated in the feed-back. See below for response. Jul/Aug 22, required obstacle survey completed and report reviewed in order to satisfy IFP regulator. Late Sep 22, flight validation completed. 23 Sep 22, EGCN official closure announcement. 6 Oct 22, AR Team discussion re safety case and procedure design in light of EGCN closure. 25 Oct 22, a meeting was held with the sponsor and consultants for both Sherburn and LEA. We explained that we were managing the closure of EGCN and the removal ATS provision which could result in the permanent removal of EGCN from the AIP and therefore impact the presented safety case. The accepted procedures would also require re-consideration as they would be accepted with a dispensation while EGCN remains operational. The guidance was accepted by the sponsors/consultants. Work was not expected to be completed until mid Nov 22.*
- *Minded-to (SoS) / draft decision (if applicable) – N/A*
- *Implementation plan (notification/promulgation of change if approved) – AIRAC 06/2023 subject to conditions work. AIC to notify local airspace users.*
- *Flight Validation plan and final survey (CAP1731) agreed early July 22.*
- *EGCN to close, announced 23 Sep 22.*

- The CAA asked the sponsor to ensure that the proposed procedures took account of the possible closure of EGCN.
- Updated Flight Validation reports received 9 Jan 23.

NOTE: This decision log must be read in conjunction with the CAP2388 document which contains further details and reasons for the CAA's decision.

| PART A – Airspace Change Process – GATEWAYS – N/A CAP725 ACP | | |
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| A.1 | <i>Insert hyperlink to CAA website / Airspace Change Portal</i> | |
| A.2 | <i>Insert hyperlink to CAA SharePoint site</i> | |
| A.3 | Stage 1 DEFINE Gateway <i>(insert hyperlink)</i> | DD/MM/YYYY |
| A.4 | Stage 2 DEVELOP & ASSESS Gateway <i>(insert hyperlink)</i> | DD/MM/YYYY |
| A.5 | Stage 3 CONSULT Gateway <i>(insert hyperlink)</i> | DD/MM/YYYY |
| A.6 | <i>If there is anything worth highlighting to the decision maker in terms of the change sponsors progression through the Gateways, please insert relevant narrative here.</i> | |
| PART B – Airspace Change Process – STAGE 5 | | |
| B.1 | Was a Public Evidence Session required for this proposal? | N/A |
| B.1.1 | N/A | |
| B.2 | Were any requests made for this decision to be called-in by the Secretary of State? | NO |
| B.2.1 | There were 2 call-in windows opened for this ACP (21 Oct -18 Nov 19, 30 Sep – 28 Oct 21), neither of which resulted in a call-in request. | |
| B.3 | Does the Secretary of State call-in criteria apply to this proposal? | NO |
| B.3.1 | N/A | |
| B.4 | Has the Secretary of State decided to call-in this proposal? NOTE: if 'Yes' the content of this log concerns the recommendations linked to the 'minded-to' decision that has been presented to the Secretary of State. | NO |
| B.4.1 | N/A | |

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| B.5 | Accepted Status for SME Regulatory Assessments NOTE: this captures RAG status only – full details contained within each of assessment (hyperlinks inserted below) | | |
| ATM Safety | RECOMMEND (Conditions) | Environmental | RECOMMEND (Conditions) |
| Economic Assessment & Statement | N/A | IFP | RECOMMEND (ft val Jan 23) |
| Engagement & Consultation | N/A | Operational | RECOMMEND (Conditions) |
| B.5.1 | Risk to safety identified following feed-back from local gliding clubs. Feed-back demonstrated a lack of understanding regarding the proposal and the possible impacts with flying the procedure in VFR. A workshop took place 31 Mar 22 in order to discuss safety. Initial positive response from some local gliding clubs. However, we received responses from a number of people who stated that they believed that elements of the proposed IAPs would be unsafe. There were no safety cases provided to support the claims of the proposed IAPs being unsafe. An airprox involving a glider and powered aircraft, in the area, was cited (report link). | | |
| B.6 | Other Relevant Documents (title and hyperlinks to be inserted) | | |
| ACP 11 Mar 22 | Stage 5 Clarification Questions | Safety Case | Post Workshop Pilot Brief 26 Apr 22 |
| Progress Update meeting Apr 21 | Workshop Meeting Minutes | Letter to GD SARG from Burn GC | RSAG Response to ACP Apr 22 |
| RSAG Letter to GD SARG Oct 21 | Local Glider Feedback Summary (Oct-Dec 21) – Main reason for Workshop Request | Burn GC 2019 Stats | RWY28 Plate with DSA concerns |
| B.7 | Has the relevant legal and policy framework to the airspace change process been taken into account, including the Air Navigation Directions 2017 (as amended) (“the Directions”), the relevant provisions of the Transport Act 2000, the Air Navigation Guidance 2017, CAP 1616 and associated publications, [and the Airspace Modernisation Strategy – if relevant]? | | YES |
| B.7.1 | AMS, ANG2014, CAP725 and CAP1616 all considered, see CAP2388 for details. | | |

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| B.8 | CAA consideration of factors material to our decision whether to approve the change (Section 70 factors). NOTE: this captures RAG Status only – full details are contained within the regulatory decision document (CAP) and this section must be read in conjunction with that document. | | | |
| | Safe operation of aircraft 70(2)(a) | Efficient use of airspace and expeditious flow of air traffic 70(2)(a) | SoS guidance on environmental objectives 70(2)(d) | Satisfy requirements of aircraft operators/owners 70(2)(c) |
| | Interests of any other person 70(2)(c) | Integrated operation of ATS 70(2)(e) | Interests of National Security 70(2)(f) | International obligations 70(2)(g) |
| B.8.1 | <p>The main mitigation to a MAC while flying VFR in class G airspace, without an ATS, is to 'see and avoid'. The procedures in this proposal will be flown for training purposes in VFR, however, the sponsor makes it clear that this will still require a pre-booked slot, which will provide awareness to other airspace users if they choose to engage with EGCJ. The slot system will be shared with EGCM and it will also reduce the likelihood of an aircraft being in the visual circuit at EGCJ while an aircraft is flying the procedure(s).</p> <p>It should be noted that <i>'See-and-avoid' is recognised as the main method that a pilot uses to minimise the risk of collision when flying in visual meteorological conditions. 'See-and-avoid' is directly linked with a pilot's skill at looking outside the cockpit or flight deck and becoming aware of what is happening in his/her surroundings. Its effectiveness can be greatly improved if the pilot can acquire skills to compensate for the limitations of the human eye.'</i> (Safety Sense Leaflet 13)</p> <p>This is a key mitigation to the described risk and it is heavily reliant on pilot skill; this has always been the case and is not something AR can enforce as part of this ACP. The IAPs will reduce the likelihood of controlled flight into terrain (CFIT) if flown as approved.</p> <p>There is a balance to be struck in terms of Class G usage; this ACP is not introducing CAS.</p> <p>The Sponsor recommends requesting a FIS from EGNM or EGNJ (or/and EGCN, this will not be available at the point of publication of this document); there is no reason to believe that the provision of a service will be denied. <i>The provision of an ATS from EGCN is currently unavailable (Jan 23) and is being managed under ACP2022-082.</i></p> <p>The local gliding community (aircraft operators/owners) wrote to the CAA to provide us with their views on the proposed IAPs. Under s.70(2)(c), the CAA's GNSS facilitation team agreed to hold a workshop in order to allow the Sponsor and the gliding community to discuss how the proposed IAPs will maintain a high standard of safety when compared to the current situation.</p> | | | |

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| B.9 | <p>Conclusions in respect of requirement to ensure that the amount of controlled airspace is the minimum required to maintain a high standard of air safety and, subject to overriding national security or defence requirements, that the needs of all airspace users is reflected on an equitable basis.</p> <p>NOTE: this section only applies if we are classifying or amending the classification of UK airspace.</p> |
| B.9.1 | N/A |
| PART C – Stage 5 Recommendation | |
| C.1 | Taking the above information into account, what is your recommendation to the decision-maker for this proposal? |
| C.1.1 | <p>See Op Assessment General Summary – Recommend with Conditions.</p> <ul style="list-style-type: none"> • Approve the IAPs with conditions. <i>The sponsor has been clear that the usage in VMC is limited as stated (training will take place as it does today). However, the CAA cannot prevent pilots from choosing to fly the procedures outside the stipulated conditions. The perception of risk is highly subjective. The inherent risks of operating in Class G remain extant. If the procedures are flown (IFR) in VMC, then there is arguably an increase in risk of a MAC due to the pilot being 'heads-down'; however, arguably a pilot who chooses to put themselves in this scenario should be aware of the risks. Training flights by the Sponsor will <u>only take place</u> with an instructor pilot on board, which is a standard procedure and occurs today. The Sponsor will also liaise with the local gliding clubs and it will be incumbent on them to operate safely; ie if the Gliding Clubs notify that gliding is taking place, which in consultation with the sponsor they determine will significantly increase risk to aircraft flying the procedure(s), then the default setting should be not to use the procedure. Class G is airspace for all and the main reason for the implementation of the procedure(s) is to reduce the risk (CFIT) of recovering to the airfield in IMC.</i> • <i>Following the withdrawal of ANSP provision at EGCN, the CAA is sponsoring an ACP to manage the removal of the airspace structures previously managed by EGCN. The CAA has allowed a reasonable period of time to allow relevant stakeholders to make considerations with regard to managing the current EGCN airspace, as published (until 17 Feb 23). After this date the CAA will finalise its decision regarding the EGCN airspace. As a result of this process, the sponsor of this ACP was informed that the CAA cannot make a decision, with regard to the procedures presented for review, that would suggest we have reached a decision regarding the removal of the EGCN airspace structures. Therefore, the sponsor has chosen to submit, and flight validate, procedures that consider the removal of EGCN airspace. The CAA can therefore, approve either option in order to allow for any outcome regarding the decision under ACP2022-082, 'the Removal of DSA Airspace', given the scope of that ACP. At this juncture the CAA will approve the procedures which are PANS Ops compliant and do not take account of the extant DSA airspace, as it is currently de-notified by NOTAM.</i> • <i>Time dependant - A condition of an approval on this ACP, as a result of the consequences of the withdrawal of ANSP provision at EGCN, are that EGJ are to implement the procedure that does not require a dispensation under PANS-</i> |

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| | <i>Ops. If the provision of an ATS should be re-instated for all or part of the current EGCN construct, then the CAA would withdrawal approval for the procedure and require a safety assessment to be completed, which would provide assurance regarding the switch to the 'other' procedure.</i> | |
| C.2 | Are there any Recommendations and/or Conditions for the change sponsor to address prior to implementation (if approved)? | YES |
| C.2.1 | See Assessments above. | |
| C.3 | Are there any specific requirements in terms of the data to be collected by the change sponsor for the Post Implementation Review (if approved)? | YES |
| C.3.1 | <p>See Assessments above. Standard PIR Letter to be sent within 28 days of implementation; the required data will be specified, with a focus on utilisation.</p> <p>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.</p> | |
| C.4 | Are there any other comments/observations for the decision maker? | YES |
| C.4.1 | Already covered above. | |

| PART D – Draft Regulatory Decision – Comment (for Level 1 Airspace Change Proposal's only) | | | |
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| D.1 | Was a Draft Regulatory Decision published for this proposal? | | N/A |
| CAP725 ACP. | | | |
| D.2 | Was any feedback received in relation to the Draft Regulatory Decision? | | N/A |
| N/A | | | |
| D.3 | Has the Draft Regulatory Decision been amended in light of feedback received? | | N/A |
| N/A | | | |
| PART E – Final Regulatory Decision – Comment/Approval | | | |
| Technical Regulator | ██████████ | ██████████ | 28 Feb 23 |
| Airspace Regulation Principal comments and regulatory decision: | | | |
| Airspace Regulation Principal | ██ | ██ | ██ |
| Manager Airspace Regulation comments and regulatory decision: | | | |

The design of this Instrument Approach Procedures (IAP) within this Airspace Change Proposal (ACP) unintentionally interacts with an emergent airspace change proposal that is necessarily considering the airspace relating to operations at Doncaster Airport. The original IAP design submitted for this ACP reflected the historic established airspace surrounding Doncaster, prior to its closure in late 2022. This resulted in a proposed design that although potentially approvable *would have required a dispensation to the Procedures for Air Navigation Services Aircraft Operations (PANS OPS)*. The proposed reversion of the airspace surrounding Doncaster to class G has however facilitated a second submission that *does not require a dispensation to PANS OPS*. From an Instrument Flight Procedure (IFP) design perspective both designs are safe and approvable, where a design *without a dispensation* would be preferable. Additionally, in both instances neither design is expected to cause adverse environmental impacts. That being the case I believe the approach put forward above would be proportionate, where if approved the PANS OPS complaint design would be utilised until such time as the Doncaster ACP is resolved.

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. Noting this, I would highlight and reinforce the point raised in 1.2 of the Ops assessment:

'Should there be local gliding that would constitute a hazard, such as launching multiple gliders from Burn, while operating on RWY28, it is expected that the sponsor will suspend the procedure.'

From a broader perspective the intent of this ACP is to increase the safety of the operations conducted at Sherburn-in Elmet 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 within the decision CAP), I believe this proposal is both safe and proportionate. I would therefore recommend approving this ACP.

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| Manager Airspace Regulation | [REDACTED] | [REDACTED] | 28 Feb 23 |
| Head AAA comments and regulatory decision: With conditions stipulated above, this application is approved. | | | |
| Head AAA | [REDACTED] | [REDACTED] | 15 Mar 23 |