

CAA Decision Log



Airspace Change Proposal Title	RNP Instrument Approach Procedures at Leeds East Airport (LEA)
Airspace Change Proposal Reference	ACP-2016-13
Change Sponsor	Makin Enterprises (LEA)
AIS Submission Target Date	12 May 23 (AIRAC 08/2023)
CAA Decision Target Date	May 2023
<i>Instructions</i> In providing a response to each question and/or status, the following colour coding should be used: <ul style="list-style-type: none">• COMPLIANT/NOT APPLICABLE• NOT COMPLIANT/ACTION REQUIRED• ISSUE/CONCERN TO HIGHLIGHT	
Executive Summary	
<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> <ul style="list-style-type: none">• Issue/opportunity to be addressed – This is a legacy CAP1122/CAP725 ACP. The proposal intends to introduce RNP IAPs to Rwy06/24 at LEA EGCM.• Desired outcome – To provide instrument approach procedures at EGCM that will allow aircraft to recover in IMC with less risk than they do today.• Challenges/Risks –<ul style="list-style-type: none">• The proposal does not include any new airspace and as such the procedures, if approved, will be in Class G airspace.• Opposition from local gliding and flying clubs. External responses received suggest that there is a risk to flight safety based on a misunderstanding of the proposal.• 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.• RWY06 IAP has WP in LBA Class D.• IAPs submitted for CAT C and D Aircraft, (removed CAT D Jul 22). Sponsor submitted addendum Sep 22.	

- 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. The 'first consultation' was arguably not a consultation as currently understood, it was engagement (see [email here](#)). However, the email states that they responded to feedback from 'the CAA and pilots' and as a result they altered the procedure design. The Sponsor was given leave by the DfT ([published letter](#)) to remain on CAP725 assessed in accordance with ANG2014.
- **Chronology** - A Statement of Need (SoN) was submitted to the CAA 14 July 2016. This resulted in a Framework Briefing 26 October 2016. 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. The Sponsors second submission of their [ACP](#) was uploaded to the CAA website 11th November 2021. ACP Paused 17/12/21 following the request for further clarification questions to be answered (this related to traffic figures and general inconsistencies). 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. Following clarification questions, the Sponsor chose to update their submission with an amended ACP and associated documents (safety case and pilot brief), which was uploaded to the CAA website 21st February 2022 (un-paused), followed by a 28 day feed-back window. A Traffic Study was provided by the Sponsor (28 Feb 22), which was referenced in the Consultation Report. The facilitation team held the workshop 31 Mar 22. IFP questions and obstacle surveys took place July/August 22, with the flight validations being planned when complete, however, there was an issue in procuring the Garmin device required to complete the validation for these procedures. 13 Sep 22, Addendum document submitted explaining why the CAT D procedures have been removed from the ACP. 23 Sep 22, DSA officially announced closure. The Garmin GNSS device was delivered 31 Oct 22.
- The IAPs were updated and CAT D procedures were removed by the Sponsor (Jul 22). The CAT A, B, C procedures are now all following the same procedure track, which also reduces a HF risk of confusing the procedures.
- Minded-to (SoS) / draft decision (if applicable) – N/A
- 3 July 22 - Sponsor informed us of an issue with procuring a Garmin 'chip' which is necessary to flight validate the procedures, as result of this, there may be up to a 12-week delay.
- Final Survey (CAP1731) agreed to take place 25 Jul 22.
- Email sent to sponsors consultant (7 Oct 22) asking that they address the safety case which references a FIS from EGCN as a mitigation to a MAC while positioning for the procedures. This resulted in phone call from the owner of LEA, expressing their frustration. I asked that an email was sent. Man AR was verbally briefed.
- 13 Oct 22 – v5.7 of the LEA Safety case was submitted, it simply removed all references to DSA and did not provide any rationale for the reduction in risk by receiving a FIS from DSA being addressed.
- 21 Oct 22 – ongoing CAA discussions have produced a COA for LEA in order to mitigate the risk of DSA closing.
- 6 Nov 22 – Email from Sponsor, explaining some concerns with amending the RWY06 procedure in light of DSA closing. It was made clear to the sponsor, that a flight validation was required for either procedure (amended or not amended) and that the amended version, despite incurring an additional cost in terms of procedure design, should be safer due to being compliant with best design practices under PANSOPs. The uncertainty around the closure of DSA has caused the issues stated by the Sponsor,

however, the flight validation could take place. The outstanding updated safety case was also requested.

- 9 Jan 23 - Flight validation reports received.
- 30 Jan 23 – The updated Safety Case (v6.11) considering de-notification of EGCN airspace, received.
- 7 Feb 23 - Issue with tree management plan highlighted and discussed with sponsor. Sponsor agreed to deal with the issue.
- 3 Mar 23 - CAA received a tree specialist report but this did not contain a mitigation plan, only information regarding the trees in question and the opinions of local pilots with regard to the risk(s) posed by the trees.
- 28 Mar 23 – CAA received another letter from the RSAG expressing their concerns.
- 29 Mar 23 – Informed that the trees penetrating the VSS are to be cut back and that a tree management plan is being completed.
- 4 Apr 23 – CAA received the [draft of the tree management plan](#) from the sponsor.
- 11 Apr 23 – Tree management plan accepted.

NOTE: This decision log must be read in conjunction with the reasons set out in CAP2389

PART A – Airspace Change Process – GATEWAYS – N/A CAP725 ACP

A.4 N/A

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	N/A	
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	
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)	<u>Environmental</u>	RECOMMEND
Economic Assessment & Statement	N/A	<u>IFP</u>	RECOMMEND
Engagement & Consultation <u>1st and 2nd</u>	RECOMMEND	<u>Operational</u>	RECOMMEND (Conditions)
B.5.1	Risk to safety (MAC) identified following feed-back from local gliding clubs. Feed-back demonstrated a misunderstanding 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. 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 21 Feb 22	Consultation Report Nov 21	Safety Case Feb 22
	Workshop Minutes Apr 22	Consultation Q&A Nov 21	Local Glider Feedback Summary (Oct-Dec 21) – Main reason for Workshop Request
	Bolton Percy, Colton and Steeton Parish Council Feedback	Colton Resident feed-back 1	Appleton Roebuck resident feed-back 1
	LEA ACP Addendum Doc Sep 22	RSAG Response to Addendum Oct22 RSAG Response to updated Safety Case	York Gliding Centre (Rufforth) Response to Addendum Oct 22
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 alignment, ANG2014, CAP725 and CAP1616 all considered.		
B.8	CAA consideration of factors material to our decision whether to approve the change (Section 70 factors). <u>NOTE:</u> this captures RAG Status only – full details will be contained within the regulatory decision document (CAP).		
	Safe operation of aircraft	Efficient use of airspace and	SoS guidance on
			Satisfy requirements of

70(2)(a)	expeditious flow of air traffic 70(2)(a)	environmental objectives 70(2)(d)	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 EGCM. The slot system will be shared with EGCJ and it will also reduce the likelihood of an aircraft being in the visual circuit at EGCM while an aircraft is flying the procedure(s) (the safety case states that the visual circuit will be unavailable once an aircraft is at the IAF).</p> <p>There is a balance to be struck in terms of Class G usage.</p> <p>The Sponsor recommends requesting a FIS from EGNM or EGNJ; there is no reason to believe that the provision of a service will be denied.</p> <p><i>It should be noted that "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 surrounding. 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 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 CFIT if flown as approved.</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. Gliding community still do not accept use in VFR.</p> <p>The RSAG wrote to us 28 Mar 23 to re-iterate that they believe there is still a risk of a MAC to transiting gliders, due to the increased usage of the IAPs if approved and that the safety case lacks detail with regard to how often MAPs will be flown for training purposes.</p> <p>Whilst the sponsor acknowledges that the implementation of the IAPs will allow for an increase in traffic at LEA (ACP v6.7 para 3.2.7), the slot booking system will limit how many aircraft can fly the procedure. The traffic figures for EGCM, when compared to EGCJ are forecast to be lower.</p>		
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><u>NOTE:</u> 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 procedures in accordance with the addendum and with conditions. Despite guidance and clarification questions, the final versions (published 22 Feb 22) still contained some inconsistencies. The sponsor submitted an Addendum explaining why the CAT D procedures have been removed. The Sponsor will continue to 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 constitute a heightened 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. • Following the withdrawal of ANSP provision at EGCN, the CAA is sponsoring an ACP to manage the impact of the closure of 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. • 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 EGCM are to implement the procedure(s) that do not require a dispensation under PANS-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(s) (as approved) and require a safety assessment to be completed, which would provide assurance regarding the switch to the 'other' procedure(s). 	
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 Operational Assessment.	
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. Standard PIR Letter to be sent within 28 days of implementation; the required data will be specified. 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)

D.1	Was a Draft Regulatory Decision published for this proposal?	N/A
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This is a CAP725 ACP.

D.2	Was any feedback received in relation to the Draft Regulatory Decision?	N/A
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N/A

D.3	Has the Draft Regulatory Decision been amended in light of feedback received?	N/A
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N/A.

PART E – Final Regulatory Decision – Comment/Approval

Technical Regulator	[REDACTED]	[REDACTED]	7 Mar 23
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Manager Airspace Regulation comments and regulatory decision:

This Airspace Change Proposal (ACP) is looking to introduce an Instrument Approach Procedure (IAP) into class G airspace to support recovery of aircraft in Instrument Meteorological Conditions (IMC), this ACP therefore seeks to increase the safety of those IMC recoveries. The routine use of the IAP will typically only occur under Visual Flight Rules (VFR) conditions, thereby enabling the procedure to be practiced. The lack of approach control provision within this proposal however should not be discounted, where its absence places a reliance upon the application of the see and avoid principles. In this proposal this reliance is supported by the VFR requirement noted above, the use of a slot booking system to manage demand and limiting the use of the procedure for Category A-C aircraft only. I believe these mitigations and others noted in the ACP, including a tree management plan and the use of letters of agreement enable this procedure to be introduced safely and account for the lack of approach control provision.

It is noted the design of the original IAP unintentionally interacts with an emergent airspace change proposal that is considering the airspace associated with Doncaster Airport. The original IAP design submitted for this ACP reflected the historically established airspace surrounding Doncaster, prior to Doncaster Airports closure in late 2022. The Sponsor has therefore submitted and validated two proposals, one assuming the retention of Doncaster airspace and the other assuming its removal. In both instances the IAP submitted have been assessed as safe to

fly. The first contained a missed approach procedure that was limited to 3,000ft due to the presence of Doncaster airspace, the second procedure enabled a missed approach to 3,500ft. Noting the current status of Doncaster airspace, the IAP that is assuming the removal of Doncaster airspace will be utilised at implementation enabling a missed approach to 3,500ft. However, in the event Doncaster airspace is re-activated the alternate IFP proposal enabling the missed approach to 3,000ft will be implemented. This redundancy therefore removes any dependency this ACP may have on the Doncaster airspace decision.

Taking these points into account, subject to the conditions noted in the Operational and Air Traffic Management (Safety) assessments I recommend approving this ACP.

Manager Airspace Regulation	[REDACTED]	[REDACTED]	5 May 23
<p>Head AAA comments and regulatory decision:</p> <p>This ACP is approved subject to the conditions noted.</p>			
Head AAA	[REDACTED]	[REDACTED]	10 May 23