

ACP-2018-49

Re-alignment of Q36 and Q37

CAP 1965

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Chapter 1

Executive Summary

Objective of the Proposal

- 1.1. In support of the opening of a second, parallel runway at Dublin Airport (EIDW), NATS proposed the re-alignment of ATS Routes Q36 and Q37 to start at separate co-ordination points (COPs) on the boundary of the Irish and UK flight information regions (FIRs).
- 1.2. ATS routes Q36 and Q37 currently start at one COP, so there is a certain degree of air traffic control input required to ensure effective utilisation. With the introduction of a second runway and the associated standard instrument departures (SIDs), within Irish airspace, there is an opportunity to increase systemisation through integration with the two new COPs at the start of the re-aligned ATS routes.
- 1.3. As a result of improved systemisation NATS assert that there will also be environmental and economic benefits.
- 1.4. A map illustrating the proposed changes is at Appendix A.

Summary of the Decision Made

- 1.5. In response to the planned opening of a second parallel runway at Dublin Airport (EIDW) the CAA approves the re-alignment of the ATS routes Q36 and Q37 to new separate COPs on the UK and Republic of Ireland FIR boundary.
- 1.6. As a condition of approval, the CAA will expect to be provided with the updated LoAs prior to implementation.

Next Steps

- 1.7. Implementation of the proposed airspace has been agreed with the Irish Aviation Authority (IAA) to coincide with the planned opening of the runway. It will be notified through a single AIRAC cycle (AIRAC 02/2021) and will become effective on 25th February 2021.
- 1.8. The CAA's Post-Implementation Review (PIR)¹ of the changes approved by the CAA in this decision will commence at least one year after the implementation date. It is a condition of the CAA's approval that the Sponsor captures and collates data throughout the year following implementation of the airspace change, which

¹ PIR is the 7th Stage of the CAA's airspace change proposal process as described in [CAP1616](#)

will be used to inform the PIR. In due course, the Sponsor will be advised of the specific data sets to be captured, the analysis that will be required and the dates by which this information must be provided. There is some guidance on general PIR requirements at the end of this document.

Chapter 2

Decision Process and Analysis

Chronology of the Proposal Process

Statement of Need and Assessment Meeting (Stage 1, Step 1A)

- 2.1 NATS submitted a DAP1916 Statement of Need (SoN) on 11th October 2018. An Assessment Meeting (AM) was then held on 30th April 2019 at which NATS outlined the Current Situation, the issues that had been identified and the opportunity to improve the relevant airspace. The Sponsor provided a draft timeline for the ACP with evidence to support the proposed scaling and shortened timeline to decision.
- 2.2 The CAA determined that the proposal was in scope of the CAP1616 ACP process and stated the provisional level of airspace change attributable to the proposal as Level 2C. Minutes of the AM, together with a copy of the slide presentation that was used in the meeting, were published to the CAA ACP Portal (the Portal).

Development of Design Principles and the Define Gateway, Stage 1

- 2.3 NATS submitted a set of 10 design principles that were intended to ensure that the options would meet the requirements of the SoN. The first set of DPs required more detail and clarification. The evidence submitted to the CAA to ensure that a fair and proportionate level of engagement had taken place, was not considered satisfactory and therefore the Stage 1 Gateway was not passed at the first attempt (25th October 20).
- 2.4 NATS re-submitted extra evidence and improved the descriptions of the DPs that were questioned. There was also additional evidence of engagement, their targeted engagement and development conversation with the stakeholder group. The stakeholder group included key aviation stakeholders, identified as Airlines, including British Airways, EasyJet and Low Fare Airlines. Aviation stakeholders including BAE Systems and MoD DAATM. The Aviation Environment Federation, General Aviation Stakeholders including Aircraft Owners and Pilot Association (AOPA), Airspace4All and the British Gliding Association (BGA). The Design Principles (DPs) were considered acceptable under CAP1616, however the MoD considered that DP6 (*The proposed route amendments will have minimal MoD operational impact*) should have a higher priority.
- 2.5 As a result of this, the CAA accepted the submission from NATS and it passed through the Stage 1 Gateway on 29th November 20.

Options Development and Appraisal, Stage 2 and Develop & Assess Gateway – 29th November 2019

- 2.6 For Stage 2 of the CAP 1616 process, NATS submitted only two options which were 'do nothing' and the selected option, which was to re-align the ATS routes to start at two new COPs. The re-alignment would result in the ATS routes being straight and almost perpendicular to the FIR boundary. The CAA had to seek clarification with regard to the design principle evaluation (DPE) that had been presented, as it was not clear that that it had been carried out fairly. Two further updates were submitted which offered further explanation on the DPE, corrected some minor errors and contained the detail required to evidence a satisfactory level of engagement.
- 2.7 The CAA accepted that NATS had adhered to the guidance provided in CAP1616 and followed the required process in order to develop a suitable option through engagement with stakeholders. The CAA also agreed with the rationale used to identify the only option to be taken forward in isolation to Stage 3. It was not the only safe option, as the current situation or the 'do nothing' option is also safe; however, it was the only logical option. The submission was approved at the Develop & Assess Gateway, 29th November 2019.

Consult Gateway, Stage 3 – 26th March 2020

- 2.8 The original documents that were submitted for Gateway review lacked detail as to how NATS would deal with unexpected challenges during the consultation. As a result of clarification questions from the CAA NATS provided an update to the Consultation Strategy which also included more detail as a result of the developing CV19 situation. The Consult Gateway held on 26th March 2020, the CAA reviewed the updated consultation documents that had resulted due to CV19.
- 2.9 The CAA accepted the rationale presented by NATS that the consultation period could be shortened from 12 weeks to 6 weeks (6 April – 18 May), due to the minimal impact of the proposed changes. However, despite passing through the Stage 3 Gateway, there were a number of minor actions that the CAA required NATS to complete, prior to commencing the consultation which included: Providing a breakdown of targeted NATMAC members in the Consultation documents and including the IAA on the consultee list.

CAA Assessment and Decision in Respect of Consultation

- 2.10 The CAA is satisfied that NATS applied the fundamental principles of effective consultation before, during and after the consultation period, as follows: targeting the right audience; communicating in a suitable way given the circumstances (CV-19) and impact of the proposed changes; giving them the tools to make informed, valuable contributions to the development of the proposals. In addition, the CAA considers that NATS conducted its consultation in accordance with the requirements of CAP1616 and having taken into account the Government's

Consultation Principles Guidance, and the Secretary of State's Air Navigation Guidance.

Proposal Update and Submission (Stage 4, Step 4A & 4B) – 18th June 2020

- 2.11 NATS submitted a Step 4A (Update Design) and Step 4B (Submit Airspace Change Proposal) document with associated documents to the CAA on 18th June 2020; these documents were also uploaded to the CAA Portal.
- 2.12 The Step 3D collate and review submission had considered the elements of the minimal consultation responses (a total of seven were received) to assess if there was a requirement to update the proposed Option. The feedback did not suggest an update and NATS discounted the requirement for any change to its design.
- 2.13 The formal Step 4B Airspace Change Proposal submission presented the design which was as expected the only option, other than 'do nothing', that had been considered.

CAA Analysis of the Material Provided

- 2.14 As a record of the analysis of the Step 4B Airspace Change Proposal formal submission provided by NATS relating to this ACP, the CAA has produced the following documentation which will be uploaded to the Portal:
 - i) A Consultation Assessment
 - ii) The Final Options Appraisal Assessment
 - iii) An Environmental Assessment
 - iv) An Operational Assessment
 - v) A Letter of Acceptance with regard to Safety

Chapter 3

CAA Consideration of Factors Material to the Decision

Explanation of the CAA's Statutory Duties

- 3.1 The CAA's statutory duties are laid down in Section 70 of the Transport Act 2000. In addition, Commission Implementing Regulation (EU) No 923/2012 dated 26th September 2012 (Standardised European Rules of the Air (SERA)).

Conclusions in Respect of Safety

- 3.2 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.² In its consideration of this proposal, the CAA is satisfied that the implementation of the proposed realignment of ATS routes Q36 and Q37, maintains a high standard of safety³.

Conclusions in Respect of Efficient Use of Airspace

- 3.3 The CAA is required to secure the most efficient use of the airspace consistent with the safe operation of aircraft and the expeditious flow of air traffic.⁴ In its consideration of this proposal, the CAA is satisfied that the implementation of the proposed realignment of ATS routes Q36 and Q37 will have a positive impact on the efficient use of the associated airspace, both in the UK and RoI, while maintaining the safe operation of this airspace:
- i) Through improved systemisation within the Isle of Man (IoM) sector, increased predictability of SID allocation for Dublin departures with a seamless interface between Q36 and Q37.
 - ii) As a consequence of realigning ATS routes Q36 and Q37, more traffic can be safely handled with fewer controller interactions without the need to change the airspace size or classification.

Conclusions in Respect of Environmental Objectives

- 3.4 The CAA is required to take into account the 2014 Guidance to the CAA on Environmental Objectives provided by the Secretary of State. As this ACP was scaled as a Level 2C ACP, CAP1616 provides additional guidance regarding the specific environmental considerations⁵. NATS provided analysis based on flights within UK airspace, but also make it clear that due to the design in Irish airspace,

² Transport Act 2000, Section 70(1).

³ See CAA Letter of Acceptance of the Sponsors Safety Assessment.

⁴ Transport Act 2000, Section 70 (2) (a)

⁵ CAP1616 Appendix B, para B41: Summary of environmental assessment requirements for Level 2 proposals

there will actually be an increase in CO₂ for aircraft flying to Q37. However, the CAA are satisfied that within UK airspace, there is an overall benefit and reduction on CO₂.

Conclusions in Respect of Aircraft Operators and Owners

- 3.5 The CAA is required to take account of the requirements of operators and owners of all classes of aircraft⁶. In its consideration of this proposal the CAA accepts that the impact of the proposed changes on other aircraft owners and operators, will be negligible.

Conclusions in Respect of the Interests of Any Other Person

- 3.6 The CAA is required to take account of the interests of any person, other than an aircraft operator or owner, in relation to the use of any particular piece of airspace or the use of airspace in general. Regarding this proposal, which will be implemented over the Irish Sea, the CAA considers that its impact will not be discernible to other persons.

Conclusions in Respect of the Integrated Operation of ATS

- 3.7 The CAA is required 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 services⁷. The CAA notes that the MoD did not have any concerns with this proposal.

Conclusions in Respect of the Interests of National Security

- 3.8 The CAA is required to take account of the impact that any airspace change proposal may have upon matters of National Security⁸. In this respect, the CAA is satisfied that the implementation of the proposed realignment of ATS routes Q36 and Q37, will have no effect on National Security.

Conclusions in Respect of International Obligations

- 3.9 The CAA is required to take account of any international obligations entered into by the UK and notified by the Secretary of State. The CAA is satisfied that this proposal will compliment changes to airspace design within Irish airspace as a result of the opening of a second runway at Dublin Airport.

⁶ Transport Act 2000, Section 70 (2) (b)

⁷ Transport Act 2000, Section 70 (2) (e)

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

Chapter 4

CAA's Regulatory Decision

General Summary

- 4.1 The realignment of ATS routes Q36 and Q37 to new COPs on the UK and RoI FIR boundary will not only compliment the airspace designs for new SIDs out of Dublin Airport, it will improve systemisation, improve safety and reduce CO2 production within UK airspace.

Decision

- 4.2 In considering the formal submission by NATS with respect to ACP-2018-49: Realignment of ATS Routes Q36 and Q37, the CAA approves the proposal as presented and illustrated in the document 'Q36.37 Realignment v1.1' published to the CAA Airspace Change Portal on 13th July 2020

Conditions and Recommendations

- 4.3 As a condition of approval, the CAA requires copies of the new LoAs prior to implementation.

Implementation

- 4.4 The proposed changes are approved for implementation as agreed through AIRAC 02/2021.

Post Implementation Review

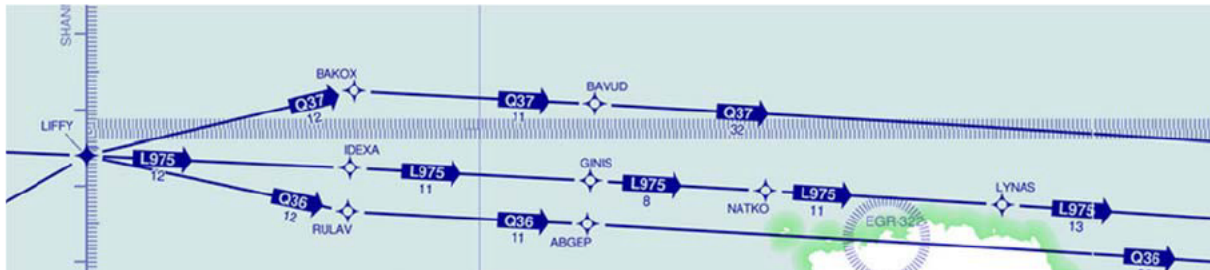
- 4.5 In accordance with current CAA standard practice, as detailed in CAP1616, a minimum of 12 months after implementation the airspace change will be reviewed to evaluate whether the anticipated impacts and benefits stated are as expected. To enable a thorough and rigorous review, the Sponsor will be required to gather relevant data during the post-implementation period.
- i) **Requirement 1:** NATS must make suitable arrangements for collection of the following data for use during the Post-Implementation Review:
- (1) Safety Data, including MORs or ASRs.
 - (2) Details of occasions when the required level of ATS has reached capacity, including delays or refusals of service.
 - (3) Traffic figures including actual vs predicted figures and dispersion comparisons along Q36, Q37 and L975.
 - (4) Operational feedback from ATC and airlines if relevant.

- (5) If relevant, provide evidence of ATC tactical interventions to mitigate route spacing.
- ii) **Requirement 2:** NATS must collate related stakeholder observations (enquiry/complaint data) and submit it to the CAA.

APPENDIX A

Map Showing Proposed Realignment and COPs

Current arrangement



Proposed arrangement

