

Heathrow Airport Limited (HAL)

26 January 2024

Dear [REDACTED]

Airspace Change Proposal (ACP) 2021-056 – Stage 2 Gateway Outcome

Thank you for your letter dated 4 December 2023. The chronology of your stakeholder engagement activities carried out during Stage 2 is extremely helpful, and we are grateful for the level of detail you have provided us with.

The CAA is not re-opening its Stage 2 gateway decision of this ACP. However, we have provided some information to assist HAL understand the CAA's expectations ahead of HAL's re-submission to the Stage 2 Gateway, as follows:

- In version 4 of CAP 1616 (against which the Stage 2 submission of this ACP was assessed), the change sponsor is required to test its first comprehensive list of options with the same stakeholders it engaged with in Stage 1 to ensure that they are satisfied that the design options are aligned with the design principles, and that the change sponsor has properly understood and accounted for stakeholder concerns specifically related to the design option.
- There is nothing in the CAP 1616 process which stops a change sponsor from going beyond those stakeholder engagement requirements if it feels it is helpful or appropriate to do so. The CAA's position has always been that the extent of engagement required will depend on local circumstances and the scale and impact of the ACP. The CAA was encouraged to see that HAL had conducted engagement throughout Stage 2.
- Transparency through engagement is a fundamental principle of the CAP 1616 process. Any engagement undertaken, whether mandatory or voluntary, must comply with the engagement principles in Appendix C of CAP 1616, version 4.¹ For example, the core principle underpinning the CAA's assessment of whether a change sponsor is engaging stakeholders effectively at a gateway will be evidence that the change sponsor is engaging in a two-way conversation. Moreover, the CAA will expect to see evidence of what the change sponsor has heard and how this feedback has informed the development of its proposal.

As articulated in the Stage 2 decision outcome on 27 October 2023, having engaged on a proposed shortlisting approach to its initial options appraisal, and invited stakeholders to provide feedback on that approach (on 7 July 2023), HAL then took a different approach on which it had not engaged and had not given stakeholders an opportunity to provide feedback on.

In order to address this issue, the CAA would expect to see evidence that HAL has completed the following steps:

¹ We note that these engagement principles have now been integrated into the process and associated guidance CAP 1616, version 5.

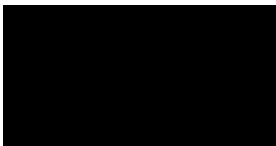
1. HAL has re-engaged with the full cohort of its Stage 2 stakeholder group (including the stakeholders emailed on 7 July 2023) on its proposed methodology for short-listing options after the initial options appraisal;
2. HAL has taken into account any views on the proposed short-listing methodology received from those stakeholders;
3. HAL makes a fresh decision on a short-listing methodology to adopt; and
4. HAL has applied the chosen short-listing methodology to its design options objectively, consistently and transparently.

The evidence which the CAA expects to see could be in the form of updated or supplementary Stage 2 documentation that is uploaded to the Airspace Change Portal.

Lastly, as published on the Airspace Change Portal, the revised airspace change process (CAP 1616, version 5) was implemented on 2 January 2024. This ACP does not currently have a date scheduled for its Stage 2 Gateway and can therefore continue to follow the CAP 1616, version 4 process requirements for this Gateway until Stage 2 is completed.

We hope you find this helpful. If you have any further questions about process or next steps, please do not hesitate to contact me.

Yours faithfully,

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