

29/07/2019



ACP-2018-70 Luton Airport FASI-South Airspace Change Proposal

Dear Luton Airport,

Please note the following which is relevant to the airspace change proposal that you commenced by virtue of your DAP 1916 dated 18th October 2018.

Airspace change decisions and airspace modernisation

The Government's Air Navigation Directions require the CAA to make airspace change decisions in accordance with our strategy and plan. In December 2018 we published the Airspace Modernisation Strategy (AMS(CAP 1711)), that superseded and replaced the Future Airspace Strategy.

The CAA's Airspace Modernisation Strategy and the Masterplan that NERL has been commissioned (jointly by the CAA and the Department for Transport) to produce will affect your proposed airspace change and any decision on it.

The on-going Masterplan process has identified your airspace change proposal as strategically important for modernisation of the airspace within the area covered by the plan.

We acknowledge that you have identified the relevance of the AMS and Masterplan work to your proposal, for example as follows:

- *The Department for Transport have notified aviation stakeholders via the Upgrading UK airspace: strategic rationale, published in February 2017, that the controlled airspace in southern England used to support commercial air transport operations is capacity constrained, it has evolved over time and does not exploit modern navigation technology.*
- *On 13 December 2018 London Luton Airport Operations Ltd (LLAOL) submitted a Statement of Need to the CAA, setting out its intention to undertake changes to its airspace in support of the broader airspace changes required from the Future Airspace Strategy Implementation South (FASI-S) modernisation programme. At the same time, the airport freeholder London Luton Airport Ltd (LLAL) is following a separate Development Consent Order (DCO) process, through which it intends to increase the annual passenger limit from 18m passengers/ year to 32m passengers/year by 2050.*

Design Principles

Stage 1B of the CAP 1616 process requires sponsors to develop Design Principles. Paragraph 108 states that the principles must "encompass the safety, environmental and operational criteria and the strategic policy objectives that the change sponsor seeks to achieve in developing the airspace change proposal" and must "take account of government policy." Paragraph 109 states that Design Principles must be "drawn up through discussion between the change sponsor and affected stakeholders at this early stage in the process" (with examples as to which local stakeholders may be relevant).

We acknowledge that you have already completed your Design Principles development and passed through the CAA Define Gateway.

However, because of the CAA's AMS and the co-sponsored Masterplan work, we now understand it is important that:

1. The impact of the AMS and the Masterplan work on your proposed change is included in your Design Principles; and
2. Your stakeholders are made aware of the way in which the AMS is reflected in your Design Principles, and that this is of particular importance to your airspace change proposal.

For these reasons we have concluded that it is necessary to see the following concepts reflected and adopted in your Design Principles

Subject to the overriding design principle of maintaining a high standard of safety, the highest priority principle of this airspace change that cannot be discounted is that it accords with the CAA's published Airspace Modernisation Strategy (CAP 1711) and any current or future plans associated with it.

Process Requirements

As you have already completed the stakeholder engagement necessary for Design Principles and because you have already passed Gateway 1

- Please develop an additional design principle that meets the guidance above;
- Please bring this to the attention of your stakeholders that worked with you on your design principles; and
- Please engage with your stakeholders as needed in order that they understand the impact of this additional design principle on your proposal

We will assess the extent to which this has satisfactorily be completed at Gateway 2.

If you have any queries about this process, please contact your CAA Account Manager.

Further explanation of the Co-ordinated Modernisation Design Principle and why it is important to your proposal

The CAA's AMS (CAP 1711) describes what airspace modernisation must deliver, drawn from relevant national and international policy and law. Paragraphs 3.5-3.7 set out factors that airspace modernisation must deliver, drawn from section 70 of the Transport Act 2000 and relevant policy, such as:

- the need to increase aviation capacity in the South East;
- for this growth to be sustainable; and
- for the need to make the best use of existing runways.

In addition, as set out in paragraph 1.25 and 3.1 of the CAA's AMS, the government's Airports National Policy Statement makes clear that capacity (accommodating additional runway capacity at Heathrow and making best possible use of existing infrastructure) is the context of airspace modernisation.

Given this policy context, the CAA and DfT, as co-sponsors of airspace modernisation, commissioned NERL to create a single coordinated implementation plan for airspace changes focussing initially on in Southern England (a south-east airspace change masterplan, or masterplan for short). Further detail on this masterplan is outlined in Chapter 6 of the CAA's AMS.

The masterplan is to build on work undertaken in NERL's feasibility assessment, described in paragraphs 5.18-5.20 of the AMS. In that feasibility assessment NERL identified that 15 airports (and their ANSPs) and NERL would need to co-ordinate in order that the extra capacity sought in the ANPS could be delivered. The ongoing Masterplan work has identified a total of 18, your airport is one of those.

It is expected that iterations of the Masterplan will be assessed by the CAA and the DfT and when applicable accepted into the AMS by the CAA as part of its statutory strategy and plan.

For these reasons we will expect to see that this airport participates in the development of that Masterplan in conjunction with ACOG, NERL and the other identified airports.

The CAA will expect to see a Design Principle related to this proposal (and ultimate requirement of the proposal itself) that this change will, as applicable, serve to further, and will not conflict with, the realisation of the AMS. It is noted that that this coordinated modernisation Design Principle may impact on your development of options.

Yours Sincerely,

A large black rectangular redaction box covering the signature area.A black rectangular redaction box covering the name of the sender.

Manager Airspace Regulation