

Sherburn-in-Elmet RNAV IAPs

Airspace Change Decision - Full Reasons

CAP 2388



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Executive summary

Objective of the Proposal

1. Sherburn-in-Elmet Aero Club (SAC) are the Sponsor of an Airspace Change Proposal (ACP) to introduce Required Navigation Performance (RNP) Global Navigation Satellite System (GNSS) Instrument Approach Procedures (IAPs) to two runways (10 and 28) at Sherburn-in-Elmet Aerodrome (EGCJ).
2. The Sponsor is not requesting any new volumes of controlled airspace (CAS), the procedures will be flown in Class G airspace in accordance with Part 5, Section 2 of the Air Navigation Order 2016.

Summary of the decision made

3. The CAA has decided to approve the implementation of the RNP IAPs to runways 10 and 28 at EGCJ.
4. CAA's decision is made subject to the following conditions being met:
 - a. Prior to implementation, all the draft Letters of Agreement (LoAs), must be reviewed and accepted by the CAA.
 - b. Prior to implementation, the Sponsor must ensure that the documentation which refers to agreed procedures for air ground communication service officers (AGCS/Os) and pilots flying the procedures, is aligned with the AGCS phraseology in Chapter 4 of [CAP413](#).
 - c. The slot allocation system, as described in the documentation, must ensure that there is no possibility of aircraft being booked into EGCJ and Leeds East aerodrome (EGCM) concurrently and be aligned in terms local procedures concerning visual circuit occupancy.
 - d. Prior to implementation, all the mitigations to the hazards in the safety case are to be accepted by the operating authority and all outstanding controls/mitigations are to be in place.
 - e. Actions and instructions, proposed as mitigations in the safety case, must be completed and submitted for review at least 28 days prior to implementation of the change.

- f. On completion of the actions and instructions in condition [e], a further review of the hazards in the units SMS is to be completed.
- g. Prior to implementation, the designated operational coverage (DOC) for the Sherburn Radio frequency must adequately cover the geographical span of the procedures and align with the Pilot Brief (suitable communication infrastructure to be installed and tested.)
- h. Prior to implementation, the Frequency for EGNM is to be corrected (to 134.580) in the pilot brief (v1.53, published May 22).
- i. Prior to implementation, the PAPIs are to be set in accordance with the GP of the approved procedures.
- j. Following implementation, if the LoA with EGNM is withdrawn or amended, the impacts on the safety case are to be reviewed. The IAPs are to be suspended pending this review (NOTAM). If the EGCN airspace, as currently published, is re-notified the procedures are also to be suspending, pending a CAA review (NOTAM).
- k. Following implementation, the sponsor must ensure that they inform all pilots utilising the IAP to RWY 28 at EGCJ when they are aware of gliders operating from Burn GC. Should the sponsor determine that the risk of a mid-air collision (MAC) while flying either procedure is heightened due to increased glider activity, then the procedure(s) are to be suspended until such time as the activity is considered not to present a heightened risk.
- l. A pilot may not make an initial airborne request for a procedure slot, unless in an emergency (update pilot brief).
- m. Prior to implementation, evidence of the publication of updated procedures and the completion of training for AGCS/Os, must be provided to the CAA ATS Inspector.
- n. Prior to implementation, procedures for EGCJ should ensure that, in the event of a missed approach, EGCM is advised by telephone to assist in the management of potential conflicts.
- o. All periodic post monitoring reports, including performance against SPIs are submitted to the CAA for review

Next Steps

- 5. Implementation of the revised airspace will be notified through a single AIRAC cycle (AIRAC 06/2023) and will become effective on 15 Jun 2023.

6. The CAA's Post Implementation Review (PIR)¹ of the changes approved by the CAA in this decision is due to commence no sooner than one year after implementation of these changes. It is a condition of the CAA's approval that the sponsor provides data required by the CAA throughout the year following implementation to carry out that PIR. In due course, the sponsor will be advised of the specific data sets and analysis required, and the dates by when this information must be provided. This ACP has followed the CAP 725, the Guidance on the Application of the Airspace Change Process up until approval, however, in accordance with current best practice the CAA will consider whether "the anticipated impacts and benefits, set out in the Airspace Change Proposal, have actually been delivered" under the CAP 1616s PIR.

¹ PIR is the seventh stage of the CAA's CAP1616 airspace change proposal process, in which the CAA reviews how the airspace change has performed, including whether anticipated impacts and benefits in the original proposal have been delivered

Decision Process and Analysis

Chronology of Proposal Process

Statement of Need and Framework Briefing

7. A Statement of Need (SoN) was submitted to the CAA 29 January 2015. This resulted in a Framework Briefing 26 October 2016, during which SAC presented their rationale for the proposed a RNAV (GNSS) approach to runways 10 and 28 at EGCJ. The presentation and meeting notes are [published](#) on the CAA website.

First Formal Submission

8. The Sponsor submitted their first [ACP](#) 18 January 2019. The CAA requested that the Sponsor addressed elements of the IFP design (see para 1 of the ACP Sep 2021 submission) and following further engagement, the Sponsor re-submitted their ACP 22 September 2021.

Second Formal Submission

9. The Sponsor's second submission of their [ACP](#) was uploaded to the CAA website 30 September 2021.
10. The submission was reviewed by the CAA and resulted in some clarification questions being sent to the Sponsor.

CAP725 Stage 5 Case Study

11. The Sponsor chose to update their submission with an amended ACP and associated documents, which were uploaded to the CAA website on the 8th November 2021. As a result of this the Sponsor was asked further formal clarification questions, which resulted in answers and amended documentation being uploaded to the CAA website 11th and 18th March 22.
12. The CAA asked the Sponsor to publish their safety case and pilot brief in order to allow relevant stakeholders to understand the hazard(s) that were being considered by the Sponsor and how they intended to mitigate the risk(s) created by the hazard(s).

13. The CAA provided stakeholders with a 28-day period in which to read and respond to the updated documentation; however, as the proposal had not materially changed, there was no requirement for further consultation or another DfT call-in window.
14. As a result of receiving feed-back from a number of stakeholders (local gliding clubs) the CAA (Airspace Regulation, AR) approached the GNSS IAP Facilitation Team² who had been providing guidance to the Sponsor, to ascertain how the relationships between local stakeholders and the Sponsor had developed during the ACP process.
15. The Facilitation Team offered to convene a workshop for the relevant local stakeholders and the Sponsor in order for them to discuss the opportunities and risks associated with the ACP. This workshop did not form part of the regulatory assessment and was not required to complete the assessment. However, it was considered a proportionate and worthwhile endeavour, that resulted in an action on all at the workshop to, '*Continue working together to try and develop and agree LoAs, including areas discussed and agreed at the meeting*', which should result in an increased understanding of the ACP, therefore reducing perceived risks, prior to the CAA making a decision.
16. The provision of an ATS for the published EGCN airspace was withdrawn in Dec 2022. The CAA provided a 3-month consideration period during which time, the CAA accepted submissions to manage all or part of the extant EGCN airspace. As a result of this, the CAA requested that EGCJ re-submit their IFPs to take account of the de-notification of the EGCN airspace.

Consultation

17. The Sponsor was not required to complete a formal consultation. As a consequence of the CAA's review of the detailed information provided by the change sponsor following the Framework Briefing³, the CAA determined that there was no requirement to undertake a formal consultation for this airspace change proposal. This determination was made on the basis that:
- a) the procedures will be implemented solely for providing operational resilience and safety in IFR conditions (see clarification questions, 2nd set, Q6).
 - b) the number of aircraft expected to use the procedures is very low (an expected average of one per day) – forecast for IFR recoveries remains 0.5 a day.

² A DfT funded team of SMEs who support Sponsors with ACPs for IAPs without an Approach Control Service.

³ This was a CAP1122 framework briefing, held at the CAA 26 Oct 16.

- c) the short length of the runway (830m) limits the types of aircraft that can safely use Sherburn in Elmet to the light aircraft models which currently operate in to/out of the aerodrome.
- d) the procedures are located entirely within Class G airspace.
- e) the change sponsor has engaged with local aviation stakeholders and is committed to mitigating any significant operational impact through the establishment of related LoA's.
- f) there are few residential areas located under the procedures and those which are affected are already overflowed by aircraft.
- g) the procedures have been designed to minimise noise impact where appropriate without additional operational complexity.

18. Following clarification by the Sponsor at a progress meeting held 23 Apr 21 and during stage 5 of the CAP725 process, the CAA agreed that they have met conditions stipulated above. The Sponsor has continued to engage with local stakeholders and as such it would not be proportionate for the CAA to now require a formal consultation to be undertaken.

Secretary of State call-in

19. The ACP was subject to a call-in window, for each submission, under the [Secretary of State for the Department for Transport \(DfT\) Call-in Process](#). The first call-in window opened 26 November 2019 and the second call-in window opened 30 Sep 21.
20. The CAA did not receive a request for the ACP to be called-in by the Secretary of State for DfT. It is therefore a CAA decision whether to approve this proposal.

CAA Analysis of the Material provided

21. The CAA considered all the documentation listed on the CAA airspace change portal, for this ACP, while completing our regulatory assessment. The core document Airspace Change Proposal March 2022 version was reviewed when determining our decision. It was assessed in conjunction with the associated supplements, clarification question answers and technical instrument flight procedure reports.
22. As a record of our analysis of this material the CAA has produced the following:

- Sherburn-in-Elmet Environmental Assessment;
- Sherburn-in-Elmet Operational Assessment;
- Letter of Acceptance - Sherburn-in-Elmet Safety Review.

The CAA Assessments will be published on the CAA airspace change portal together with this document.

CAA assessment and decision in respect of Consultation

23. The sponsor was not required to conduct a formal consultation. However, the sponsor did engage directly with key stakeholders who could potentially be impacted by the proposal. These stakeholders included gliding clubs, airports, aerodromes and operators as well as the Sherburn Aerodrome Community Liaison Group, which consists of nominated representatives from local County, District and Parish Councils. Targeted engagement commenced in 2016 and has been ongoing since then. Feedback received influenced changes made to the layout of the procedures. The sponsor conducted extensive engagement to attempt to develop Letters of Agreement to mitigate any significant operational impacts. Agreement was not reached with all stakeholders. Some stakeholders contacted the CAA directly stating that a formal consultation should have been conducted for this airspace change proposal. The CAA is of the view that the conditions specified following the Framework Briefing held in 2016 have been met. The revisions made to the layout of the procedures in September 2021 did not materially change the proposal. Accordingly, there remains no requirement for the sponsor to conduct a formal consultation.

Explanation of statutory duties

24. Pursuant to the Civil Aviation Authority (Air Navigation) Directions 2017 Direction 5, it is one of the CAA's air navigation functions to decide whether to approve a proposal for a permanent change to airspace design in accordance with our published strategy and procedures, that is our Airspace Modernisation Strategy (CAP 1711) and (for the purpose of this proposal) CAP 725.

25. The CAA's statutory duties when carrying out its functions under Direction 5 are contained in Section 70 of the Transport Act 2000 (the Transport Act). The CAA must exercise its air navigation functions so as to maintain a high standard of safety in the provision of air traffic services. That duty is to have priority over the CAA's other duties in this area of work.

26. Noting that priority, the CAA's duties in relation to air navigation is to exercise its functions in the manner it thinks best calculated so that:

a) It secures the most efficient use of airspace consistent with the safe operation of aircraft and the expeditious flow of air traffic.

b) It satisfies the requirements of operators and owners of all classes of aircraft.

- c) It takes account of the interests of any person (other than an operator or owner) in relation to the use of any particular airspace or airspace generally.
 - d) It takes account of any guidance on environmental objectives given to the CAA by the Secretary of State.
 - e) It facilitates the integrated operation of air traffic services provided by or on behalf of the armed forces and other air traffic services.
 - f) It takes account of the interests of national security.
 - g) It takes account of any international obligations of the UK notified to the CAA by the Secretary of State.
26. The analysis of the application of the CAA's function and statutory duties in this airspace change proposal is set out below.

Conclusions in respect of the CAA's Airspace Modernisation Strategy

27. The proposal seeks to deliver benefits in respect of three of our Airspace Modernisation Strategy's objectives or ends, namely
- i. Maintaining and enhancing high aviation safety standards;
 - ii. Securing the efficient use of airspace;
 - iii. avoiding flight delays by better maintaining the airspace network;
28. The proposal seeks to deliver Initiative 8 in our Airspace Modernisation Strategy, that is '**Satellite Navigation route redesign**: redesign of new arrival and departure routes using satellite- based navigation standards'.
29. The objectives of the proposal are in accordance with our Airspace Modernisation Strategy.

Conclusions in respect of safety

30. 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.⁴
31. In this respect, with due regard to safety in the provision of air traffic services, the CAA is satisfied that the proposal maintains a high standard of safety for the reasons set out in the CAA's Safety Review Summary⁵. By way of summary only these reasons are:

⁴ Transport Act 2000, Section 70(1).

⁵ See CAA Safety Review Summary for ACP 2015-04 – Letter of Acceptance, for more detail.

- a. The IAPs have been designed to international standards.
- b. The Sponsor will ensure that only one aircraft per hour⁶ into either EGCJ or EGCM utilise the IAPs during normal operating hours and no aircraft will be in the visual circuit.
- c. The in-scope flights already take place under the current operation without the assistance of IAPs.
- d. The IAPs provide in-scope aircraft with defined terrain-safe procedures that should reduce cockpit workload and enable stabilised approaches to be established.
- e. Other Class G users can derive an awareness of the aircraft utilising the IAPs.

Conclusions in respect of our duty to secure the most efficient use of airspace and an expeditious flow of traffic

32. The CAA has a duty to secure the most efficient use of the airspace consistent with the safe operation of aircraft and the expeditious flow of air traffic.
33. The CAA considers that the most efficient use of airspace is defined as 'secures the greatest number of movements of aircraft through a specific volume of airspace over a period of time so that the best use is made of the limited resource of UK airspace'.
34. The CAA considers the expeditious flow of air traffic to involve each aircraft taking the shortest amount of time for its flight. It is concerned with individual flights.
35. In this respect, the CAA is satisfied that the introduction of the IAPs will not affect the efficient use of the extant Class G airspace. In-scope flights already occur under the current operation and, as such, the IAPs will not impact other airspace users.

Conclusions in respect of aircraft operators and owners

36. The CAA's duty is to satisfy the requirements of operators and owners of all classes of aircraft⁷.
37. In this respect the CAA is satisfied that the proposed IAPs have been designed to international standards that meet the requirements of in-scope aircraft operators and do not impose any additional conditions on out-of-scope aircraft operators. The IAPs do not constitute a 'barrier' or 'airspace construct' and the fact that an aircraft may utilise the IAPs to make an approach to EGCJ does not alter how other airspace users should operate in class G airspace.

⁶ When notified as operational (AD2.3).

⁷ Transport Act 2000, Section 70(2)(b).

Conclusions in respect of the interests of any other person

38. The CAA's duty is to take account of the interests of any person (other than an owner or operator of an aircraft) in relation to the use of any particular airspace or the use of airspace generally.
39. In this respect the CAA considers that the proposal will not negatively impact other interests and will not create any additional adverse impacts on the general public. This is because the number of in-scope flights are considered very low, and that these aircraft movements already take place without the support of the IAPs

Conclusions in respect of taking into account the Secretary of State's guidance to the CAA on environmental objectives

40. As one of our statutory duties when considering whether or not to approve a proposal for a permanent change to airspace design, the CAA is obliged to take account of the extant guidance provided by the Secretary of State.⁸ This guidance on environmental objectives is contained within the DfT's Guidance to the Civil Aviation Authority on Environmental Objectives Relating to the Exercise of its Air Navigation Functions 2014. This 2014 Air Navigation Guidance sets out a framework for the environmental objectives that the CAA must consider when assessing changes to airspace.⁹
41. In October 2019 the Secretary of State issued the CAA with updated Directions which amended the Civil Aviation Authority (Air Navigation) Direction 2017 to strengthen how airspace is managed.¹⁰ As part of these updated Directions, and in accordance with section 70(2)(d) of the Transport Act 2000, the Secretary of State provided additional Air Navigation Guidance outlining that the environmental objectives set out in the Air Navigation Guidance 2014 are not to apply to decisions concerning proposals for permanent changes to airspace design which seek to implement GNSS approaches Without Approach Control (WAC).
42. Although exempted, the Secretary of State still expects Sponsors of exempted proposals to consider the environmental consequences. Therefore, for the assessment of environmental impacts for ACPs related to establishing Required Navigation Performance (RNP) IAP WAC services, the CAA expects change sponsors to set out the change that is anticipated from the introduction of the proposed IAPs, along with any supporting evidence. This should include the anticipated change in the number of aircraft using the aerodrome, the change in the type of aircraft using the aerodrome, changes to the altitude of aircraft using the procedure and the

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

⁹ [Air Navigation Guidance 2014](#)

¹⁰ [Amendment to The Civil Aviation Authority \(Air Navigation\) Directions 2017](#)

change to areas overflowed by the introduction of the IAPs. No further environmental assessment will be required if the sponsor meets all three requirements of the following screening criteria:

- The change sponsor can reasonably demonstrate that the introduction of the RNP IAP is not expected to increase the total number of aircraft movements at the aerodrome in the first two years after introduction, by 10% or more (by at least a minimum of 3,650 movements per year).
- The proposal does not change the final approach path of aircraft to the runway within 1nm from the runway end.
- The proposal will not change the environmental impact of aircraft utilising other aerodromes.

43. The CAA confirms that all such factors have been considered, as detailed in the Environmental Assessment (published on the CAA's Portal).

Integrated operation of ATS

44. The CAA's duty is 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 services.¹¹

45. In this respect the CAA is satisfied that the impacts of the revised structures and new procedures associated with this ACP will not impede the operational requirements of the MoD.

Interests of national security

46. The CAA's duty is to take account of the impact any airspace change may have upon matters of national security.¹²

47. In this respect, the CAA is satisfied that the proposal has no impact on national security.

International obligations

48. The CAA's duty is to take account of any international obligations entered into by the UK and notified by the Secretary of State.

49. In this respect the CAA is satisfied that the proposal has no impact on international obligations.

¹¹ Transport Act 2000, Section 70(2)(e).

¹² Transport Act 2000, Section 70(2)(f).

CAA's Regulatory Decision

50. Noting the anticipated impacts relevant to the material factors the CAA is bound to take into account, the CAA have decided to approve the proposed ACP 2015-04 RNP IAPs to EGJ for aircraft category's A-B. These procedures take account of the NOTAM'd de-notification of EGJ's airspace at the point of decision. The CAA has not concluded its consideration regarding the permanent de-notification of EGJ's airspace and this decision does not prejudice the outcome of ACP2022-082. Further details of the reason for the CAA's decision can be found in the CAA documents referred to in paragraph 21 above. By way of a summary only, the CAA has made this decision for the following reasons:

51. We have made this decision because 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 in para 4), the CAA considers that this proposal is both safe and proportionate. This ACP proposes to introduce IAPs 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 and is reflected in the conditions stipulated in paragraph 4.

Conditions

52. It is a condition of our decision to approve the proposal that the Sponsors meets the list of conditions as stated in paragraph 4 of this document.

Implementation

53. The revised airspace will become effective on 15 June 23 (AIRAC 6/2023). Any queries are to be directed to the SARG Technical Regulator, by emailing airspace.policy@caa.co.uk.

Post Implementation Review

54. In accordance with the CAA standard procedures, the implications of the change will be reviewed after one full year of operation¹³, at which point, CAA staff will engage with interested parties to obtain feedback and data to contribute to the analysis.

55. The Sponsors will be sent a letter detailing the PIR requirements.

56. 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.

Civil Aviation Authority

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¹³ See the [CAA Website](#) for updates.