



Department  
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From the Secretary of State  
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Date:

30 OCT 2019

*Dear Richard,*

**Amendment to The Civil Aviation Authority (Air Navigation) Directions 2017**

As you will be aware, I am extremely keen and committed to see that the UK benefits from being the best place in the world to undertake general aviation-related activities. Enhancing our existing airspace arrangements is key to achieving this objective.

I have therefore signed the attached Directions, which amend the Civil Aviation Authority (Air Navigation) Directions 2017 ("the Directions 2017"). The changes which are being made are designed to strengthen how airspace is managed and also to enable some airspace change proposals to be determined more quickly than would otherwise be the case.

As you will see from the Amendment, I wish that proposals involving Global Navigation Satellite Systems (GNSS) approaches without approach control should be given priority for the time being in order to assist in clearing the backlog that currently exists. I am also keen to see the development of a less burdensome process to handle future GNSS approach without control proposals to help encourage more proposals to come forward. I appreciate that it will take some months for you to develop the new process, but in the meantime I would be grateful if the ongoing GNSS approaches without control proposals could continue to be determined, and that this is done in a timely and expeditious manner.

In addition to the Amendment, I would also like to provide some additional Air Navigation Guidance as follows:

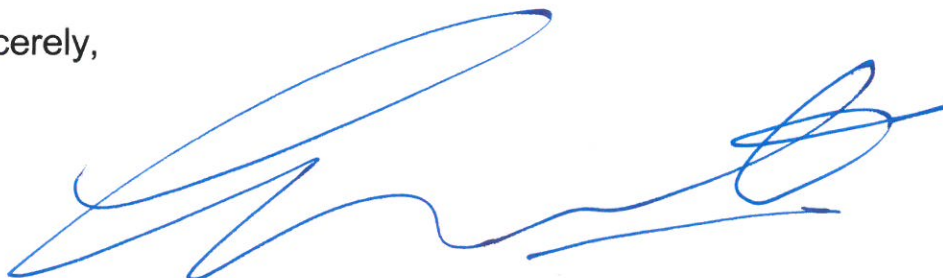
**Supplementary guidance to the Civil Aviation Authority (CAA) on environmental objectives when carrying out its air navigation functions:**

In accordance with section 70(2)(d) of the Transport Act 2000, the CAA should note that:

- i. the environmental objectives set out in the Air Navigation Guidance 2014 and 2017, as well as the rest of that Guidance, are not to apply to:
  - decisions whether to approve proposals for permanent changes to airspace design which seek to implement GNSS approaches without approach control; or
  - decisions to amend the classification of any airspace in accordance with the amended Directions 2017 new direction 3(b) (*airspace reclassification*);
- ii. this exemption from the Guidance is to apply with immediate effect and until further notice;
- iii. although exempted, we expect sponsors of exempted proposals, including the CAA, to consider the potential environmental consequences of the proposals, and to engage with relevant communities as the CAA considers appropriate;
- iv. the department will keep this exemption under review and will notify you of any change in this policy; and
- v. the exemption will be incorporated into the Air Navigation Guidance when a suitable opportunity arises.

I would like to add that I value the cooperation of your officials in this matter. Finally, please note that I am also considering a further amendment to the Directions to provide some additional guidance on section 70 of the Transport Act 2000. Further work is needed on this important issue and my officials will be in touch with yours over the coming days to discuss the way forward.

Yours sincerely,



**Rt Hon Grant Shapps MP**

**SECRETARY OF STATE FOR TRANSPORT**

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## DIRECTIONS

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### CIVIL AVIATION

#### The Civil Aviation Authority (Air Navigation) (Amendment) Directions 2019

The Secretary of State for Transport, in exercise of the powers conferred by sections 66(1), 68 and 104(2) of the Transport Act 2000<sup>(1)</sup>, gives the following Directions:

##### **Citation, commencement, application and interpretation**

1.—(1) These Directions may be cited as the Civil Aviation Authority (Air Navigation) (Amendment) Directions 2019.

(2) This direction, directions 2 and 3(1), (3)(b) and (10) of these Directions, and new direction 5A(2) of the 2017 Directions (as inserted by direction 3(8) of these Directions) come into force on 31st October 2019.

(3) The remainder of these Directions come into force on 1st April 2020.

(4) These Directions are given to the Civil Aviation Authority.

(5) In these Directions, “the 2017 Directions” means the Civil Aviation Authority (Air Navigation) Directions 2017<sup>(2)</sup>, as amended by the Civil Aviation Authority (Air Navigation) (Amendment) Directions 2018.

##### **Commencement of direction 9A**

2. The date for the coming into force of direction 9A (proposed planned and permanent redistribution of air traffic) of the 2017 Directions is changed to 1st February 2020.

##### **Amendment of the 2017 Directions**

3.—(1) The Civil Aviation Authority (Air Navigation) Directions 2017 are amended as follows.

(2) In direction 2 (interpretation) in the appropriate place insert—

““GNSS approach without approach control” means an instrument approach using a Global Navigation Satellite System to aerodromes without an instrument runway or approach control;”.

(3) In direction 3 (airspace design)—

(a) for sub-paragraph (b) substitute—

“(b) classify UK airspace in accordance with such national policy, publish such classification, regularly consider whether such classification should be reviewed, carry out a review (which includes consultation with airspace users) where the CAA considers a change to classification might be made and, as the CAA considers appropriate, amend any classification in accordance with procedures developed and published by the CAA for making such amendments;

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<sup>(1)</sup> 2000 c. 38.

<sup>(2)</sup> Given to the CAA in October 2017, a copy of which is included as an annex to the Air Navigation Guidance 2017, published by the Department for Transport on 24th October 2017.

(ba) in developing the national policy referred to in sub-paragraph (a), classifying UK airspace under sub-paragraph (b), or amending the classification of a volume of airspace under that sub-paragraph, seek 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;

(b) in sub-paragraph (e), before “UK airspace” insert “all”.

(4) In Direction 4(1) (airspace changes: procedure and guidance)—

(a) at the end of sub-paragraph (a), insert “which does not involve the implementation of a GNSS approach without approach control”;

(b) after that sub-paragraph insert—

“(aa) for a permanent change to airspace design involving the implementation of a GNSS approach without approach control.”.

(5) In direction 4(3)—

(a) for “procedure” substitute “procedures”, and

(b) after “(1)(a)” insert “and (aa)”.

(6) After direction 4(3) insert—

“(4) The procedure to be developed and published under paragraph (1)(aa)—

(a) applies to any proposal to implement a GNSS approach without approach control which commences the CAA’s process under Direction 4(1)(aa) on or after 1st April 2020, and

(b) must aim to expedite such proposals.”.

(7) In Direction 5(1) (proposed permanent change to airspace design), at the end insert “which does not involve the implementation of a GNSS approach without approach control”.

(8) After Direction 5 insert—

**“Proposals for a GNSS approach without approach control**

**5A.—**(1) Subject to direction 6, in accordance with its published strategy, procedures and policy on the design and classification of UK airspace, the CAA must consider and determine any proposal for a permanent change to airspace design involving the implementation of a GNSS approach without approach control.

(2) Except in the case of an airspace change proposed either by the MoD or for an urgent safety or national security reason, or where otherwise directed by the Secretary of State in relation to a particular proposal, the CAA must give consideration to a proposal for a permanent change to airspace design involving the implementation of a GNSS approach without approach control priority over consideration of any other proposal for a change to airspace design or operational procedures, or for an airspace trial.

(3) The CAA may make its approval of a proposal subject to such modifications and conditions as the CAA considers necessary.”.

(9) In direction 6(4) (Secretary of State’s call-in power), at the end insert “or 5A (as the case may be)”.

(10) In direction 6(5)—

(a) omit the “or” after sub-paragraph (b); and

(b) at the end of sub-paragraph (c) insert—

“, or

(d) could lead to any volume of airspace classified as Class G being reclassified as Class A, C, D or E.”.

Dated 29/10/17.

A handwritten signature in blue ink, appearing to read "Brent Sims". The signature is fluid and cursive, with the first name "Brent" and the last name "Sims" clearly distinguishable.

Secretary of State for Transport

