

YOUR LONDON AIRPORT

Gatwick

Mr Stuart Lindsey
Manager Airspace Regulation
Civil Aviation Authority
CAA House
45-59 Kingsway
London
WC2B 6TE

23 March 2018

Dear Stuart,

Thank you for your letter dated 9 February 2018 explaining the CAA's decision to request that the Court quash the CAA decision taken on 7 April 2017 in relation to the Route 4 RNAV Standard Instrument Departures (SIDs).

Your note set out quite clearly the practical effect of the quashing of the 7 April decision by the Court. It is clear that the immediate consequences of the court order are:

- the Route 4 RNAV SIDs remain in their current location but revert to a temporary state as was the case on 6 April 2017;
- and the Route 4 conventional SIDs must return to their location as at 6 April 2017 or be denotified.

However, from your letter and the subsequent discussion at our meeting on 28 February it appears that there is some flexibility in the next steps that GAL might take. We are in the process of reviewing whether we should re-notify the Route 4 conventional SIDs or else undertake the work required to review the conventional SIDs without the need to publish an interim procedure. With that in mind we are currently conducting an impact assessment focussed on the airlines which file flight plans to fly the Route 4 conventional SIDs. Early indications are that only around 0.25% of departing traffic are choosing to file a flight plan via these routes. Even in the case of these airlines we expect that all will be flying RNAV-coded overlays in some form. Accordingly, GAL anticipates it will be denotifying the Route 4 conventional SIDs (LAM 5M 5V, BIG 8M 8V, CLN 9M 9V and DVR 9M 9V) provided that this has no impact on the continued flying of the now temporary Route 4 RNAV SIDs pending the completion of the work needed to implement permanent Route 4 RNAV SIDs.

We would like to discuss with you further the subsequent process for development and implementation of permanent Route 4 RNAV SIDs which you outline in your letter. You suggest that GAL has to repeat the requirements set out in your letter of 14 August 2013 in light of the misunderstanding of the relevant facts as conceded by the CAA in the recent litigation. You suggest that this requires a full review of the conventional SIDs to be conducted in accordance with the CAP 1616 Airspace Change Process. You go on to say that, once the conventional SIDs have been

corrected through this process, you will then decide whether the RNAV design (we assume you refer to the design of the now temporary RNAV Route 4 SIDs) achieves to an acceptable standard its original stated aim. You say that if it does not then these Route 4 RNAV SIDs will be denotified. We have a number of points regarding this process on which we would welcome your views:

- This process, as we understand it, is likely to be extremely confusing for those with whom we would be required to consult. They will be consulted on conventional SIDs which would never in fact be flown.
- Following such a process will almost inevitably lead to a challenge that the conventional SIDs have been reviewed, and the “various discordant factors” weighed, with a view to conforming with the temporary RNAV SIDs.
- Your requirement that we review and assess the conventional SIDs appears to be driven by a desire to fulfil the objective of the original ACP from 2012, so that the change remains within that process which began in 2012. We would like to discuss whether there might be a route that meets all parties’ requirements but involves less convoluted steps, and delivers a solution without the extended timeframes which the new Airspace Change Process may impose.
- If a review of the conventional SIDs conducted in accordance with the CAP 1616 Airspace Change Process is unavoidable, we believe that the review of the RNAV SIDs should be conducted alongside it, so as to avoid an end result where GAL is forced to denotify the RNAV SIDs and is then left only with conventional SIDs that no airlines fly.

In order to assist us in undertaking the necessary next steps it would be extremely helpful for GAL to be furnished with full details of the investigation, conducted by the CAA, into the history of the conventional route and the changes that occurred. It would be useful if you could release to us the investigation report and any supporting evidence to aid our understanding of how the Route 4 conventional SID routes changed over time. We would also wish to share this information with our local communities and other involved stakeholders.

I would like to meet you as soon as possible to discuss the contents of this letter. I think it would be useful if we both had our legal experts present so that we can have advice as to whether any possible options for the way forward fit within the legal framework.



Mr Andy Sinclair
Head Airspace Strategy and Engagement
Gatwick Airport Ltd