

Safety & Airspace Regulation Group
Airspace, Air Traffic Management and Aerodrome Division



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Dear Andy,

As you are aware, the decision of the CAA dated 7 April 2017 in relation to Route 4 at Gatwick Airport has now been quashed by the Court upon the request of the CAA dated 19 January 2018.

Throughout the airspace change proposal (ACP) process commenced 30 November 2012 Gatwick Airport and the CAA accepted that magnetic drift was responsible for the displacement of traffic on Route 4 from the noise preferential route (NPR). During the process of responding to litigation, the CAA has conducted detailed and lengthy investigations into the history of the conventional route and the changes that have occurred since records are available. In short, through that process, it has become apparent that magnetic drift was not the predominant factor causing displacement of Route 4 from the NPR.

The CAA considered that it could not allow its decision to stand where such decision was based upon a misunderstanding of the relevant facts. Similarly, Gatwick Airport could not have conducted a proper consultation in 2016, because that relevant information was not available to it, and therefore it was not possible for it to be provided to consultees to enable them to respond properly to the consultation. It is upon these two grounds that the Court order has been made. The CAA has also agreed that it ought to have taken into account the value of preserving existing patterns of traffic in that decision, a reference to the requirements under the Air Navigation Guidance 2014 at 4.1(b).

The practical effect of the quashing of the decision is that it is as if the decisions to confirm the published Runway 26 Route 4 SIDs notified in the AIP as permanent and to approve the revised conventional SIDs submitted to the CAA in March 2017 were never made. Consequently, the RNAV route remains in its current location and reverts to its temporary state as it was on 6 April 2017 and the Route 4 conventional SIDs must return to their location as at 6 April 2017 or be denotified.

For safety reasons, it is not possible to simply reimplement the Route 4 Conventional SIDs as they were on 6 April 2017. Therefore, if Gatwick Airport requires interim conventional SIDs on Route 4, whilst the corrective review is undertaken, it is requested to submit designs matching the track over ground of the Route 4 Conventional SIDs as at 6 April 2017, taking into account 2017 obstacle data. This route will be given only a temporary status pending the conclusion of the additional conventional SID work, which remains a regulatory requirement, detailed below.

In any event, Gatwick Airport must still undertake the requirement set out in the CAA's letter of 14 August 2013 to undertake a full review of the conventional SIDs as it is now clear that:

- traffic has not flown the track over ground of the 2012 Route 4 Conventional SIDs in significant volumes since 14 November 2013;

- the review process will involve the weighing of various discordant factors in order to come to a conclusion on the corrected location of the Route 4 conventional SIDs; and
 - the correction of the Route 4 conventional SIDs may result in the movement of the easterly leg of those SIDs
- Gatwick Airport may only conduct this full review through the airspace change process as set out in CAP1616 and in accordance with the Air Navigation Guidance 2017.

Once the Route 4 conventional SIDs have been corrected, as set out in the CAA's letter of 28 September 2015, the CAA will remake its decision as to whether the RNAV design has achieved, to an acceptable standard, its original stated aim. If it does not, then that RNAV route will not be confirmed and will be de-notified by the CAA, i.e. removed from AIP. That will be the end of the airspace change process commenced by GAL's airspace change request dated 30 November 2012.

Finally, at the time of our decision in April 2017, Gatwick Airport made a number of further undertakings to the CAA with regards to Route 4. These remain in place.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S. Lindsey', with a long horizontal flourish extending to the right.

Mr. Stuart Lindsey
Manager Airspace Regulation
Safety & Airspace Regulation Group