

NATMAC Representatives & Non-NATMAC Consultees

DAP/AD1/LCYSIDSACP

17 September 2010

## **REMOVAL OF THE LONDON CITY (LCY) STANDARD INSTRUMENT DEPARTURES (SIDS) STEPPED CLIMB**

### **INTRODUCTION**

On 11 August 2010 LCY forwarded a proposal to DAP seeking the removal of the stepped climb from all LCY SIDs. As the proposal derived from a safety consideration, the change was developed and submitted in accord with the provisions of the Airspace Change Fast-Track Process contained in the Airspace Charter (CAP 724). The proposal does not relate to previous changes to the LCY SIDs implemented on 7 May 2009.

Upon receipt of the proposal, DAP undertook a detailed analysis of the material. The purpose of this letter is to provide you with an overview of the proposal and my subsequent decision on it.

### **PROPOSAL OVERVIEW**

It is widely recognised that stepped SID climbs have contributed to level busts. SIDs at LCY currently include a stepped climb from 3000ft to 4000ft which have been a contributory factor in a number of level bust incidents between LCY Airport departures and London Heathrow (LHR) Airport arrivals. In 2006, LCY introduced a tactical restriction on all SIDs to 3000ft to counter this threat. However, this measure was unable to reduce the numbers of level bust events. The threat culminated in a serious incident in July 2009 and the subsequent Air Accidents Investigation Branch's recommendation to remove the stepped climb from all LCY SIDs<sup>1</sup>.

The proposal in effect formalises procedures that have been employed tactically for a number of years, but crucially removes reference to the stepped climb to 4000ft. It must also be highlighted that the change forms part of a package of procedural and technical measures that will be introduced in the near future to help minimise the risk of a future occurrence between a LCY departure and a LHR arrival.

### **STATUTORY DUTIES**

DAP's statutory duties are set out in Section 70 of the Transport Act 2000 (the Act); the CAA (Air Navigation) Directions 2001, as varied in 2004 (the Directions); and Guidance to the CAA on Environmental Objectives relating to the Exercise of its Air Navigation Functions issued in 2002 by the DfT (then called Department of Transport, Local Government and the Regions (the Guidance)).

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<sup>1</sup> [http://www.aaib.gov.uk/cms\\_resources.cfm?file=/Citation%20525,%20D-ITAN%20and%20Boeing%20777%20300ER,%20TC-JJA%2009-10.pdf](http://www.aaib.gov.uk/cms_resources.cfm?file=/Citation%20525,%20D-ITAN%20and%20Boeing%20777%20300ER,%20TC-JJA%2009-10.pdf)

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## Safety

DAP's primary duty is to maintain a high standard of safety in the provision of air traffic services and this takes primacy over all other duties.<sup>2</sup> The high incidence of level bust incidents between LCY departures and LHR arrivals poses a safety risk to traffic operating in and out of both airports and consequently rapid progression of the proposal is justified. DAP staff, together with colleagues from the Safety Regulation Group of the CAA, have confirmed that the proposed change to the LCY SIDs can be safely implemented. The proposal does present the potential for traffic to route outside controlled airspace if either a tactical climb is not issued in sufficient time or the aircraft suffers a Radio Communications Failure (RCF). However, since the tactical change was introduced in 2006 there has been no evidence of aircraft failing to receive a tactical climb or experiencing RCF. Capped SIDs with final altitudes outside controlled airspace if not tactically climbed are not unusual in the UK. I am therefore content that there is no adverse flight safety impact on aircraft departing LCY and arriving at LHR. The appropriate safety management processes will be completed prior to the introduction of any operational change and all possible measures will be taken by the sponsor to ensure that pilots who operate in this area are aware of the details of the revised SIDs well in advance of the implementation date. I am therefore satisfied that the proposed change can be safely adopted.

## Airspace Efficiency

DAP is required to secure the most efficient use of airspace consistent with the safe operation of aircraft and the expeditious flow of air traffic<sup>3</sup>. The proposed amendment to the LCY SIDs reflects what has been in place tactically since 2006, lateral profiles have not been altered, and airspace efficiency is maintained with no likely impact on airspace users outside of controlled airspace. There is also a beneficial impact on operations inside controlled airspace in the area of risk in that the potential confusion over clearance levels is reduced. Consequently, I consider that the introduction of these arrangements does not adversely affect overall airspace efficiency.

## Airspace Users

DAP is obliged to satisfy the requirements of operators and owners of all classes of aircraft.<sup>4</sup> Given that the proposal is a formalisation of procedures that have been in place for some time, there is, in effect, no practical change to airspace usage. The sponsor has undertaken to ensure that all possible measures are taken to ensure that operators in the area are aware of the revision to the LCY SIDs in advance of implementation. Therefore, I am satisfied that this proposal meets the requirements of airspace users.

## Interests of Other Parties

DAP is required 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.<sup>5</sup> The nature of the proposal does not have adverse implications for the non-aviation community and therefore engagement with local government authorities and non-governmental organisations has not been undertaken. I am therefore satisfied that the overall interests of other parties have been adequately considered and no specific issues have been raised. Environmental issues are dealt with below.

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<sup>2</sup> Transport Act 2000, Section 70(1).

<sup>3</sup> Transport Act 2000, Section 70 (2)(a)

<sup>4</sup> Transport Act 2000, Section 70(2)(b).

<sup>5</sup> Transport Act 2000, Section 70(2)(c).

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## **Environmental Objectives and Impact**

DAP is also obligated to take account of any guidance on environmental objectives given to the CAA by the Secretary of State<sup>6</sup>, which has been provided in the detailed Guidance to the CAA on Environmental Objectives relating to the Exercise of its Air Navigation Functions<sup>7</sup>. As this is essentially a documentary change and there will be no fundamental changes to IFR traffic using LCY as a result of the proposal and therefore no changes to capacity, traffic mix and track mileage. Thus, it is unlikely that the changes will have a tangible adverse environmental impact. However, as part of the post implementation review of the new arrangement, the sponsor is required to conduct noise monitoring both pre and post implementation in order to confirm this assumption.

## **Integrated Operation of ATS**

DAP is required 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.<sup>8</sup> Considering the nature of the change as previously described and the extreme improbability of other service providers being affected I am satisfied the change will not impact on joint and integrated operations.

## **National Security**

DAP is also obliged to take into account the impact any airspace change may have upon matters of national security.<sup>9</sup> Although the MOD have not been fully engaged, the joint and integrated nature of DAP allows me to make the informed decision that national security will not be impacted by this proposal.

## **International Obligations**

DAP is required to take into account any international obligations entered into by the UK and notified by the Secretary of State.<sup>10</sup> No new international obligations arise as a result of the proposal.

## **Consultation with the MOD**

Consultation requirements with the Secretary of State for Defence are set out in the Air Navigation Directions (the Directions)<sup>11</sup>. The MOD has not been engaged directly prior to this stage of the Process as there is no impact on MOD operations.

## **ENVIRONMENTAL CONSIDERATIONS**

Environmental aspects have already been considered in a previous paragraph.

## **CONSULTATION**

As the proposal was submitted in accordance with the provisions of the Airspace Change Fast-Track Process, the Sponsor was not required to undertake formal consultation. However, the proposal was developed over an appropriate period and there is significant evidence within the change submission and additional correspondence to indicate that dialogue has taken place with LCY operators. I am therefore content that Airspace Regulatory requirements have been met.

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<sup>6</sup> Transport Act 2000, Section 70 (2)(d)

<sup>7</sup> Issued by the then Department for Transport, Local Government and the Regions in January 2002.

<sup>8</sup> Transport Act 2000, Section 70(2)(e).

<sup>9</sup> Transport Act 2000, Section 70(2)(f).

<sup>10</sup> Transport Act 2000, Section 70(2)(g).

<sup>11</sup> The Civil Aviation Authority (Air Navigation) Directions 2001 as varied by the Civil Aviation Authority (Air Navigation) (Variation) Direction 2004.

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## REGULATORY DECISIONS

I am satisfied that the proposed SID revisions were the most pragmatic solution to contribute to a pressing airspace management issue. I am equally satisfied that proposal can be safely adopted and that flight safety will be enhanced, thus satisfying DAP's primary statutory duty. I am also content that airspace efficiency will not be affected and the needs of the principal users will continue to be met.

The intention is that the new arrangement will become effective from 23 September 2010 (AIRAC10/2010). In accord with the Airspace Change Process a Post Implementation Review (PIR) will be conducted in September 2011; however, due to the safety critical nature of this change, an interim assessment will also be made at the 6-month point. The results of the 6-month assessment and PIR will be published in due course.

Yours sincerely

A handwritten signature in black ink, appearing to read 'P Roberts', is positioned below the closing text.

P ROBERTS  
Assistant Director