

CAA Decision Log

Airspace Change Proposal Title	Manchester Low Level Route (MLLR)
Airspace Change Proposal Reference	RCL-2024-001
Change Sponsor	UK Civil Aviation Authority
AIS Submission Target Date	22 November 2024 (target AIRAC 02/2025)
CAA Decision Target Date	15 November 2024
<i>Instructions</i> In providing a response to each question and/or status, the following colour coding should be used: - COMPLIANT/NOT APPLICABLE - NOT COMPLIANT/ACTION REQUIRED - ISSUE/CONCERN TO HIGHLIGHT	
Executive Summary - This is a CAP1991 proposal to re-classify the extant airspace known as the MLLR from class D to class G with an aligned restricted area (RA) special use airspace (SUA) structure established under Art.239 of the Air Navigation Order (ANO). Part of the EGCC CTR will be renamed as a consequence. - The RA will introduce a ruleset that will only allow the current main user group of the MLLR to continue to utilise a VFR crossing of the airspace between EGCC and EGGP without obtaining a clearance to transit class D airspace. - This proposal has not been subject to the full CAP1616 process, in accordance with CAP1991, however, the proposed changes have been reviewed in accordance with Stage 5 of CAP1616 to ensure regulatory compliance. - The extant MLLR exists through the issuance of an ORS4 1596 exemption. The proposal, if approved, will remove the requirement for the exemption while maintaining a high standard of safety and efficiency. - The ORS4 exemption is due to end 31st May 25. The proposal is for a RA that will only be implemented following the issue of an SI under the ANO. The SI will create a legally binding ruleset for entry into the RA structure. The monitoring of the structure will not be	

mandated; however, EGCC ATC will be the SUA Authority in accordance with SARG Policy 133: [Policy for the Establishment and Operation of Special Use Airspace](#), and as such will be subject to a limited audit (para E5.2 of the SARG Policy 133), by the CAA, under CAP740. The adjacent units (EGCC and EGGP) will require time to train staff and satisfy the ATS Inspectors of compliance as part of ongoing regulatory oversight.

- The recommendation is to approve the proposal, subject to the conditions listed below.
- The target AIRAC is 02/2025 (planned implementation date 20 February 2025), which is before the 1:500,00 VFR chart update 17 Apr 2025.

PART A – Airspace Change Process – GATEWAYS		
A.1	CAA Website	
A.1.1	Airspace Classification amendment: Manchester Low Level Route	
A.2	CAA SharePoint site	
A.2.1	SharePoint	
A.3	Stage 1 DEFINE Gateway	N/A
A.3.1		
A.4	Stage 2 DEVELOP AND ASSESS Gateway	N/A
A.4.1		
A.5	Stage 3 CONSULT Gateway	N/A
A.5.1		
A.6	Chronology	
A.6.1	• July 2023: The CAA published a detailed investigation of the MLLR as part of its ongoing Airspace Classification Review, CAP2564.	

	• 3 October 2023: Project kick-off meeting initiated a with Tier One stakeholders. • 29 November 2023: Follow up meeting held with Tier One stakeholders. • 19 October 2023: Tier Two stakeholders informed of the plans to amend the MLLR. • 8/9 January 2024: HAZID sessions held. • 26/27 February 2024: Information session held with Tier Two stakeholders. • 21 May 2024: Consultation opened. • 5 August 2024: Consultation closed (11 weeks). • 12 September 2024: Amend Submission (CAP 3027) made to Airspace Regulation. • 18 November 2024: CAA Decision made by Head AAA. • Target AIRAC 02/2025 (change sponsor AIS submission cut off 22 November 2024 target implementation date 20 February 2025).	
A.7	Are there any additional process requirements of the Civil Aviation Authority (Air Navigation) Directions 2023 (the “Air Navigation Directions”) and/or the Air Navigation Guidance 2017 which apply to this airspace change, and have they been complied with?	YES
A.7.1	The proposal acknowledges that EGCC do not need to provide ATC services in the proposed RA structure in accordance with class D rules in order to mitigate any risks to their operation. In accordance with SARG Policy 126 : Policy for the Design of Controlled Airspace Structures, which address the Air Navigation Directions (para 3(b)), the airspace should be designated as Class G. The ANG2017 does not apply CAP1991 proposals.	
PART B – Airspace Change Process – STAGE 5		
B.1	Was a Public Evidence Session required for this proposal?	N/A
B.1.1	A Public Evidence Session does not form part of the CAP 1991 process.	
B.2	Were any requests made for this decision to be called-in by the Secretary of State?	N/A
B.2.1	The Secretary of State call-in process does not form part of the CAP 1991 process.	

B.3	Does the Secretary of State call-in criteria apply to this proposal?			N/A
B.3.1	The Secretary of State call-in process does not form part of CAP 1991 process.			
B.4	Has the Secretary of State decided to call-in this proposal?			N/A
B.4.1	The Secretary of State call-in process does not form part of CAP 1991 process.			
B.5	Subject Matter Expert (SME) Regulatory Assessments NOTE: this captures RAG status only – full details contained within each of assessment (hyperlinks inserted below)			
<u>ATM Safety</u>		COMPLETE	<u>Environmental</u>	COMPLETE
Economic Assessment & Statement		N/A	Instrument Flight Procedure	N/A
<u>Consultation</u>		COMPLETE	<u>Operational</u>	COMPLETE
B.5.1	<i>Is there any other information outside of the regulatory assessments above which should be brought to the attention of the decision maker (e.g. outstanding Letters of Agreement)?</i> NIL			
B.6	Other Relevant Documents (title and hyperlinks to be inserted)			
<u>SARG Policy 133: Policy for the Establishment and Operation of Special Use Airspace</u>		<u>Amend Submission</u>	<u>Appendix A – Engagement Document</u>	<u>Appendix B – Engagement Strategy Document</u>
<u>Appendix C – Requirements Statement</u>		<u>Appendix D1 – Liverpool Initial Impact Assessment</u>	<u>Appendix D2 – Manchester Initial Impact Assessment</u>	<u>Appendix E – Amend Statement</u>
<u>Appendix G – Operational Impact Assessment</u>		<u>Appendix H – Aeronautical Data Spreadsheet</u>	<u>Appendix I – AIP updates required</u>	<u>Appendix J – Environmental Assessment</u>

Appendix K – Draft Statutory Instrument (SI)	Appendix L – Engagement Materials	Appendix M - Engagement Exercise Responses – Internal only	Appendix F – MLLR Safety Case v3 – Internal only
CAA Stage 5 Clarification Questions	SARG Policy 126 : Policy for the Design of Controlled Airspace Structures	CAP 2564 : Airspace Classification Review: Manchester Low-Level Route 2023	
B.7	Has the relevant legal and policy framework to the airspace change process been taken into account, including: - the Air Navigation Directions; - the Airspace Modernisation Strategy; - section 70 of the Transport Act 2000; the Air Navigation Guidance 2017; (does not apply to CAP1991 proposals) - CAP 1616 and associated publications.		YES
B.8	CAA consideration of whether the proposal is in accordance with the Airspace Modernisation Strategy (Air Navigation Directions, direction 5(1)). <u>NOTE</u>: the left column captures RAG status only and the right column captures the rationale – full details will be contained within the SME Regulatory Assessments. Reference should be made to the AMS characteristics (CAP 1616f, 6.61). For more information on the AMS strategic objectives, see <i>Airspace Modernisation Strategy 2023-2040 Part 1: Strategic Objectives and Enablers</i> (CAP 1711).		
Safety	This proposal will maintain a high standard of safety through the implementation of a RA that removes the requirement for an exemption to class D rules under an ORS4, while establishing a strict ruleset for flight in class G airspace.		
Integration of diverse airspace users	This proposed ruleset, which will be imposed under the RA, will not facilitate the diversification of users into the structure. It will allow the main current users to continue to use the airspace and should an exemption be required to allow a non-standard flight, the SI will allow the SUA Authority to authorise this in accordance with their safety management system (SMS), via the NATS Non-Standard Flight (NSF)		

	application procedure.
Simplification of airspace system	The use of the airspace defined by the MLLR is currently an anomaly to all other class D airspace in the UK, whereby the conditions published in the AIP, if followed, constitute a clearance, and permit entry in lieu of a verbal air traffic control clearance. The re-classification to class G means that a clearance is not required, and the ruleset established by the proposed RA should provide mitigations to the risks, such as a MAC, that are highlighted in the safety case. This should also reduce the likelihood of misunderstanding, regarding usage, for pilots who wish to utilise the structure.
Environmental sustainability	It is expected that this proposal will have a negligible impact upon the environmental considerations. A qualitative environmental assessment has been undertaken, concluding that only minimal differences are evident when compared with the baseline scenario. This proposal will not change the number or types of aircraft transiting the MLLR, and the concentration of traffic closer to the centre of the MLLR is expected to remain the same as in the baseline.
B.9	CAA consideration of factors material to our decision whether to approve the change (section 70, Transport Act 2000). <u>NOTE:</u> the left column captures RAG status only and the right column captures a summary of the rationale – full details will be contained within the SME Regulatory Assessments. Reference should be made to the Section 70 characteristics (CAP 1616f, 6.80).
Maintain a high standard of safety in the provision of air traffic services section 70(1)(a)	The ruleset for allowing flight in the proposed RA are established in a SI issued under Art 239 of the ANO . This airspace design has been proposed in order to mitigate the risks of keeping standard class G rules in a structure that is sandwiched between two CAS structures, which are established to provide ATC services to CAT operating at EGGP and EGCC. The ruleset will help reduce the likelihood of a MAC between aircraft in the RA structure, increase emergency landing options and reduce the likelihood of infringements into the adjacent CAS. The ruleset can be considered as mitigations and are enforced through Art 239 of the ANO, in that it is an offence to contravene, permit the contravention of or fail to comply with any regulations made under it. Compliance, in order to mitigate the risks, will rest with the pilots utilising the structure and with the SUA Authority (EGCC ATC). The SUA Authority must endeavour to ensure compliance and proportionately apply any required action(s) against contraventions in order to maintain a high standard of safety.
Secure the most efficient use of	The intent of the proposal is not to alter the scale or type of users that currently or historically have

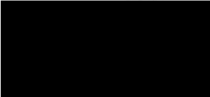
airspace consistent with the safe operation of aircraft and the expeditious flow of air traffic section 70(2)(a)	utilised the extant MLLR. The proposed ruleset will allow current users to continue to operate as they do today, however, they will be in class G airspace so not require an exemption to obtaining a clearance, however, this proposal does not preclude aircraft requesting a crossing of adjacent class D airspace as required. There are consequential impacts on EGCC and EGGP that have been accepted by both ANSPs, however, they should not negatively impact the efficiency of their operations. Without the ORS4 exemption EGCC ATC should service the class D airspace, for which they are responsible, which would likely result in an increase in class D crossing clearances when compared today. The proposed structure should therefore increase efficiency when compared to providing the likely number of class D crossing clearances that would occur without the ORS4 exemption.
Satisfy requirements of operators and owners of all classes of aircraft section 70(2)(b)	This proposal is not intended to satisfy the requirements of operators and owners of all classes of aircraft, because it intends to remove the requirement for the ORS4 exemption while safely allowing the continued use of the airspace. The intent is to maintain a high standard of safety while facilitating the ability to transit between EGGP and EGCC without an exemption to class D rules or CAS crossing clearance for the majority of operators that currently do so. Any non-standard flights will be permitted under the NATS non-standard flight (NSF) application procedure.
Take account of the interests of any other person (other than an operator or owner of an aircraft) in relation to the use of any particular airspace or the use of airspace generally section 70(2)(c)	The proposal does widen the available airspace when compared to the extant MLLR structure, which is intended to mitigate some identified risks. As a consequence of this, there is a possibility that transiting aircraft may fly where they have not before. However, it is unlikely that this would be discernible from the ground, given the ruleset that should ensure consistent usage and the relatively low number of transits (c.5600 in 2020/21) when compared to EGCC movements (180,246 in 2023).
Take into account the Secretary of State's guidance relating to spaceflight activities section 70(2)(ca)	This proposal does not impact spaceflight activities.
Take into account the Secretary of State's guidance on environmental objectives section 70(2)(d)	The Secretary of State's guidance on environmental objectives is outlined to the CAA in the Air Navigation Guidance 2017 (ANG2017) and this guidance was amended by the Secretary of State's letter dated 31.10.2019. The letter stated that the CAA should consider the environmental consequence of a proposal made for amending the classification of airspace, but that the existing Air Navigation Guidance was specifically disapplied. For the purposes of amending the classification of airspace the CAA will use

	the same principles as the Air Navigation Guidance, but without any of the obligations on process that the guidance contains. It is expected that this proposal will have a negligible impact upon the environmental considerations listed in the Air Navigation Guidance 2017 (noise, greenhouse gas emissions, local air quality, tranquillity, and biodiversity). A qualitative environmental assessment has been undertaken, concluding that only minimal differences are evident when compared with the baseline scenario. This proposal will not change the number or types of aircraft transiting the MLLR, and the concentration of traffic closer to the centre of the MLLR is expected to remain the same as in the baseline. The extension of the MLLR to the east by approximately 0.65NM will result in newly overflown areas, however, the frequency at which this is expected to occur is low at less than one aircraft per week.	
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 section 70(2)(e)	The proposal does not intend to change who will use the RA when compared to the current usage of the extant MLLR, therefore MoD aircraft can continue to utilise the proposed structure provided they meet the criteria stipulated in the RA. Stakeholder feed-back led to the proposed Maximum Certified Take Off Mass (MCTOM) of 40,000kg being applied, which will facilitate Chinook helicopters to utilise the structure.	
Take account of the interests of national security section 70(2)(f)	This proposal, if approved, will not impact national security.	
Take account of any international obligations notified to the CAA by the Secretary of State section 70(2)(g)	No such international obligations have been notified to the CAA under section 70(2)(g) of Transport Act 2000.	
B.10	Are there any other associated publications relevant to the proposal and, if so, have the requirements of those publications been met? <u>NOTE:</u> associated publications include Airspace Policy Statements listed here.	NO
B.11	Conclusions in respect of requirement 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. <u>NOTE:</u> this section only applies if the CAA is classifying or amending the classification of UK airspace.
B.11.1	The re-classification is from class D to class G. The RA will create restrictions on what aircraft types can routinely utilise the airspace, however, non-standard flights can be approved by the SUA Authority and clearance to transit the adjacent class D can still be requested.

PART C – Stage 5 Recommendation	
C.1	Taking the above information into account, what is your recommendation to the decision-maker for this proposal?
C.1.1	Operational The proposal is a fair and proportionate solution to the problem of having an ORS4 exemption which is currently facilitating VFR transit for predominantly GA aircraft types between EGCC and EGGP. It should ensure that only aircraft in the current category of users of the MLLR continue to utilise the airspace. It will maintain a high standard of safety while removing the requirement for the provision of an ATC service and clearance to cross, should the ORS4 exemption expire. The CAA will carry out an audit of the nominated SUA Authority (EGCC ATC) under para E5.2 of SARG Policy 133 in order to ensure that the RA is providing the mitigations intended. The SUA Authority will be expected to inform the CAA of any significant increase in CAS crossing requests or disproportionate use of the NSF application procedure. The proposal to re-classify the airspace as Class G and to recommend that the SoS of the DfT issues a Si to establish the RA, is recommended for approval subject to the conditions below. Engagement & Consultation The sponsor's approach to stakeholder identification was aligned with CAP 1991. Preliminary engagement activities with key stakeholders were followed by a period of formal engagement over an 11-week period from 21 May 2024 to 5 August 2024. This duration exceeded CAP1991 expectations on length. A range of online and face-to-face activities were conducted to publicise the engagement period and to maximise participation. A total of 322 responses were submitted with 89% of these being from members of the GA community. The response data demonstrated a high level of support for the proposal with 85% of respondents either strongly supporting or supporting the proposal to reclassify the MLLR to Class G airspace. Although no amendments were made to the proposal on account of feedback received during the formal feedback period, the proposals were shaped to take account of feedback received from key stakeholders during the preliminary engagement activities. The fundamental principles of effective consultation/engagement have been demonstrated. The proposal is recommended for approval subject to the conditions below. Environmental The sponsor has undertaken a qualitative environmental assessment in line with the requirements of CAP1991. This reclassification is expected to have a negligible environmental impact, with minimal differences evident when compared with the baseline scenario. This proposal will not lead to a change in the volume of traffic nor the types of aircraft using the MLLR. The increased vertical ceiling means that GA aircraft transiting the MLLR can do so at a slightly higher altitude than is currently the case, however, this difference is considered to be minimal. The lateral extension of the MLLR to the east will result in areas being newly overflown by GA traffic, however, the frequency at which this is expected to occur is minimal at less than once per week according to current traffic patterns. Based upon this, it is concluded that any environmental impacts resulting from the reclassification of the MLLR are negligible. The proposal is therefore recommended for approval.

	ATM See the Safety Review Letter of acceptance .	
C.2	Are there any Recommendations and/or Conditions for the change sponsor to address prior to implementation (if approved)?	YES
C.2.1	Conditions to be met <u>prior</u> to implementation: 1) Inter-unit agreements must be finalised and submitted to the CAA for review. 2) All the mitigations to the hazards, in the safety case, are to be accepted by the SUA Authority and all outstanding controls/mitigations are to be in place (details to be provided by the ATS Inspector for EGGP and EGCC). 3) At least 28 days before implementation, evidence of the completion of outstanding controls and mitigations to be supplied to the CAA. 4) On completion of actions required for controls or mitigations, safety hazards are to be reviewed in accordance with the units SMS (CAP760/795) to confirm post mitigation risk. 5) The CAA ATS Inspectors must be satisfied, following a review, that the units impacted by the proposed changes amend any impacted procedures, complete any required conversion training, and update associated documents in order to meet the mitigations stated in the safety case. 6) The impacted units radar displays must be updated. 7) The SI will stipulate that a non-standard flight can use the RA in accordance with permission granted by EGCC ATC, following acceptance under the NATS NSF application procedure. Conditions to be met <u>post</u> implementation: 1) The SUA Authority (EGCC ATC) will be subject to oversight in accordance with para E5.2 of SARG Policy 133 to ensure that the proposed procedures are providing the safe and efficient operation of the RA. 2) Should the level of NSF applications or CAS crossing requests impact the SUA Authority they will inform the CAA. Recommendation: 1) EGCC ATC and EGGP ATC should take account of the EGR323 North West Transit Corridor on their ongoing and any future airspace changes.	

C.3	Are there any specific requirements in terms of the data to be collected by the change sponsor for the Post Implementation Review (if approved)?	YES		
C.3.1	Although this proposal is not subject to a CAP1616 Stage 7 post implementation review, under CAP1991 (paras 196-208) the CAA Airspace Classification Team will be expected to review the effectiveness of the change. As no controlling authority is proposed, only a SUA Authority (EGCC ATC), the CAA AR team will expect the adjacent units and other airspace users to utilise extant feedback mechanisms such as mandatory occurrence reporting (MORs), FCS1522s and the ABANL, to provide data on the performance of the proposal if approved. Ongoing engagement by the Airspace Classification Team at regional airspace user working groups (RUAWGs) and local airspace infringement teams (LAITs), will also provide a mechanism for feedback. We would expect the CAA Airspace Classification Team to produce a data report and conclusions on the changes within the timeframes described in CAP1991. This should include data from the CAA's Airspace Analyser Tool for the number and types of aircraft transiting the MLLR, as well as the traffic patterns evident in the first 12 months post-implementation. Any abnormal environmental complaints or concerns should also be passed on to the CAA's Airspace Regulation team. FCS 1522 - UK Airspace Access or Refusal of ATS Report. Alleged Breach of Air Navigation Legislation (ABANL) by completing the CA 939 form.			
C.4	Are any other consents and approvals needed in order to permit the intended operation (title and hyperlinks to be inserted)?			
Draft SI – To be finalised and published prior to implementation.				
C.5	Are there any other comments/observations for the decision maker?	NO		
C.5.1	The CAA has not directly received any external correspondence in relation to the change sponsor's proposal to amend the MLLR.			
C.6	Account Manager Signature			
Account Manager				15 th Nov 24

PART D – Draft Regulatory Decision – Comment (for Level 1 Airspace Change Proposal's only)		
D.1	Was a Draft Regulatory Decision published for this proposal?	NO
The CAP 1991 process does not warrant a draft regulatory decision to be produced.		
D.2	Was any feedback received in relation to the Draft Regulatory Decision?	N/A
The CAP 1991 process does not warrant a draft regulatory decision to be produced.		
D.3	Has the Draft Regulatory Decision been amended in light of feedback received?	N/A
The CAP 1991 process does not warrant a draft regulatory decision to be produced.		

PART E – Final Regulatory Decision – Comment/Approval**Manager Airspace Regulation comments and recommendation:**

The planned expiry of the ORS4 1596 exemption would likely result in an increase in class D crossing requests within an area of controlled airspace which has become reliant upon the existing arrangements. This would likely decrease the efficient operation of that volume of airspace when compared to today's operations. The reclassification from class D to class G does however raise safety considerations due to the consequential airspace 'rule changes' when considered alongside the dimension of the existing "corridor". This proposal seeks to address those concerns through both the implementation of a Statutory Instrument, imposing specified restrictions, and through a minor amendment to the dimensions of the current corridor. Significantly this proposal includes an increase to the top level of the corridor from 1,300ft to 1,500ft AMSL. In the absence of a controlling authority however the ongoing monitoring through routine reporting mechanisms, coupled with the auditing of the SUA authorities will be essential to ensuring the safety considerations have been addressed. Subject to the Secretary of State decision regarding the approval of a Statutory Instrument alongside the satisfactory completion of the conditions listed above I recommend approving this proposal.

Manager Airspace Regulation			17 th Nov 24
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Head AAA comments and regulatory decision:

Head AAA endorses the recommendations set out in this document and adopts the recommended decision and recommended reasons set out above as the CAA's decision in respect of this airspace change and the reasons for it. Head AAA endorses the recommendations/conditions/PIR requirements as set out above.

Head AAA			18 th Nov 24
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