



PRESS RELEASE

Friday 19 January 2018

CAA concede Route 4 decision was wrong on all grounds

CAA must take its decision again, giving proper consideration to maintaining 2012 flight pattern

In a dramatic turn of events, the Civil Aviation Authority has conceded Plane Justice's judicial review claim on all grounds, and its April 2017 decision making the current Gatwick departure Route 4 permanent will be quashed by the High Court following the signing of a consent order by the parties.

The CAA was due to be in Court on 20th February for a full 2 day hearing, but having not come up with any detailed grounds of defence to our claim, they have now admitted their decision was wrong and conceded on all the grounds of claim.

The CAA have conceded in the consent order:

- *that they were WRONG to ignore existing patterns of traffic and the value of leaving the Route in its 2012 location,*
- *WRONG because they failed to require that Gatwick consult on the design of the Route that was introduced in May 2016,*
- *they concede they were also WRONG in saying that magnetic drift was a sufficient reason to move the Route, as their quashed decision had asserted.*

The CAA have been duly called to account, and the CAA and Gatwick are flying a Route based on a decision that has now been pronounced unlawful.

Plane Justice Acting Chairman Chris Quinlan said:

“Residents have now had confirmed what they always knew – that they’ve been victims of a wrong and now discredited decision, and one not even made with due consultation.

It is now up to the CAA and Gatwick to begin the process of redesigning Route 4. There will need to be a new satellite-based design taking due account of the above findings recorded in the Order, including giving full effect to the value of maintaining the 2012 flight pattern.

Trust of the decision makers has taken a battering, after logic, ethics, dialogue, campaigning and complaints failed to move them earlier, leaving legal action as the reluctant last resort.

This must mark the day the decision makers start to do the right thing by these residents – beginning with honouring the undertaking the CAA made to GATCOM in 2013, and taking the purely interim measure of returning Route 4 in the shortest practical time to the conventional navigation Route that pre-dated the CAA’s unlawful 7th April decision;

The intended effect of this would be to return the Route on a conventional navigation basis to its pre-2013 position, pending implementation of a new satellite-based route design.

This is exactly the situation the CAA itself envisaged should happen, in its 2015 ‘Post implementation Review’, if the RNAV version of Route 4 failed to achieve its original stated aim. This will give hard-pressed communities the breathing space they deserve, while Gatwick and the CAA meanwhile set in motion the necessary procedures and consultation on a new satellite-based design for Route 4 which honours the terms of the Order conceding our claim.

These long-suffering communities cannot be expected to endure yet another summer with Gatwick flying a Route derived from an unlawful decision.”

Meanwhile Plane Justice has put the CAA on notice that it reserves its rights to challenge any further decision they may take that does not give full effect to the value of maintaining the 2012 flight pattern.

- ends -

For further information, please contact Plane Justice:

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Notes to editors

- 1) Route 4 is a departure route from Gatwick Airport. The Route was altered in May 2016 and currently overflies (or in some cases vectors over) new populations to the North of the airport in Newdigate, Capel, Leigh, Norwood Hill, Sidlow, Salfords, Outwood and Horley.
- 2) Judicial review (JR) is where a Court reviews a decision made by a governmental or public/regulatory body, in this case the CAA, and decides whether it has been made correctly and lawfully.
- 3) The consent order signed by the parties agrees that the CAA's 7th April 2017 decision should be nullified, both with respect to the current RNAV Route 4, and with respect to the correction for magnetic drift to the historical conventional navigation route that the CAA ordered Gatwick to make. This will now be sealed by the Court.
- 4) Conventional navigation routes use ground based beacons rather than sat-nav for navigation and are still available for use at Gatwick. Many airports like Heathrow currently navigate aircraft using conventional navigation almost exclusively.