

2016 No. 1003

CIVIL AVIATION

The Air Navigation (Restriction of Flying) (Nuclear Installations) Regulations 2016

Made - - - - *6th October 2016*

Coming into force - - *10th October 2016*

The Secretary of State has decided that it is necessary in the public interest to restrict flying in the vicinity of certain nuclear installations specified in the Schedule for reasons of public safety.

The Secretary of State makes the following Regulations in exercise of the powers conferred by article 239 of the Air Navigation Order 2016(a).

Citation and commencement

1. These Regulations may be cited as the Air Navigation (Restriction of Flying) (Nuclear Installations) Regulations 2016 and come into force on 10th October 2016.

Revocations

2. The Air Navigation (Restriction of Flying) (Nuclear Installations) Regulations 2007(b) and the Air Navigation (Restriction of Flying) (Nuclear Installations) (Amendment) Regulations 2008(c) are revoked.

Restricted airspace

3.—(1) This regulation applies to each of the nuclear installations specified in Column 1 of the Schedule, each of which for the purpose of these Regulations comprises an area bounded by a circle of the radius specified in Column 2 of the Schedule, opposite its name in Column 1, and centred on the position specified in Column 3 of the Schedule.

(2) Subject to regulations 4 to 12, no aircraft is to fly over a nuclear installation to which these regulations apply below the height above mean sea level specified in Column 4 of the Schedule opposite its name in Column 1.

Permitted flight in restricted airspace

4.—(1) Regulation 3 does not prohibit a flight over a nuclear installation specified in paragraph (2) for the purpose of landing at, or taking off from, the helicopter landing area at the installation

(a) S.I. 2016/765.
(b) S.I. 2007/1929, amended by S.I. 2008/3169.
(c) S.I. 2008/3169.

with the permission of the person in charge of the installation and in accordance with any conditions to which that permission is made subject.

(2) Paragraph (1) applies to the nuclear installations at Barrow-in-Furness, Berkeley, Burghfield, Dungeness, Hartlepool, Heysham, Hunterston, Hinkley Point, Oldbury, Sellafield, Sizewell, Torness and Wylfa.

5. Regulation 3 does not prohibit a flight by a helicopter over the nuclear installation at Devonport for the purpose of landing at, or taking off from, any ship within the Devonport Dockyard with the permission of Flag Officer Sea Training and in accordance with any conditions to which that permission is made subject.

6. Regulation 3 does not prohibit a flight over the nuclear installation at Dungeness which—

- (a) has taken off from, or is intending to land at, London Ashford (Lydd) Airport,
- (b) is flying in accordance with normal aviation practice, and
- (c) which remains at least 1.5 nautical miles from the position specified in Column 3 of the Schedule opposite the entry for Dungeness in Column 1.

7. Regulation 3 does not prohibit a flight by a helicopter flying within the Bridgewater Bay Danger Area(a) over the nuclear installation at Hinkley Point which—

- (a) is made with the permission of the person in charge of that Area, and in accordance with any conditions to which that permission is made subject, and
- (b) which remains at least 1 nautical mile from the position specified in Column 3 of the Schedule opposite the entry for Hinkley Point in Column 1.

8. Regulation 3 does not prohibit a flight over the nuclear installation at Rosyth within the route notified as the Kelty Lane for the purpose of making an approach to land at, or a departure from, Edinburgh Airport.

9. Regulation 3 does not prohibit a flight over the nuclear installation at Springfields—

- (a) at a height of not less than 1,600 feet above mean sea level for the purpose of making an approach to land, or carrying out a missed approach procedure, at Blackpool Airport, or
- (b) in airspace lying south of a straight line drawn from 534644N 0024454W to 534513N 0025044W for the purpose of landing at, or departing from, Warton Aerodrome.

10. Regulation 3 does not prohibit a flight over the nuclear installation at Wylfa, at a height of not less than 2000 feet above mean sea level whilst operating under and in accordance with a clearance from the air traffic control unit at RAF Valley.

11. Regulation 3 does not prohibit a flight over the nuclear installation at Hartlepool, at a height of not less than 1800 feet above mean sea level whilst conducting an instrument approach procedure at Durham Tees Valley Airport.

12. Regulation 3 does not prohibit a flight over the nuclear installation at Coulport/Faslane by a helicopter for the purpose of landing at, or taking off from, any ship within the HM Naval Base Clyde which is made with the permission of the Duty Naval Base Officer, Faslane, and in accordance with any conditions to which that permission is made subject.

Signed by authority of the Secretary of State for Transport

6th October 2016

Kate Jennings
Head of Aviation Policy
Department for Transport

(a) The Bridgewater Bay Danger Area is notified in the United Kingdom Aeronautical Information Publication as Danger Area EG D119.

SCHEDULE

Regulation 3(1)

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
Name of Nuclear Establishment	Radius in nautical miles	Position (centre of circle)	Height in feet above mean sea level
Aldermaston	1.5	512203N 0010847W	2400
Barrow-in-Furness	0.5	540635N 0031410W	2000
Berkeley	2	514134N 0022936W	2000
Burghfield	1	512424N 0010125W	2400
Capenhurst	2	531550N 0025708W	2200
Coulport/Faslane	2	560331N 0045159W	2200
Devonport	1	502317N 0041114W	2000
Dounreay	2	583435N 0034434W	2100
Dungeness	2	505449N 0005717E	2000
Hartlepool	2	543807N 0011049W	2000
Heysham	2	540147N 0025452W	2000
Hinkley Point	2	511233N 0030749W	2000
Hunterston	2	554317N 0045338W	2000
Oldbury	2	513852N 0023415W	2000
Rosyth	0.5	560147N 0032703W	2000
Sellafield	2	542505N 0032944W	2000
Sizewell	2	521250N 0013707E	2000
Springfields	2	534634N 0024815W	2100
Torness	2	555806N 0022431W	2100
Wylfa	2	532458N 0042852W	2100

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations impose restrictions on flying in the airspace in the vicinity of certain nuclear installations for reasons of public safety. This has been agreed by the Civil Aviation Authority and the Department for Transport.

In relation to regulation 3(2), the term ‘aircraft’ includes aircraft as classified by Part 1 of Schedule 4 to the Air Navigation Order 2016. It also includes, by virtue of article 23 of that Order, any small balloon, any kite weighing not more than two kilograms, any small unmanned aircraft and any parachute including a parascending parachute.

Full details of the Statutory Instrument will be promulgated in the United Kingdom Aeronautical Information Publication. The zones will also be depicted on related aeronautical charts.

Further enquiries of the Civil Aviation Authority may be made to Mr R E J Gratton, Principal Airspace Regulator, Safety and Airspace Regulation Group, telephone number 020 7453 6586.