

2007 No. 1929

CIVIL AVIATION

The Air Navigation (Restriction of Flying) (Nuclear Installations) Regulations 2007

Made - - - - *5th July 2007*

Coming into force - - *1st August 2007*

The Secretary of State for Transport deems it necessary in the public interest to restrict flying in the vicinity of certain nuclear installations specified in the Second Schedule.

The Secretary of State for Transport, in exercise of her powers under article 96 of the Air Navigation Order 2005(a), makes the following Regulations:

1. These Regulations may be cited as the Air Navigation (Restriction of Flying) (Nuclear Installations) Regulations 2007 and come into force on 1st August 2007.

2. The Regulations specified in the First Schedule are revoked.

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

(2) Subject to regulations 4 to 13, no aircraft is to fly over a nuclear installation to which this regulation applies below the height above mean sea level specified in Column 4 of the Second Schedule opposite its name.

4.—(1) Regulation 3 does not prohibit at a nuclear installation specified in paragraph (2), flight for the purpose of landing at or taking off from the helicopter landing area at the installation 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 Aldermaston, Barrow-in-Furness, Berkeley, Bradwell, Burghfield, Chapelcross, Dungeness, Hartlepool, Harwell, Heysham, Hunterston, Hinkley Point, Oldbury, Sellafield, Sizewell, Springfields, Torness, Trawsfynydd and Wylfa.

5. Regulation 3 does not prohibit at the nuclear installation at Devonport—

- (a) flight by a helicopter for the purpose of landing at or taking off from HM Naval Base Plymouth Weston Mill Lake Helicopter Landing Site with the permission of Flag Officer Sea Training and in accordance with any conditions to which that permission is made subject; or

(a) S.I. 2005/1970, to which there are amendments not relevant to these Regulations.

- (b) flight by a helicopter 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 at the nuclear installation at Dungeness, flight by an aircraft which has taken off from or intends to land at London Ashford (Lydd) Airport flying in accordance with normal aviation practice which remains at least 1.5 nautical miles from the position specified in Column 3 of the Second Schedule.

7. Regulation 3 does not prohibit at the nuclear installation at Hinkley Point, flight by a helicopter flying within the Bridgewater Bay Danger Area^(a) with the permission of the person in charge of that Area and in accordance with any conditions to which that permission is made subject which remains at least 1 nautical mile from the position specified in Column 3 of the Second Schedule.

8. Regulation 3 does not prohibit at the nuclear installation at Rosyth, flight 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 at the nuclear installation at Springfields—

- (a) flight at a height of not less than 1,670 feet above mean sea level for the purpose of landing at Blackpool Airport; or
- (b) flight in airspace lying south of a straight line drawn from 534644N 0024454W to 534513N 0025044W for the purpose of landing at or taking off from Warton Aerodrome.

10. Regulation 3 does not prohibit at the nuclear installation at Wylfa, flight at a height of not less than 2000 feet above ground 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 at the nuclear installation at Bradwell, flight at a height of not less than 1500 feet above mean sea level whilst conducting an instrument approach procedure at London Southend Airport.

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

13. Regulation 3 does not prohibit at the nuclear installation at Coulport/Faslane—

- (a) flight by a helicopter for the purpose of landing at or taking off from HM Naval Base Clyde Helicopter Landing Site with the permission of the Naval Base Commander Clyde and in accordance with any conditions to which that permission is made subject; or
- (b) flight by a helicopter for the purpose of landing at or taking off from any ship within the HM Naval Base Clyde with the permission of the Naval Base Commander Clyde and the Queen's Harbour Master for Faslane and in accordance with any conditions to which that permission is made subject.

Signed by authority of the Secretary of State for Transport

Jim Fitzpatrick
Parliamentary Under Secretary of State
Department for Transport

5th July 2007

(a) The Bridgewater Bay Danger Area is notified in the United Kingdom Air Pilot as Danger Area EGD119.

SCHEDULE 1

Regulation 2

REVOCATIONS

<i>Regulations revoked</i>	<i>Reference</i>
The Air Navigation (Restriction of Flying) (Nuclear Installations) Regulations 2002	S.I 2002/2254
The Air Navigation (Restriction of Flying) (Nuclear Installations)(Amendment) Regulations 2004	S.I 2004/1612

SCHEDULE 2

Regulation 3(1)

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Name of Nuclear Installation</i>	<i>Radius in nautical miles</i>	<i>Position (centre of circle)</i>	<i>Height in feet above mean sea level</i>
Aldermaston	1.5	512203N 0010847W	2400
Barrow-in-Furness	0.5	540635N 0031410W	2000
Berkeley	2	514134N 0022936W	2000
Bradwell	2	514432N 0005352E	2000
Burghfield	1	512424N 0010125W	2400
Capenhurst	2	531550N 0025708W	2200
Chapelcross	2	550059N 0031334W	2400
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
Harwell	2	513430N 0011905W	2500
Heysham	2	540147N 0025452W	2000
Hinkley Point	2	511233N 0030749W	2000
Hunterston	2	554317N 0045338W	2000
Oldbury	2	513852N 0023415W	2000
Rosyth	0.5	560121N 0032709W	2000
Sellafield	2	542505N 0032944W	2000
Sizewell	2	521250N 0013707E	2000
Springfields	2	534634N 0024815W	2100
Torness	2	555806N 0022431W	2100
Trawsfynydd	2	525529N 0035655W	2700
Winfrith	1	504052N 0021535W	1000
Wylfa	2	532458N 0042852W	2100

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations revoke and replace the Air Navigation (Restriction of Flying) (Nuclear Installations) Regulations 2002. In addition to some minor drafting amendments, the following changes are made.

1. The exception permitting the use of a helicopter landing area within the restricted area at Capenhurst is withdrawn (regulation 4).

2. Teesside Airport has been renamed Durham Tees Valley Airport (regulation 12).

3. A helicopter may enter the restricted airspace at Coulport/Faslane for the purpose of landing at or taking off from HM Naval Base Clyde Helicopter Landing Site with the permission of the Naval Base Commander Clyde (regulation 13(a)).

4. A helicopter may enter the restricted airspace at Coulport/Faslane for the purpose of landing at or taking off from any ship within the HM Naval Base Clyde with the permission of the Naval Base Commander Clyde and the Queen's Harbour Master for Faslane (regulation 13(b)).

No regulatory impact assessment has been produced.

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