

Consultation on Amendments to UK Reg (EU)139/2014 and CAP 168

Recent operational experience across the UK aviation sector has highlighted a growing safety and capacity-related issue concerning the acceptance of diverted aircraft at aerodromes. Periods of disruption particularly during adverse weather, airspace constraints, or network congestion have exposed inconsistencies in aerodrome preparedness and diversion handling capability. To address this, the CAA proposes regulatory enhancements to strengthen safety, improve operational resilience, and ensure greater clarity regarding aerodrome obligations in diversion scenarios.

The CAA proposes amendments to Acceptable Means of Compliance (AMC) and Guidance Material (GM) to UK (EU) Regulation No. 139/2014 and CAP168.

These amendments would introduce the ability to attach specific conditions to an aerodrome's Certificate; or Licence These conditions would define diversion acceptance capability and clearly establish the types and number of diverted aircraft an aerodrome is equipped to accept under various operating conditions.

The purpose of the consultation is to gain feedback from industry and the wider public on the proposed amendments detailed below. The intention is including new AMC/GM relating to aircraft diversion and aircraft diversion plans, the amendments will also be included in CAP168 Licensing of Aerodromes.

The output of the consultation will be taken into consideration, and a Comment Response Document (CRD) will be published.

This Consultation relates to;

1. Addition of AMC and GM in Annex III, Subpart C of UK Reg (EU) 139/2014.
2. The new additions introduce new text as AMC3 ADR.OR.E.005 (Part E) and supporting guidance material in GM3 ADR.OR.E.005 and GM4 ADR.OR.E.005 which is detailed below.
3. The changes will be incorporated into CAP 168 Licensing of Aerodromes in Chapter 2 as shown below.

Summary of changes (to be added as attachment in citizen space)

UK Reg (EU)139/2014

Annex III Subpart C ADDITIONAL AERODROME OPERATOR RESPONSIBILITIES

The following text is inserted as AMC1 ADR.OR.E.005 (Part E)

AMC3 ADR.OR.E.005 Aerodrome manual

AERODROME MANUAL

[...]

PART E — PARTICULARS OF OPERATING PROCEDURES OF THE AERODROME, ITS EQUIPMENT, AND SAFETY MEASURES

[...]

30. Procedures for aircraft diversions

30.1 Where an aerodrome conducts scheduled and non-scheduled commercial air transport operations or can reasonably expect to be selected as an alternate aerodrome by commercial air transport aircraft as an alternate aerodrome for diversions, the aerodrome operator should establish and maintain a diversion event plan.

30.2 The diversion event plan should define the arrangements, procedures and resources necessary to safely and effectively accommodate aircraft diverting from another aerodrome, following the decision of an aircraft operator to divert.

The following text is inserted as GM3 ADR.OR.E.005

GM3 ADR.OR.E.005 Aerodrome manual

AIRCRAFT DIVERSION EVENT PLAN

- (a) The diversion event plan is intended to support aerodrome operators in maintaining aviation safety when aircraft divert to their aerodromes. Diversions may arise due to adverse weather conditions, operational constraints, technical issues, or other unforeseen circumstances at the planned destination aerodrome. Effective diversion planning will enable aerodromes to respond promptly and proportionately to such events, recognising that the timely accommodation of a diversion may be critical to flight safety.
- (b) Diversions should be treated as a notification to the aerodrome, with acceptance assumed. Only where the aerodrome has defined and communicated that it has reached the limits of its agreed diversion capacity should it notify that it is unable to accommodate the aircraft. This approach reduces the need for acceptance/refusal dialogue, avoiding potential hesitation or delay that could increase operational risk.

- (c) Diversion event planning should include regular assessment of aerodrome capacity to accommodate diverted aircraft, including aircraft parking, stand availability, passenger processing, and welfare arrangements. Where capacity constraints are identified, aerodrome operators should work proactively with relevant stakeholders to define and agree the limits of their diversion capability, including pre-planned responses when those limits are approached or reached.
- (d) Planning should support a model in which diversions are treated as notified by default, with accommodation assumed within these agreed parameters. Where normal parking capacity is constrained, aerodrome operators should identify safe and practicable alternative solutions in advance. This may include, where appropriate, temporary operational measures such as the use of non-standard parking locations, subject to suitable safety assessment.
- (e) An inability to provide a seamless passenger or customer experience is not sufficient justification to refuse a diversion. The diversion event plan should prioritise the safe and timely landing of aircraft.
- (f) Where delays to ground handling, passenger processing, or onward journey arrangements are anticipated, aerodrome operators should communicate this information, including via ATIS where appropriate, to support flight crew decision-making.
- (g) Diversion event plans should be reviewed periodically and following significant diversion events to ensure continued effectiveness and alignment with operational experience. Lessons identified from diversion events, exercises or stakeholder feedback should be used to inform updates to procedures, training and coordination arrangements.
- (h) Aerodrome operators should consider the potential for multiple diversion scenarios, particularly during periods of adverse or widespread weather disruption. Diversion event plans should therefore account for cumulative impacts on aerodrome resources and personnel, and include escalation arrangements, decision-making responsibilities and internal coordination processes.
- (i) Aerodrome operators should establish and maintain clear communication arrangements with based aircraft operators, visiting operators, air traffic service providers and ground handling organisations to support the management of diversion events, including those occurring at short notice. These arrangements should be documented within the diversion event plan

The following is inserted as GM4 ADR.OR.E.005 Aerodrome manual

GM4 ADR.OR.E.005 Aerodrome manual

AIRCRAFT DIVERSION EXPECTATIONS

- (a) The overriding consideration when accepting a diversion is the safety of the aircraft, passengers and crew. Aerodrome operators are expected to accept aircraft diversions where the aerodrome infrastructure and operating environment are suitable for the aircraft concerned. Unnecessary delay or refusal to accept a diversion may result in increased risk, including reduced fuel margins and the potential escalation to an emergency situation.
- (b) The absence of pre-existing commercial agreements, such as ground handling arrangements, should not in itself be used as justification to refuse a diversion where it is otherwise safe to accept.
- (c) While aircraft operators remain responsible for the ground handling of their aircraft and passengers following acceptance of a diversion, aerodrome operators should be prepared to facilitate coordination where ground handling resources are limited, recognising that this may lead to extended on-ground delays for passengers.

The proposed text detailed below is intended to be inserted into for CAP168.

CAP 168 Licensing of Aerodromes

Change area

The following is inserted in CAP 168 Chapter 2 after para 2.26 and operational procedures sub heading after item 22.

Aerodrome manual

[...]

23. Where an aerodrome conducts scheduled and non-scheduled commercial air transport operations or can reasonably expect to be selected as an alternate aerodrome by commercial air transport aircraft as an alternate aerodrome for diversions, the aerodrome operator should establish and maintain a diversion event plan.

24. The diversion event plan should define the arrangements, procedures and resources necessary to safely and effectively accommodate aircraft diverting from another aerodrome, following the decision of an aircraft operator to divert

The following is inserted in CAP 168 Chapter 2 following paragraph 2.72

[...]

Aircraft diversions

2.73 The diversion event plan is intended to support aerodrome operators in maintaining aviation safety when aircraft divert to their aerodromes. Diversions may arise due to adverse weather conditions, operational constraints, technical issues, or other unforeseen circumstances at the planned destination aerodrome. Effective diversion planning will enable aerodromes to respond promptly and proportionately to such events, recognising that the timely accommodation of a diversion may be critical to flight safety.

2.74 Diversions should be treated as a notification to the aerodrome, with acceptance assumed. Only where the aerodrome has defined and communicated that it has reached the limits of its agreed diversion capacity should it notify that it is unable to accommodate the aircraft. This approach reduces the need for acceptance/refusal dialogue, avoiding potential hesitation or delay that could increase operational risk.

Aircraft diversion event plan

- 2.75 The diversion event plan is intended to support aerodrome operators in maintaining aviation safety when aircraft divert to their aerodromes. Diversions may arise due to adverse weather conditions, operational constraints, technical issues, or other unforeseen circumstances at the planned destination aerodrome. Effective diversion planning will enable aerodromes to respond promptly and proportionately to such events, recognising that the timely accommodation of a diversion may be critical to flight safety.
- 2.76 Diversions should be treated as a notification to the aerodrome, with acceptance assumed. Only where the aerodrome has defined and communicated that it has reached the limits of its agreed diversion capacity should it notify that it is unable to accommodate the aircraft. This approach reduces the need for acceptance/refusal dialogue, avoiding potential hesitation or delay that could increase operational risk.
- 2.77 Diversion event planning should include regular assessment of aerodrome capacity to accommodate diverted aircraft, including aircraft parking, stand availability, passenger processing, and welfare arrangements. Where capacity constraints are identified, aerodrome operators should work proactively with relevant stakeholders to define and agree the limits of their diversion capability, including pre-planned responses when those limits are approached or reached.
- 2.78 Planning should support a model in which diversions are treated as notified by default, with accommodation assumed within these agreed parameters. Where normal parking capacity is constrained, aerodrome operators should identify safe and practicable alternative solutions in advance. This may include, where appropriate, temporary operational measures such as the use of non-standard parking locations, subject to suitable safety assessment.
- 2.79 An inability to provide a seamless passenger or customer experience is not sufficient justification to refuse a diversion. The diversion event plan should prioritise the safe and timely landing of aircraft.
- 2.80 Where delays to ground handling, passenger processing, or onward journey arrangements are anticipated, aerodrome operators should communicate this information, including via ATIS where appropriate, to support flight crew decision-making.
- 2.81 Diversion event plans should be reviewed periodically and following significant diversion events to ensure continued effectiveness and alignment with operational experience. Lessons identified from diversion events, exercises or stakeholder feedback should be used to inform updates to procedures, training and coordination arrangements.
- 2.82 Aerodrome operators should consider the potential for multiple diversion scenarios, particularly during periods of adverse or widespread weather disruption. Diversion event plans should therefore account for cumulative

impacts on aerodrome resources and personnel, and include escalation arrangements, decision-making responsibilities and internal coordination processes.

2.83 Aerodrome operators should establish and maintain clear communication arrangements with based aircraft operators, visiting operators, air traffic service providers and ground handling organisations to support the management of diversion events, including those occurring at short notice. These arrangements should be documented within the diversion event plan

Aircraft Diversion Expectations

2.85 The overriding consideration when accepting a diversion is the safety of the aircraft, passengers and crew. Aerodrome operators are expected to accept aircraft diversions where the aerodrome infrastructure and operating environment are suitable for the aircraft concerned. Unnecessary delay or refusal to accept a diversion may result in increased risk, including reduced fuel margins and the potential escalation to an emergency situation.

2.86 The absence of pre-existing commercial agreements, such as ground handling arrangements, should not in itself be used as justification to refuse a diversion where it is otherwise safe to accept.

2.87 While aircraft operators remain responsible for the ground handling of their aircraft and passengers following acceptance of a diversion, aerodrome operators should be prepared to facilitate coordination where ground handling resources are limited, recognising that this may lead to extended on-ground delays for passengers.

[...]

What are the Regulations?

Regulations contain requirements which must be complied with. The CAA's statutory role is to consider the required content of the regulations, consult on our proposed changes to the regulations, take consultation responses into account before forming a final view and then communicating that view to the Secretary of State (Department for Transport) in the form of an Opinion. Our Opinions are published. The Secretary of State makes the final decision whether to implement CAA's proposed changes to the regulations, and the final wording of the regulations. The proposed wording of the regulations in this consultation may well change if and when the Secretary of State decides to amend the regulations.

Why your views matter

It is important to the CAA that everyone has an opportunity to voice their opinion on matters that could affect them. For this reason, we are asking for comments on these proposed changes to the Regulations.

We welcome comments from every sector of the community. This includes the general public, government agencies and all sectors of the aviation industry, whether as an aviator, aviation consumer and/or provider of related products and services.

How to respond

Responses to this consultation can be submitted by no later than Feb 28 2025.

If you wish to provide feedback, please use the online survey.

What happens next

At the end of the response period, we will review and publish each comment and submission received.

Your feedback will be used to guide the development of the regulatory changes and refine the AMC and GM.

Online Survey

Page 1. Personal information

First name

(Required)

Last name

(Required)

Please tick here if you wish your response to be published anonymously, otherwise your name and organisation will be published alongside your response.

Email address

If you enter your email address, you will automatically receive an acknowledgement email when you submit your response.

Email

Do your views officially represent those of an organisation?

Dropdown (required)

Yes, I am authorised to submit feedback on behalf of an organisation

No, these are my personal views.

If yes, please specify the name of your organisation.

Which of the following best describes the group you represent?

Tickbox (required)

Please select only one item

- Aircraft owner/operator
- Pilot
- Aerodrome owner/operator
- Aerodrome personnel
- Air traffic services provider
- Air traffic controller
- Aerodrome consultant
- Airline consultant

- Air traffic services consultant
- Flight training organisation
- Other training organisation
- Other

Please specify "Other" if selected.

Page 2 Proposals

Q1

Policy proposal

Do the proposals provide sufficient detail to enable compliance with the intent of the relevant implementing rules?

(Required) Yes No

If you answer No, please ensure you explain which of the proposed amendments to the implementing rules does not contain sufficient detail to enable compliance, why and what you would suggest instead in the relevant section.

Freetext

Policy proposal

Q2

Do you consider the proposed requirement for aerodrome operators to establish and maintain a diversion event plan to be proportionate to the safety risks associated with aircraft diversions?

(Required) Yes No

If you answer No, please ensure you explain in more detail in which areas are not proportionate and why.

Freetext

Q3

Policy proposal

Do the proposed AMC and GM provide sufficient flexibility for aerodromes of differing size, complexity, and operational profile to implement diversion event plan?

(Required) Yes No

If No, please explain where you believe additional flexibility or clarification may be required. If Yes, please provide examples of where this flexibility is achieved.

Freertext

Q4

Policy proposal

(Required) Yes No

If you answer Yes, please ensure you explain in more detail in which areas are a cause of the and why.

Freertext

Q5

Policy proposal

Does the consultation provide sufficient information on the change proposals give sufficient clarity

(Required) Yes No

If you answer No, please explain why and what needs further clarity.

Freertext

Q6

Policy proposal

Do you consider that the proposed provisions adequately support timely and safe decision-making when responding to short-notice or multiple aircraft diversion scenarios?

(Required) Yes No

Please explain your answer, drawing on operational experience where relevant.

Freetext

Q7

Policy proposal

Do you agree that the proposed guidance appropriately balances the responsibilities of aerodrome operators, aircraft operators, and ground handling organisations during a diversion event?

(Required) Yes No

Please provide further details to support your response, including any areas where you consider the balance could be improved.

Freetext

Q8

Policy proposal

Do you anticipate that the introduction of formal diversion event planning will deliver benefits in terms of aviation safety, operational resilience, or passenger welfare?

(Required) Yes No

Please explain your answer and identify any specific benefits or affected stakeholders you consider relevant.

Freetext

Q9

Policy proposal

Do you foresee significant challenges for aerodrome operators in implementing the proposed diversion event planning requirements?

(Required) **Yes No**

If Yes, please describe the challenges and indicate how they might be reasonably mitigated. If No, please explain why you consider the proposals to be readily implementable.

Freetext

Q10

Policy proposal

Are there any additional scenarios, assumptions, or operational considerations that should be reflected in the AMC or GM to support effective management of aircraft diversion events?

(Required) **Yes No**

If Yes, please describe the additional matters you believe should be considered

Freetext

Q11

Policy proposal

Do you have any additional feedback on this proposed change?

(Required) **Yes No**

If Yes please provide such feedback below.

Freetext

Page 3: Response 1

Please select the section you are responding to:

Select the most appropriate classification for your feedback from the drop-down menu

Dropdown (required)

Comment on the principle or policy included in the proposed change

Comment on a particular proposed regulatory change

Editorial (e.g. spelling/grammar/formatting)

Question/clarification

Re-wording to improve clarity

What is the issue that you have identified?

Freetext

What is your proposed solution or amended text?

Freetext

It's the CAAs intention to apply the rules by the ICAO applicability date. Do you/your organisation have any comment regarding the intention.

(Required) Yes No

If yes, please indicate:

- (a) the reasons that a different date for the implementation of these changes is required, and
- (b) implementation period you consider would be appropriate.