

What is out of scope of this consultation (what we are not consulting on)

There are a number of aspects of airspace change that are not within the scope of this consultation. Consequently, the CAA will not consider or act upon any responses that focus on these areas, which are detailed below.

Matters of government policy

This consultation document is not about matters which are outside of the CAA's airspace change process. This includes government policy, which the CAA's process must implement, and which we will discuss with the Government but which ultimately the CAA has no control over. The consultation also assumes that the respective CAA and Secretary of State functions in respect of airspace remain unchanged. If any aspects of these were to change there may be an impact on the CAA's process, which we would have to take into account and address at that time.

Below is a list of some of the policy areas where there could be a knock-on impact on the CAA process:

- Changes to the statutory guidance which the Secretary of State gives the CAA on how it should take environmental impacts into account (see Chapter 2). This includes, by way of example: the policy objective to limit and where possible reduce the number of people in the UK significantly affected by aircraft noise; whether flight paths are concentrated along a narrow path or deliberately dispersed; how and whether aircraft tracks are alternated to provide periodic respite from noise; and whether tranquil areas are avoided.
- Matters of national defence and security
- Matters relating to the implementation of European law which is binding on the UK
- Whether changes to flight paths where the 'notified' airspace structure is unchanged are subject to an approval process
- The 'noise preferential routes' set by the Secretary of State at Heathrow, Gatwick and Stansted airports for aircraft departures
- Whether the Government decides to implement recommendations by the Airports Commission to create an 'Independent Aviation Noise Authority', a new noise engagement forum, or a compensation scheme
- The standard metrics for quantifying the amount and level of noise.

The Government may review and update its policies and any of the documents noted above. For example, it may choose to consider the Airports Commission's recommendation to create an Independent Aviation Noise Authority. The CAA's airspace change process will need to be flexible to respond to policy changes as and when they happen. We believe this is a matter for the CAA and Government to discuss and agree, and we will not re-consult on our process unless policy changes are of such a substantial nature that we consider we have to, or the Government explicitly requests us to do so.

Changes to flight paths which result from decisions made by air traffic control providers and outside the CAA's control

Some changes to flight paths can be made by the air traffic control provider on a long-term tactical basis by altering its procedures without the CAA needing to be notified. This is essentially where operational and safety requirements necessitate an airspace structure where there is flexibility as to the exact flight paths followed. Within such areas, for the purposes of safety and service delivery, air traffic controllers may issue directional instructions to aircraft which are either not aligned with a published flight path or where no such published flight path exists. Guidelines on noise such as following Noise Preferential Routes and descending from optimum heights to minimise noise disruption are still adhered to. It has been argued that where such tactical changes to flight paths lead to a planned permanent redistribution of noise, they ought to be subject to a similar process. This would require a change in government policy which, if undertaken, may result in a change to the Directions from the Secretary of State to the CAA. This is not covered in this consultation. If the Directions to the CAA were changed, we would review our process and consult on any changes to it if necessary.

CAP 725

As explained above, we will only redraft CAP 725 once we have heard your views, and therefore we are not consulting on a replacement document at this stage. We expect to seek stakeholders' views on the redrafted version in early 2017.

Airspace changes that have recently been approved, or are currently going through the airspace change process, are also out of scope. This consultation concerns the process and how it may change in the future, not the specific details of current or developing proposals which adhere to the current process.