



AirportsUK submission: Airspace modernisation: consultation on a UK Airspace Design Service (UKADS)

December 2024

Introduction

AirportsUK welcomes the opportunity to respond to this consultation and welcomes the chance to present the collective views of our membership. Rather than addressing each consultation question individually, our approach will focus on key themes and overarching principles that reflect the consensus within our membership. This thematic approach ensures that we provide a comprehensive and cohesive response while recognising that individual airport members may submit detailed responses specific to their circumstances and operational contexts.

About AirportsUK

AirportsUK serves as the primary trade association representing the interests of airports across the United Kingdom. Our membership encompasses over 50 airports, ranging from regional hubs to major international gateways. As the principal voice for the sector, AirportsUK engages with the UK Government, Parliamentarians, and regulatory bodies to advocate on issues impacting airports and the broader aviation industry.

This response reflects the collective expertise and insights of our members, underscoring our commitment to supporting a thriving, sustainable, and forward-looking aviation sector in the UK.

Response to the consultation

Overall, AirportsUK has engaged in roundtable discussions with members and welcomes the proposals to progress UKADS, aiming to modernise UK airspace to make it more efficient, flexible, and environmentally friendly. The establishment of a UK Airspace Design Service (UKADS) will centralise airspace design, initially focusing on the London TMA region. We should prioritise actions to overcome the current challenges of fragmentation and inconsistency in airspace changes. The establishment of a centralised UKADS will ensure a unified approach, consistent standards, and robust quality assurance for all Airspace Change Proposals (ACPs).

UKADS Structure and Governance

One of the options suggested is that NERL and UKADS should jointly act as the ACP sponsors and lead the airspace design process ("holding the pen"), including resolving design conflicts through trade-offs. We broadly support this approach; however, there needs to be a forum or mechanism built in whereby airport sponsors get to be informed of, and have an opportunity to comment on, both the process and the design that is developing.



We believe that it is currently unclear exactly what role the Advisory Board would fulfil. As a non-exhaustive list, we believe that it should be to ensure that correct processes are followed, resourcing is adequate and holds UKADS to account for delivery. It should ensure that the process is fair, inclusive, and aligned with best practices, fostering trust among all stakeholders and verifying that the correct procedures have been followed.

We do not believe it would be the body to resolve trade-offs in the design, or decide sequencing of deployment, it should be clarified that this is not the case.

AirportsUK acknowledges the Civil Aviation Authority's role in overseeing UKADS to ensure transparency and impartiality in airspace design decisions. We support this objective and propose additional measures to strengthen the process, particularly in the selection of stakeholders for the UKADS1 Advisory Board.

To ensure robust oversight and scrutiny of UKADS1's activities, Airports UK recommends that the Advisory Board include independent members. We propose that AirportsUK be represented on the Board on behalf of airports as a whole to ensure fair and balanced input. Relying solely on subject matter experts from a single airport within the LTMA area risks perceptions of partiality. If subject matter experts are required, an airport or airports from airports outside the LTMA could be considered.

Additionally, we support the inclusion of representatives from airlines and other key stakeholders to ensure a balanced and comprehensive approach. We do not believe consumer groups should be represented on the Advisory Board. It is difficult to see how they would add value given the nature of the issues at hand, which are quite remote from the reality of the consumer experience. Their input should be through the consultation processes, not the Advisory Board.

We also seek clarification on the proposal that the Advisory Board could be developed from the existing Airspace Industry Modernisation Steering Group, which is currently dormant. Further details on how this transition would occur and the rationale for utilising this dormant group would be beneficial to ensure stakeholder confidence in the process.

These measures will enhance transparency, fairness, and stakeholder engagement, ensuring UKADS1 operates effectively and with trust from all involved parties.

Overall we will need i) robust governance and transition plans and processes developed in consultation with current ACP sponsors; ii) the governance and transition plans and processes should have clear roles and responsibilities for current ACP sponsors that give them a degree of influence ; and iii) the plans will need clear mechanisms etc for dealing with disputes etc – both where UKADS1 interfaces with ACOG ACPs and within UKADS (1 and, ultimately, 2).



Consultation and Engagement

One of the options for NERL to draft and providing consultation materials for airspace changes. We would support this as a starting point. UKADS would ensure the materials are comprehensive and meet regulatory standards. This approach promotes consistency and quality across all consultations, ensuring stakeholders receive clear and accurate information.

However, it has to be accepted that in individual cases airports will have to have the ability to add or change material to reflect local circumstances (eg history of engagement, local planning conditions/consents). So, whilst the material is a resource for airports they should not be bound to use it as is.

Our view then is that airports should, as the default, manage the consultation and engagement phase. Airports need to be able to keep control of this local relationship for the sake of consistency and transparency. Airports that wish could discuss with UKADS if they wish them to carry out consultation on their behalf if needed. It is essential to establish a pre-agreement between NERL and each airport, clarifying the level of control the airport wishes to retain over its stakeholder engagement.

Funding Mechanism

Airports UK acknowledges the Government's proposals for a UK Airspace Design Charge to fund UKADS and a UK Airspace Design Support Fund for other ACPs, with costs to be borne by airspace users in line with the 'user pays' principle. On the financing stream for FASI airspace modernisation outside the London area, Airports UK is keen to understand more details, particularly regarding eligible activities.

Airports UK also highlights the risk that the funding mechanism may not be established in time for UKADS1 to commence its activities. We, therefore, seek clarification on how this risk will be mitigated to ensure the timely initiation and continuity of UKADS1 operations.

There is a concern that the approach to the support fund outside of London could create a competitive disadvantage for airports that have independently made significant progress in FASI modernisation, as competitor airports may now benefit from additional government-financed support. Furthermore, the introduction of such a financing mechanism may unintentionally incentivise some airports to pause ongoing efforts until funding becomes available in 2025 or later. This needs to be addressed by setting out fair criteria and early opening of eligibility of projects for funding (even if the actual transfer of funds happens later).

We would seek clarification as to why this is being termed the UK Airspace *Design* Support Fund. Representations from industry have requested support for the airspace modernisation process as a whole. Design may be the most expensive element of this, but it may not be the totality. We see no reason to take a restrictive approach to this issue when the delivery of airspace change is the objective,



not just the creation of a new design. Similarly, the idea that the Support Fund should be administered by UKADS risks creating a restrictive focus only on design work.

Airspace Changes CAP1616

Airports UK acknowledges the complexities of the CAP 1616 process and agrees that refinements to streamline it would be welcome. However, we note that any new version of the framework could take significant time to develop and publish, potentially causing delays. The current complexity of airspace changes, compounded by the risk of delays in interconnected airspace clusters, poses challenges not only in terms of time but also with potential legal implications. This is especially concerning, given the resourcing levels at the CAA.

We recognise the consultation's acknowledgement that amendments or supplements to CAP 1616 will be made as necessary to accommodate UKADS1's activities that do not align with the existing framework. While we support the CAA's continued primary responsibility for approving Airspace Change Proposals (ACPs), we also support UKADS1 sponsoring ACPs through the CAP 1616 process, including the integration of multiple existing ACPs into a unified design where appropriate.

The transition and clustering process should as a minimum respect existing Design Principles for the relevant ACP, which were developed over time and which reflect a lot of input from affected stakeholders as well as the sponsor.

We would note that CAA needs to ensure that all clusters are able to progress in a timely fashion and that no one cluster is given undue prioritisation in terms of resources or timing.

Timeline

We believe UKADS1 has to develop at pace that secures airspace modernisation in London area by 2030. Airports are making excellent progress towards this and now need a single design that joins them all together.

Future development

UKADS 1 in the short term will, subject to consultation, just be for the London TMA region. Either by moving into the medium term, or to the full-blown UKADS 2, further ACPs will be picked up from the ACOG umbrella and given to UKADS. If other ACPs are picked up then there must be an adequate resourcing around that and a clear governance process for the move which involves both the sponsor of the ACP moving under UKADS and the UKADS 1 short-term current ACP sponsors/partners.



Conclusions

AirportsUK supports the creation of the UKADS to modernise UK airspace, aiming for greater efficiency, flexibility, and sustainability and emphasises the need for a centralised, consistent process for ACPs to overcome fragmentation. In conclusion, while AirportsUK supports UKADS, they highlight the need for robust governance, transparency, and fair engagement to ensure the process benefits all airports effectively.