



16 April 2010

Policy Statement

Policy For Danger Areas

1. Definition

1.1 A Danger Area is defined as "airspace which has been notified as such within which activities dangerous to the flight of aircraft may take place or exist at such times as may be notified". When such airspace is required, its vertical and lateral dimensions, hours of operation and other salient details are notified in the En-Route section of the United Kingdom Aeronautical Information Publication.

2. Policy

2.1 Any proposal to establish a new Danger Area or amend an existing Danger Area will normally be subject to the Airspace Change Process (ACP) following the guidance in Civil Air Publication (CAP) 725. A significant element of this process is consultation with interested parties, both military and civilian. All stakeholders, therefore, have the opportunity to comment upon any new airspace proposal, and all responses are considered before the Director of Airspace Policy (DAP)'s decision is reached. In addition, as part of the ACP a full environmental consultation is carried out and this is clearly of particular significance when choosing whether or not to approve the site of a Danger Area. In formulating such a proposal, due consideration must be given to the principles of the European Commission Single European Sky initiative and the concept of Flexible Use of Airspace. As such, the airspace requested must be the minimum required, both laterally and vertically, and the hours of operation must be commensurate with the planned activity.

2.2 There are certain activities, such as Unmanned Aircraft System (UAS) operations, which need to be conducted in segregated airspace. Whilst the activity might not in itself be considered inherently dangerous, it currently demands an enhanced level of protection from other airspace users. Therefore, subject to the normal ACP being followed and approved, a Danger Area may be established for activities which are not considered dangerous but which require segregation from other airspace users.

2.3 Regulatory responsibility requires of the DAP to take account of the public interest before granting approval for the establishment of a new Danger Area or the amendment of an existing Danger Area. Importantly, DAP will need to be satisfied that activities dangerous to other aircraft will be contained within the Danger Area and that the Danger Area will be managed so as to ensure that non-participating aircraft will only be permitted to fly within its confines at a time and in a manner that is safe. To that end, DAP may require sight of an appropriate safety case before approving the activity.

2.4 When considering the establishment or modification of a Danger Area, DAP requires

that an appropriate sponsor is identified. That sponsor must be competent to advise and manage the Danger Area, and to accurately report its activities to the CAA. To that end, the sponsor should be approved under Article 244 of the Air Navigation Order, which states that:

Approval of persons to furnish reports

"Article 244. In relation to any of its functions under any of the provisions of this Order the CAA may approve a person as qualified to furnish reports to it and may accept such reports."

- 2.5 DAP will normally expect the role of sponsor and the role of activity manager to be undertaken by two separate organisations. Responsibility to oversee the safe management of the airspace will rest with the sponsor, who will need to have appropriate arrangements in place with the activity manager to ensure that the activity manager controls all activities in the Danger Area in a manner which does not conflict with the sponsor's overarching obligation to ensure the safety of aircraft within and in the vicinity of the Danger Area.
- 2.6 In exceptional circumstances it may be possible for this sponsor to also be the activity manager, but DAP would need reassurance that potential commercial pressures could not influence the operation of the Danger Area unfavourably, particularly in terms of safety. Where any doubt exists, or the sponsor's safety case is considered to be insufficiently robust or lacking in maturity, then DAP may consider it necessary to insist on the separation of the roles of sponsor and activity manager.
- 2.7 In establishing its procedures and arrangements for the safety of a Danger Area the Sponsor should consider the following factors:
- a. Hours of operation;
 - b. Activity approvals;
 - c. User briefing;
 - d. Local airspace liaison/LoA;
 - e. Provision of a Danger Area Aeronautical Information Service (DAAIS)/Danger Area Crossing Service (DACS), where appropriate;
 - f. Portion of Danger Area being actively used;
 - g. NOTAM procedures; and
 - h. Infringement procedures.

It is accepted that not all these factors will apply to every Danger Area; on the other hand some Danger Area operations may require additional consideration. Terms of Reference for Danger Area sponsors is attached.

3. DAP Point of Contact

3.1 Off Route Airspace 2
Directorate of Airspace Policy
CAA House
45-59 Kingsway
London
WC2B 6TE

Telephone: 0207 453 6542

M SWAN
Director of Airspace Policy

Attachment: Terms of Reference for Danger Area Sponsors.

DANGER AREA SPONSORS

TERMS OF REFERENCE

1 PURPOSE

DfT charges the Civil Aviation Authority (CAA), through the Directorate of Airspace Policy (DAP), with ensuring the safe and efficient use of all airspace, whilst embracing the concept of the Flexible Use of Airspace (FUA). In support of this mission these TORs detail the responsibilities of the Danger Area (DA) Sponsors in respect of airspace management relating to UK DAs.

2 DANGER AREA SPONSORS RESPONSIBILITIES¹

DA Sponsors are to set the policy, which ensures the safe, effective and efficient management of the airspace for which they have responsibility. In discharging their responsibilities DA Sponsors are to comply with the following:

2.1 Regulation and Safety

Ensuring that all activities undertaken within the DAs are in accordance with relevant civil legislation and military regulations. Safety assurance and regulatory oversight should be conducted by personnel outside the service delivery/sponsorship chain. All DA safety assurance activities are to be reviewed regularly.

2.2 Hours of Operation

Ensure that the promulgated hours of operation for a DA are the minimum required to carry out the task for which the DA has been established. Hours of operation shall be subject to regular audit to ensure they continue to meet the requirement.

2.3 Airspace Dimensions

Ensure that the promulgated vertical and lateral dimensions of the DA are the minimum required to meet the task for which the DA has been established. These dimensions are to be subject to a regular audit to confirm continued requirement, and any required changes are to be actioned in accordance with the DAP Policy for DAs.

2.4 Activity Approvals

Ensure that processes are in place to validate and approve all DA activities.

2.5 Local Airspace Liaison / Letters of Agreement (LoA)

Ensure that effective liaison with all local airspace users and ATS providers is carried out and, where needed, establish LoAs to make best use of DA airspace for the benefit of all.

2.6 Usage Statistics

Establish a mechanism for gathering, analysing and archiving detailed statistical DA usage data. Statistics gathered are to include:

¹ This should be read in conjunction with the DAP Policy for Danger Areas.

- 2.6.1 Hours booked.
- 2.6.2 Hours used.
- 2.6.3 Reason for non-use.
- 2.6.4 Periods of non-availability and reason.

All held statistics shall be measured against promulgated hours of operation, and when requested are to be made available for CAA/DAP scrutiny.

2.7 **Danger Area Crossing Service (DACS)**

If a DACS is provided ensure that the service is in accordance with defined civil or military regulations. Any surveillance equipment used to monitor activity, provide DACS or detect incursions, must be designed, installed, operated and maintained in accordance with civil and/or military regulations. Where provided DACS activity data is to be recorded and accurate statistics maintained.

2.8 **Extending Hours of Operation**

Ensure that a process is in place to provide seven days notification, by NOTAM, for any extensions to DA hours, for which provision is made in the UK AIP. Adhoc extensions to DA hours is not permitted.

2.9 **Infringement Procedures**

Notify CAA/DAP (ORA 2 – 020 7453 6542) of any DA infringements, providing details to support further investigations. Ensure procedures are in place to cease range operations should an airspace infringement threaten the maintenance of Flight Safety.

3 GENERAL

DAP (ORA2 - 020 7453 6542) will maintain close liaison with all DA Sponsors, and should be regarded as the focal point for all DA management issues. Additionally, these TORs are under continuous scrutiny, and as such are subject to amendment as needed, and will be considered and ratified by the Members of the Danger Area users Group and CAA/DAP.