



The Civil Aviation Authority (Air Navigation) Directions

The Civil Aviation Authority (Air Navigation) Directions 2001 (incorporating Variation Direction 2004)

These directions are hereby given to the Civil Aviation Authority ("the CAA") by the Secretary of State for the Environment, Transport and the Regions in exercise of the powers conferred by Section 66(1) of the Transport Act 2000 ("the Act").

These directions are given in respect of that airspace comprising all airspace of the United Kingdom and all airspace outside the United Kingdom for which the Government of the United Kingdom has assumed responsibility under international arrangements (together "UK airspace").

CAA's air navigation functions

1. It shall be the duty of the CAA to develop, promulgate, monitor and enforce a policy for the sustainable use of UK airspace and for the provision of necessary supporting infrastructure for air navigation.
2. In particular the CAA shall:
 - a. provide or procure the provision of such advice as the Secretary of State for the Environment, Transport and the Regions and the Secretary of State for Defence, or both, may reasonably require;
 - b. discharge the responsibilities of the UK Meteorological Authority -
 - (i) in accordance with ICAO Annex III and other international obligations; and
 - (ii) subject to international obligations, in such a manner as the CAA may determine from time to time;
 - a. be responsible for the form and content of the UK Aeronautical Information Publication and ensure that an Aeronautical Information Service is provided in accordance with international obligations and any additional requirement the CAA may determine from time to time;
 - b. determine and procure the provision of a Lower Airspace Radar Service in UK airspace;

- c. prepare and maintain a co-coordinated strategy and plan for the use of UK airspace for air navigation;
- d. develop national policy for the classification of UK airspace, including design criteria, rules, guidelines and common procedures;
- e. classify UK airspace in accordance with the national policy developed in accordance with (f) above, keep such classification under review and make modifications as necessary;
- f. co-ordinate, determine and promulgate temporary changes in the utilization of UK airspace to meet special air navigation requirements;
- g. provide support for the analysis and categorisation of pilot and controller reported risk-bearing occurrences;
- h. develop, monitor and enforce national policy for the use and assignment of civil aeronautical radio frequencies and Secondary Surveillance Radar codes; and
- i. in relation to international air navigation, contribute to the development thereof and provide such assistance, as the Secretary of State may request, including, subject to section 2(4) of the Civil Aviation Act 1982, international representation.

Organisation of the Directorate of Airspace Policy

- (a) The CAA shall establish a Directorate of Airspace Policy to carry out its air navigation functions as set out in these directions and this Directorate shall be headed by the person nominated under section 66(3) of the Act.
- (b) The CAA shall make such arrangements as it considers appropriate for the role of the Ministry of Defence ("the MOD") in the joint and integrated civil/military provision of air traffic services and will ensure that these arrangements are documented in a Memorandum of Understanding between the CAA and the MOD.
- (c) The CAA shall enter into arrangements with the MOD to second and resource an appropriate number of personnel of the appropriate rank and experience from the MOD as the MOD contribution to the functioning of the Directorate and will ensure that these arrangements are documented in a Resource and Interface Arrangement.

Consultation and liaison arrangements

- 1. The CAA shall establish and operate such institutional arrangements with regard to air navigation as seem to the CAA to be necessary to:
 - a. promote safe, effective and efficient, integrated operation of air traffic service providers, particularly between military providers and a licence holder under Part I of the Act;
 - b. where the proposed exercise of air navigation functions may affect the requirements imposed on any air traffic service provider, ensure that such air traffic service provider is consulted on the proposed exercise of those functions;

c. where following consultation referred to at subparagraph (b) above broad consensus is not reached as to either the nature, extent or remuneration of any such service and the matter which has been the subject of consultation would have a material financial impact on an air traffic service provider, ensure that the consideration of the matter by the CAA shall be by its Members if the air traffic service provider so requests; and

d. without prejudice to section 67 of the Act and if the members of the CAA fail to reach a conclusion, following a request to consider under subparagraph (c) above or if it appears to the Members of the CAA that substantial issues of public policy might arise, ensure that the matter is referred to the Secretary of State.

1. The CAA shall publish details of mechanisms for consultation with representatives of air users, aerodrome operators and providers of air traffic services and other bodies and individuals as appropriate who may be materially affected by any changes proposed by the CAA in UK air navigation arrangements in the Official Record of the Civil Aviation Authority.

The Joint Air Navigation Services Council

1. The CAA shall ensure the continuation of the body known as the Joint Air Navigation Services Council ("the JANSC") and the constitution and functions of the JANSC are set out in the appendix hereto.

Consultation with and approval of the Secretary of State for Defence.

1. Without prejudice to section 67 of the Act, where it appears to the CAA that there is a need to increase the volume, or alter the classification, of controlled airspace; and that to do so might, in the opinion of either the CAA or MOD, have an adverse effect on the ability of the MOD to maintain its operational capability:

a. the CAA shall seek the approval of the Secretary of State for Defence before implementing its proposals;

b. where the Secretary of State for Defence is content, the CAA shall then carry out such further consultation on its proposals as these Directions require under paragraph 4(b) or (c) above before implementing its proposals subject to any direction given under section 68(3) of the Act;

c. where the Secretary of State for Defence is not content with the CAA's proposals, the CAA shall not implement such proposals if not in accordance with directions given by the Secretary of State under section 68(3) of the Act.

Environmental impact of air operations

1. Subject to section 70 of the Act the CAA shall perform its air navigation functions in the manner it thinks best calculated to take into account:

a. the Guidance given by the Secretary of State on the Government's policies both on sustainable development and on reducing, controlling and mitigating the impacts of civil aviation on the environment, and the planning policy guidance it has given to local planning authorities;

b. the need to reduce, control and mitigate as far as possible the environmental impacts of civil aircraft operations, and in particular the annoyance and disturbance caused to the general public arising from aircraft noise and vibration, and emissions from aircraft engines;

c. at the local, national and international levels, the need for environmental impacts to be considered from the earliest possible stages of planning and designing, and revising, airspace procedures and arrangements; and

d. the requirements of directions given under section 39 of the Act to licence holders, an authorised person or authorised persons generally.

1. Where changes to the design or to the provision of airspace arrangements, or to the use made of them, are proposed, including changes to air traffic control procedures, or to the provision of navigational aids or the use made of them in air navigation, the CAA shall:

a. where such changes might have a significantly detrimental effect on the environment, advise the Secretary of State for Transport of the likely impact and of plans to keep that impact to a minimum;

b. where such changes might have a significant effect on the level or distribution of noise and emissions in the vicinity of a civil aerodrome, ensure that the manager of the aerodrome, users of it, any local authority in the neighbourhood of the aerodrome and any other organisation representing the interests of persons in the locality, have been consulted (which might be undertaken through the consultative committee for the aerodrome where one exists);

c. where such changes might have a significant effect on the level or distribution of noise and emissions under the arrival tracks and departure routes followed by aircraft using a civil aerodrome but not in its immediate vicinity, or under a holding area set aside for aircraft waiting to land at a civil aerodrome, ensure that the manager of the aerodrome and each local authority in the areas likely to be significantly affected by the proposed changes, have been consulted;

and where such changes might have one or more of the effects specified in paragraphs 9 (a), (b) and (c) of this Direction, the Civil Aviation Authority shall refrain from promulgating the change without first securing the approval of the Secretary of State ¹ .

1. The CAA shall advise the Secretary of State on the airspace aspects of any proposal to establish new, modify existing, or reactivate disused, civil or military aerodromes, including their associated traffic patterns.

2. In relation to its air navigation duties, the CAA shall maintain its capability to provide expert technical advice to the Secretary of State on environmental matters.

3. The CAA shall provide a focal point for receiving and responding to aircraft related environmental complaints from the general public.

International relations

1. The CAA shall propose international agreements in relation to air navigation for the approval of the Secretary of State.
2. The CAA shall ensure that close co-operation is maintained in relation to air navigation with international organisations and the civil and military aviation authorities of other States.

Citation and commencement

1. These Directions may be cited as the Civil Aviation Authority (Air Navigation) Directions 2001 and shall come into force on 1 April 2001.

¹ NB: The text in paragraph 9 as amended by the Civil Aviation (Variation) Directions 2004