

## **Stop Low Flights From Luton's (SLFFL) response to CAP 3164 consultation**

There is, necessarily, an impact on the quality of life of residents that are affected by aircraft overflight. As such, the members of SLFFL have an understandable interest in the licence framework proposed by the UK Airspace Design and Coordination Services (CAP 3164).

A key concern is the lack of enforceable transparency within the proposed arrangements for the Airspace Design Service (ADS). In particular, CAP 3164 should rely on clear licence requirements, rather than on high-level obligations and future guidance, as is currently the case, to ensure openness in how airspace design decisions are developed.

Since ADS will, early on, create integrated airspace designs, this reliance on obligations and guidance creates a significant risk that decisions that directly impact communities will be taken without sufficient visibility or explanation. Furthermore, the licence does not require publication of explanation of design trade-offs, alternative options considered or clear reasoning as to why particular communities will be affected.

Without this information, communities cannot understand or engage with decisions that affect them, nor have confidence that impacts have been adequately considered.

Similar concerns about transparency and ineffectiveness of safeguards were raised by stakeholders during earlier consultations and are acknowledged in Chapter 1 of CAP 3164. While those concerns were acknowledged, they were largely relegated to guidance rather than addressed through enforceable licence conditions.

Communities share the same concerns and face comparable risks of confusion, dissatisfaction and dispute if transparency is insufficient.

While the desire to deliver airspace modernisation efficiently and at reasonable cost is understood, experience in planning and infrastructure decision-making suggests that reducing transparency to save time or cost can be a false economy.

A lack of openness and a tendency towards opacity tends to increase mistrust, which, in turn, increases the likelihood of challenge and delay after significant effort has already been invested. Early and robust transparency is often the least costly approach overall.

There is also a strong case for NATS (En Route) pls (NERL), when exercising ADS functions, to be subject to the Freedom of Information Act 2000 or to equivalent statutory disclosure obligations.

Given the public nature of ADS and its impacts, access to information is essential if communities are to engage constructively rather than resort to dispute.

The Civil Aviation Authority (CAA) should, therefore, reconsider whether the licence framework should include clearer, enforceable transparency requirements, ensuring that communities can understand how airspace design decisions are made, and that transparency is treated as a core element of successful delivery rather than an optional addition.

Airspace modernisation will only succeed if it is understood and trusted by communities. Transparency is a cornerstone to building that trust; the CAA must strengthen the proposed framework.

28<sup>th</sup> December 2025