

19 June 2020

Policy Statement

Policy for ATS Provision Within Controlled Airspace by Units not Notified as the Controlling Authority

1 Introduction

- 1.1 The purpose of this policy statement is to detail requirements and provide guidance regarding the approval of air traffic services (ATS) units (ATSUs) seeking to provide ATS within controlled airspace (CAS), where such units are not notified as the controlling authority for such airspace.
- 1.2 Civilian ATS providers should consider this policy statement without prejudice to the requirements of certification and designation laid down within Reg. (EC) No 550/2004 the 'Service Provision Regulation' and Reg (EU) No 2017/373 the 'ATM/ANS IR'.
- 1.3 This policy statement supersedes that issued on 27 April 2016.

2 Scope

- 2.1 Airspace and ATS provision within the scope of this policy statement is as follows:
 - a. Airspace within the UK Flight Information Region (FIR) and Upper Information Region (UIR).
 - b. ATS provision within en-route airspace to either general air traffic (GAT) or operational air traffic (OAT) by ATS providers other than NATS En-Route Ltd (NERL) or Royal Air Force (RAF) Unit (U) Swanwick. [See Annex A.](#)
 - c. ATS provision within active temporary reserved areas (TRA) by an Enhanced ATSU. [See Annex B.](#)
 - d. ATS provision within en-route class E airspace. [See Annex C.](#)
 - e. ATS provision within aerodrome control zones (CTRs) and control areas (CTAs) by an ATSU other than that notified as the controlling authority. [See Annex D.](#)
- 2.2 This policy statement does not apply to:
 - a. The provision of ATS within Special Use (Segregated) Airspace where a portion of airspace has been segregated from other airspace users to facilitate civilian or military requirements either permanently, periodically or temporarily. Special Use Airspace may take the form of danger areas, military training areas or temporary segregated areas. ATS may be provided by units not conforming to this policy statement; providing that such provision meets the requirements of the activity sponsor and all activity is wholly contained within that portion of airspace segregated for such purposes.
 - b. Those situations where it is considered necessary to delegate ATS provision within a portion of UK airspace to another State. Such delegations will be approved by the CAA separately.

c. Air Defence Priority Flight (ADPF) status. Where a State aircraft has been authorised to proceed under ADPF status, it may do so within any portion of UK airspace under the direction and control of a UK military ATC unit or a UK Air Surveillance and Control System (ASACS) unit defined in Appendix 1 to Annex A. Such organisations are to take appropriate steps to ensure the safety of other aircraft affected by such flights.

3 Definitions

3.1 For the purposes of this policy statement the following definitions apply:

- a. 'air traffic service (ATS)' means a generic term meaning variously, flight information service, alerting service, air traffic advisory service, air traffic control service (area control service, approach control service or aerodrome control service). (Reg (EU) No 923/2012 Article 2(32))¹
- b. 'air traffic services unit (ATSU)' means a generic term meaning variously, air traffic control unit, flight information centre, aerodrome flight information service unit or air traffic services reporting office. (Reg (EU) No 923/2012 Article 2(35))
- c. 'air traffic control (ATC) service' means a service provided for the purpose of preventing collisions between aircraft, and on the manoeuvring area between aircraft and obstructions; and expediting and maintaining an orderly flow of traffic. (Reg (EU) No 923/2012 Article 2(30))
- d. 'airway' means a control area or portion thereof established in the form of a corridor. (Reg (EU) No 923/2012 Article 2(36))
- e. 'area control centre' means an Air Traffic Control unit established to provide an air traffic control service to controlled flights in control areas under its jurisdiction. (Reg (EU) No 923/2012 Article 2(43))
- f. 'autonomous radar unit' (ARU) means a land, maritime, or air-based ATSU (ATC or ASACS), other than the ACCs (either civilian or military), which are authorised by the CAA to provide an ATS to aircraft operating within en-route CAS (outside of segregated airspace) in accordance with a Letter Of Agreement (LOA)² between the respective ATCC and said autonomous radar unit.
- g. 'control area (CTA)' means a controlled airspace extending upwards from a specified limit above the earth. (Reg (EU) No 923/2012 Article 2(56))
- h. 'Controlled airspace (CAS)' means an airspace of defined dimensions within which air traffic control service is provided in accordance with the airspace classification (Reg (EU) 923/2012 Article 2(58)). Controlled airspace is a generic term which covers ATS airspace classes A, B, C, D and E. (Reg (EU) No 923/2012 Article 2(58) GM1)
- i. 'control zone (CTR)' means a controlled airspace extending upwards from the surface of the earth to a specified upper limit. (Reg (EU) No 923/2012 Article 2(61))
- j. 'Danger Area' means an airspace of defined dimensions within which activities dangerous to the flight of aircraft may exist at specified times. (Reg (EU) No 923/2012 Article 2(65))

¹ Reg (EU) 923/2012 laying down the common rules of the air and operational provisions regarding services and procedures in air navigation. This regulation is more commonly referred to as the Standardised European Rules of the Air (SERA).

² It is recognised that in certain circumstances, specific to the ASACS environment, an Interface Document (ID) may be used in lieu of an LOA.

- k. 'Enhanced ATSU' means:
- (1) a land, maritime or air-based ATSU (ATC or ASACS), other than the Area Control Centre (ACC) (either civilian or military) and approved autonomous radar units, which are authorised by the Civil Aviation Authority (CAA) to provide an ATS to aircraft operating within the dimensions of an active TRA or TRAs, within the limits of its surveillance and communications cover; and,
 - (2) a land based ATC unit, other than the notified airspace controlling authority, which is authorised by the Civil Aviation Authority (CAA) to provide an ATC service to aircraft operating within the dimensions of an aerodrome CTR/CTA.
- l. 'En-Route Airspace' means:
- (1) all airspace at and above FL195, except airspace reservations when active; and,
 - (2) below FL195 all airways, Terminal Control Areas (TMAs) and the Clacton, Cotswold, Daventry, Portsmouth, Severn, Strangford and Worthing CTAs.
- m. 'Flight Information Service' (FIS) is a service provided for the purpose of giving advice and information useful for the safe and efficient conduct of flights. (Reg (EU) No 923/2012 Article 2(77))
- Note.** Within UK airspace, the UK FIS', as detailed within CAP 774, are normally³ the only ATS provided within class G airspace, active TRAs and to participating VFR flights operating within class E airspace. Within the UK, the scope of FIS, as defined in ICAO Annex 11, and transposed into European Law through Implementing Regulation (EU) No 923/2012, is met through the application of any of the UK FIS.
- n. 'General Air Traffic (GAT)' means all flights conducted in accordance with the rules and procedures of ICAO and/or the national civil aviation regulations and legislation. (EUROCONTROL ASM Handbook)
- Note.** GAT can include military flights for which ICAO rules and procedures satisfy entirely their operational requirements.
- o. 'Military Training Area (MTA)' means a defined volume of airspace established to afford freedom of operation to aircraft engaged in flying activities which are incompatible with the provision of Radar Control.
- p. 'Operational Air Traffic (OAT)' means all flights which do not comply with the provisions stated for GAT and for which rules and procedures have been specified by appropriate national authorities. (EUROCONTROL ASM Handbook).
- Note.** OAT can include civil flights such as test-flights, which require some deviation from ICAO rules to satisfy their operational requirements.
- q. 'Special Use Airspace (SUA)' means a defined volume of airspace designated for operations of a nature such that limitations may be imposed on aircraft not participating in those operations and segregation of that activity is required from other users. It is the general term overarching all type of the airspace that could be used for military purposes e.g. TSA, TRA,

³ In certain circumstances, the provision of the UK FIS by military ATS units may not be appropriate. In such cases, NATO Control Rules in accordance with AAP49 and STANAG 1183 should be provided where personnel are suitably trained and authorised to do so. MAA RA 3224 refers.

Restricted Areas, Danger Areas, Prohibited Areas, Military Training Area etc. SUA could be subject to the application of different levels of airspace management. (CAP 740)

- r. 'Temporary Reserved Area (TRA)' means a defined volume of airspace normally under the jurisdiction of one aviation authority and temporarily reserved, by common agreement, for the specific use by another aviation authority and through which other traffic may be allowed to transit, under ATC clearance. (EUROCONTROL Airspace Management (ASM) Handbook)

Note. In the context of the FUA Concept, all TRAs are airspace reservations subject to management and allocation at ASM Level 2.

- s. 'Temporary Segregated Area (TSA)' means an defined volume of airspace normally under the jurisdiction of one aviation authority and temporarily segregated, by common agreement, for the specific use by another aviation authority and through which other traffic will not be allowed to transit. (EUROCONTROL Airspace Management (ASM) Handbook)

Note. In the context of the FUA Concept, all TSAs are airspace reservations subject to management and allocation at ASM Level 2.

- t. 'Terminal Control Area (TMA)' means a control area normally established at the confluence of ATS routes in the vicinity of one or more major aerodromes. (ICAO)

4 Review of Policy

- 4.1 The CAA shall review this policy statement and its associated annexes on a discretionary basis but not less than triennially from its publication date.

5 CAA Point of Contact

Manager, Airspace Regulation
CAA Safety and Airspace Regulation Group
Aviation House
Beehive Ringroad
Crawley
West Sussex
RH6 0YR
E-mail: airspace@caa.co.uk

Annex:

- A. ATS Provision by Autonomous Radar Units.
- B. ATS Provision within Activated Temporary Reserved Areas (TRA) by Enhanced ATSU.
- C. ATS provision within En-Route class E Airspace.
- D. ATS provision within an Aerodrome CTR/CTA.

Annex A

ATS Provision by Autonomous Radar Units

A1 Introduction

A1.1 This Annex explains policy and provides guidance to both military and civilian ATS providers not designated as the airspace controlling authority, seeking approval to provide ATS within en-route CAS. Where approval is granted, such ATS providers will be designated as 'Autonomous Radar Units' (ARU) within the bounds of the airspace within which approval has been given.

A2 Scope

A2.1 It is recognised that ATS provision by units other than NATS Swanwick Centre, NATS Prestwick Centre or RAF (U) Swanwick may be required within portions of en-route CAS, to facilitate military training and operations, or to facilitate arrival / departure and overflight procedures associated with an airfield's operations.

A2.2 Where such a requirement exists, the geographical limits of such ATS provision shall be clearly defined within an LOA between said unit and the respective ACC responsible for that portion of airspace. Additional guidance for ASACS operations is provided at Appendix 1 to this Annex.

A2.3 For civilian units where the provision of ATS within en-route CAS to GAT has been delegated by NATS Swanwick Centre or NATS Prestwick Centre to facilitate airport procedures, it should be noted that provision of ATS to OAT within such airspace will be undertaken by RAF(U) Swanwick, unless a similar LOA has also been agreed.

A2.4 This policy statement applies to approved UK civilian ATC units and military ATC and ASACS units⁴. It specifies:

- a. The criteria by which approved ARU are permitted to provide ATS to aircraft operating under IFR and VFR within en-route class A-E airspace.
- b. The approval procedure to be followed when applying for ARU status.

A3 Criteria for ARU

A3.1 Units applying for ARU status must demonstrate compliance with the following requirements:

- a. **Personnel.** An ARU will be required to demonstrate that it is resourced with sufficient controller(s) and support staff to undertake the task defined within the application and that shall be competent⁵ for the full scope of the tasks undertaken.

⁴ MOD air traffic service providers are not required to be certified in accordance with EC Common Requirements Regulation or be subsequently issued with a Letter of Designation by the CAA. However, any civil ANSP requesting Autonomous Radar Unit Status will be required to be both certified and designated in accordance Reg (EU) No 2017/373 the 'ATM/ANS IR'.

⁵ Training courses undertaken by said personnel shall be approved by either the CAA or MOD, the content of which must be commensurate with the task being undertaken as defined within the application and LOA and satisfies the requirements for ATS provision.

- b. **Technical Requirements.** ARU shall as a minimum meet the applicable civilian⁶ or military⁷ technical standards and functionality requirements. They shall demonstrate that they are equipped with suitable surveillance and communication equipment capable of undertaking the autonomous radar task. Specifically, the ATS provider shall provide the CAA with a safety assessment that affirms that the equipment intended to be used by an ARU safely supports the ATC service to be discharged⁸. The following are considered to be the minimum surveillance and communication requirements. These should be enhanced where necessary in order to meet any additional safety requirements identified during the risk assessment phase of the application.
- (1) **Surveillance Requirements.** ARU shall demonstrate that they are equipped with primary and secondary surveillance radar equipment which meets the surveillance coverage requirements set out within CAP 670⁹ and is commensurate with the defined ARU task. Where such requirements are not met, these shall be detailed within the unit's hazard analysis with appropriate contingency mitigations to address the risk of sensor failure.
- (2) **Communication Requirements.** Land-based ARU shall demonstrate that they are equipped with communications equipment and systems which meet the requirements stipulated within CAP 670¹⁰ and are commensurate with the defined ARU task.

Communication requirements for HM ships applying for ARU approval will be considered on a case-by-case basis.

Airborne ATSU are to maintain continuous 2-way radio contact with both the aircraft under their control and the Control and Reporting Centre (CRC) tasked as their Weapons Manager. The latter shall act as a point of contact with the ACC and other land-based ATSU as necessary to facilitate co-ordination requirements.

A4 Letters Of Agreement (LOA)

A4.1 LOA shall:

- a. define both the task to be undertaken by the ARU and the terms and conditions applicable to autonomous radar operations.
- b. detail procedures for the sharing of, and right of access to, airspace specified within the agreement and the associated co-ordination procedures to be employed.
- c. describe agreed contingency procedures including the criteria and procedures for the suspension of the LOA.

⁶ CAP 670

⁷ DefStan 00-972

⁸ Military Units should refer to ATM 3000 Series – RA 3120 to 3140 for Surveillance Equipment Safety Cases and Release to Service requirements. Where Surveillance Equipment meets this requirement it shall be considered acceptable by the CAA.

⁹ CAP 670 - Part C, Section 3: Surveillance.

¹⁰ CAP 670 – Part C, Section 1: Communication.

- d. include a narrative description and graphical depiction of the lateral and vertical limits of the specified Area of Operations in which the ARU will operate.
- A4.2 LOA shall be agreed between the ARU, relevant ACC, other ANSPs with overlapping or adjoining airspace and other relevant parties as identified on a case-by-case basis.
- A4.3 LOAs shall follow the format detailed within EUROCONTROL's 'Common Format Letter of Agreement Between Air Traffic Services Units'¹¹ and shall be approved by the CAA.
- A4.4 LOAs are to be reviewed for relevance and accuracy every 3-years by the Unit signatories and re-submitted to the CAA for approval should any significant changes be made.

A5 Initial Approval Procedure

- A5.1 Units seeking ARU status shall undertake hazard identification, risk assessment and mitigation in accordance with applicable civilian or military safety regulations to confirm that the unit is able to safely provide an ATS to aircraft operating within the proposed portion of en route CAS. This assessment must address all aspects of the ATS system, and thus encompass personnel/training, ATS procedures and equipment.
- A5.2 Applications for ARU status shall consist of all relevant documentation including draft LOAs, draft orders, contingency plans and risk assessments. Civilian applicants shall submit such applications under a covering letter to:
Manager, Airspace Regulation
CAA Safety and Airspace Regulation Group
Aviation House
Beehive Ringroad
Crawley
West Sussex
RH6 0YR
- A5.3 Military applications for ARU status shall be made through the appropriate chain of command to Defence Airspace and Air Traffic Management (DAATM). The DAATM, in turn, will co-ordinate such requests with the Military Aviation Authority (MAA) to ensure all relevant military requirements have been addressed prior to submission to the CAA.
- A5.4 The CAA shall assess the application and either approve, reject or request further clarification of the application. If the application is rejected, Manager Airspace Regulation (AR) will respond to the application sponsor stating the reason for rejection.

¹¹EUROCONTROL document ASM.ET1.ST015 DEL01/02 - https://www.eurocontrol.int/sites/default/files/field_tabs/content/documents/nm/airspace/airspace-atmprocedures-common-format-loa-4.0.pdf

A6 Interpretations and Settlement of Disputes

- A6.1 Should any doubt or diverging views arise regarding the interpretation of any LOA, or in case of dispute regarding the application of a LOA, the parties involved shall endeavour to reach an acceptable solution. Should no agreement be reached, or there is a request to cancel a LOA which impacts on a unit's ARU status, each of the parties shall refer the dispute to the CAA for settlement.

A7 Amendment to Procedures

- A7.1 Amendment of procedures agreed between the ARU, relevant ACC and other ATS providers shall be subject to the written agreement of all signatories to the LOA or their authorised representatives/successors and subsequent approval of the CAA.

A8 Cancellation

- A8.1 The CAA may cancel ARU status at any time; however, such a decision will only be taken following discussion between all affected parties.

Appendix 1 to Annex A

Guidance For Autonomous ASACS Operations Within UK Airspace

UK ASACS Units

- 1 All current UK land, surface or air-based ASACS units, with the exception of the Merlin HM.2 helicopter fitted with Crowsnest¹², are permitted to provide an ATS to aircraft with Air Defence Priority Flight (ADPF) status in any part of UK airspace.
- 2 For operations other than those associated with ADPF status, the following airspace structures are not to be penetrated.
 - The main UK south-north airway and upper air route complex, from the London/Paris FIR/UIR boundary to the northern boundary of the Scottish Terminal Control Area (TMA).
 - All TMAs.
 - The following CTAs: Clacton, Cotswold, Daventry, Midlands, Portsmouth, Severn, Southern, Strangford and Worthing.
 - All CTRs and CTAs associated with an aerodrome.
 - Temporary controlled airspace established for Royal Flights.
 - All airways, except for the purpose of crossing.
- 3 Operations within the Hebrides Upper Transition Area should only be carried out following prior notification/co-ordination with Prestwick ACC.

Non-UK ASACS Units

- 4 Non-UK ASACS units will not be considered for ARU status by the CAA and may only provide ATS within airspace segregated for the activity.
- 5 Non-UK ASACS units may provide tactical information¹³ within class G airspace during exercises that are subject to prior notification via an Airspace Coordination Notice. They are not, under any circumstances, to offer or imply any form of ATS, even if requested to do so by aircrew in receipt of tactical information.
- 6 All aircrew planning to operate with non-UK ASACS within the scope of this appendix are to be briefed that tactical information does not represent any form of ATS.

¹² Whilst the MOD intends to apply for Enhanced ATSU status for Merlin HM.2 helicopters fitted with Crowsnest, this had not been done at the time of publication.

¹³ In accordance with (AAP)-49 Air Control Terms and Definitions and STANAG 1183, NATO Qualifications For Fixed Wing Above Water Warfare (AWW)/Air Defence (AD) AS Controllers (ATP-81).

Annex B

ATS Provision Within Activated Temporary Reserved Areas (TRA) by Enhanced ATSU

B1 Introduction

- B1.1 This Annex provides policy and guidance on the provision of ATS within an active TRA by military ATS providers other than those granted Autonomous Radar Unit (ARU) status. Where ARU status has been approved, this includes the provision of ATS within active TRAs, in accordance with the conditions of the ARU approval.
- B1.2 ATSU, other than those granted ARU status, which are authorised to provide ATS within an active TRA will be designated Enhanced ATSU.

B2 Scope

- B2.1 It is recognised that specific military ATC and ASACS units, other than ARUs, may be required to provide ATS to aircraft operating within active TRA.
- B2.2 This policy statement applies to UK military land, maritime or air-based ATSU, both ATC and ASACS providing ATS within TRAs 1-8, as published in the UK AIP ENR 5.2 and depicted at ENR 6-13, when such airspace is active.
- B2.3 ASACS units other than those described in paragraph B2.2 are constrained to the provision of tactical information¹⁴ only within active TRA and are not permitted to provide ATS except within airspace segregated for the activity.

B3 Limitations of Approval

- B3.1 Military ATS providers, other than ARUs, may be authorised to provide ATS within airspace defined within paragraph B2.2, subject to the following conditions:
- a. Rules for the provision of ATS within class C airspace do not apply within an active TRA. ATS will be provided in accordance with UK Flight Information Services (CAP 774).
 - b. They are not permitted to enter or cross en-route CAS structures e.g. airways that are established during TRA activation hours.
 - c. Outside daily activation hours, units may provide an ATS, in line with paragraph B3.1 a and b above, provided that the TRA has been booked and promulgated as active in accordance with the procedures stipulated at UK AIP-ENR 5.2. ATS provision by RN ASACS is to be limited to TRAs that have been specifically booked by the unit providing the service. Where any doubt exists as to the activity status of a TRA outside of daily activation hours, the Military Airspace Booking Coordination Cell (MABCC) should be consulted.

¹⁴ In accordance with (AAP)-49 Air Control Terms and Definitions and STANAG 1183, NATO Qualifications For Fixed Wing Above Water Warfare (AWW)/Air Defence (AD) AS Controllers (ATP-81)

B4 Criteria for Enhanced ATSU

B4.1 Military ATS providers seeking authorisation to provide ATS within an active TRA, must demonstrate compliance with the following requirements:

- a. **Personnel.** Demonstrate that it is resourced with sufficient appropriately qualified controller(s) and support staff to undertake the task defined within the application and that shall be competent for the full scope of the tasks undertaken.
- b. **Technical Requirements.** ATSU seeking authorisation to provide ATS within an active TRA shall as a minimum meet the applicable civilian¹⁵ or military¹⁶ technical standards and functionality requirements for surveillance and communication. Specifically,
 - (1) **Surveillance Requirements.** ATSU shall demonstrate that they are equipped with surveillance equipment which meets the coverage requirements set out within CAP 670¹⁷ to fulfil the defined task. Where such requirements are not met, these shall be detailed within the unit's hazard analysis with appropriate contingency mitigations to address the risk of sensor failure. Where aircraft are operating close to the lateral and/or vertical limits of solid radar coverage, ATSU shall inform the pilot of reductions in the provision of traffic information in accordance with CAP 774.
 - (2) **Communication Requirements.** ATSU shall demonstrate that they are equipped with communications equipment and systems which meet the requirements set out within CAP 670¹⁸ and are commensurate with the defined task.

Additionally, airborne ATSU are to maintain continuous 2-way radio contact with both the aircraft under their control and the Control and Reporting Centre (CRC) tasked as their Weapons Manager. The latter shall act as a point of contact with the ACC and other land-based ATSU as necessary to facilitate co-ordination requirements.

B5 Authorisation Procedure

B5.1 Responsibility for progressing new applications rests with the unit concerned.

B5.2 Prior to seeking approval for Enhanced ATSU status, military ATS providers shall undertake hazard identification, risk assessment and mitigation in accordance with applicable MAA Regulatory publications¹⁹ and Single Service policy, in order to confirm that the unit is able to provide an ATS to aircraft operating within an active TRA. This assessment must address all aspects of the ATS system, and thus encompass personnel, training, ATS procedures and equipment. In developing the risk assessment, particular regard should be given to contingencies in the event of unserviceabilities.

¹⁵ CAP 670.

¹⁶ DefStan 00-972.

¹⁷ CAP 670 – Part C, Section 3, Surveillance.

¹⁸ CAP 670 – Part C, Section 1: Communication.

¹⁹ DefStan 00-972 and ATM 3000 Series – RA 3120 to 3140 for Surveillance Equipment Safety Cases and Release to Service requirements.

- B5.3 Applications for Enhanced ATSU status should include all relevant documentation which includes, inter alia, draft orders, contingency plans, risk assessments and a covering letter. The application shall articulate and justify the requirement for the ATSU to provide ATS within an active TRA.
- B5.4 Applications should be forwarded by the requesting unit via their chain of command to the DAATM. The DAATM in turn will co-ordinate such requests with the MAA to ensure all relevant military requirements have been undertaken prior to submission to the CAA.
- B5.5 The final application shall be submitted to:
Manager, Airspace Regulation
CAA Safety and Airspace Regulation Group
Aviation House
Beehive Ringroad
Crawley
West Sussex
RH6 0YR
- B5.6 The CAA shall assess the application and either approve, reject or request further clarification of the application. If the application is rejected, Manager AR will advise the applicant through DAATM.

B6 Amendment to Procedures

- B6.1 The CAA will notify the DAATM / MAA of any changes to the procedures detailed within this Policy Statement.

B7 Cancellation

- B7.1 The CAA may cancel approval to provide ATS within an active TRA at any time but will only do so following consultation with the Unit concerned. Applications to cease ATS provision within an active TRA should be forwarded via the unit's chain of command.

B8 CAA Point of Contact:

Manager, Airspace Regulation
CAA Safety and Airspace Regulation Group
Aviation House
Beehive Ringroad
Crawley
West Sussex
RH6 0YR

Annex C

ATS Provision Within En-Route Class E Airspace

C1 Introduction

C1.1 This Annex aims to explain policy for ATS provision by both civilian and military ATS providers to flights operating under either IFR or VFR within En-Route class E Airspace. It does not cover ATS provision within a class E aerodrome CTA assigned to a particular ATSU; see Annex D to this policy statement.

C2 Instrument Flight Rules (IFR)

C2.1 Where civilian or military ATSU, other than NATS Swanwick Centre, NATS Prestwick Centre or RAF (U) Swanwick, identify a requirement to provide ATS to flights operating under IFR within En-Route class E airspace, the approval process for Autonomous Radar Unit status is to be complied with.

C3 Visual Flight Rules (VFR)

C3.1 Flights operating under VFR within en-route class E airspace do not require a clearance to do so; however, where such class E airspace is designated as a transponder mandatory zone (TMZ), pilots are to comply with this requirement at all times²⁰. Permission to authorise flights to operate without the required transponder equipage is vested with the designated GAT or OAT service providers; therefore, where an aircraft's SSR system has failed, a request for ATS provision (irrespective of the Flight Rules applicable to the flights concerned) should be made to either the appropriate NATS Swanwick Centre, NATS Prestwick Centre or RAF(U) Swanwick sector responsible for that portion of airspace.

C3.2 Outwith the TMZ requirements, a flight operating under VFR is not required to be in receipt of a clearance within class E airspace and thus the provision of an ATS is not mandatory. However, it is recognised that flights operating under VFR may elect to request an ATS when operating within class E airspace. The purpose of the ATS provided to flights operating under VFR is to provide, as far as is practicable, information that enables a pilot to discharge their responsibilities towards collision avoidance; noting that it remains the sole responsibility of said pilot to affect separation from all other traffic, irrespective of the completeness of any information provided.

C3.3 ATS provision to VFR flights may be undertaken by civil ATC units and UK military ATC and ASACS units and shall be provided in accordance with the provisions of either a Basic Service or a Traffic Service, as detailed within UK Flight Information Services (CAP 774).

C3.4 Where a Basic Service or Traffic Service is provided, ATS providers shall ascertain the flight rules under which the flight is operating prior to entry into class E airspace. Where a flight is operating under IFR, a control

²⁰ See UK AIP Gen 1.5 - 5.3.2.2. There are no general exceptions from the requirement to carry and operate an Elementary Mode S transponder within class E airspace that is additionally notified as a TMZ. Specific State aircraft, agreed with the CAA (e.g. Hawk T Mk 1), may operate within class E airspace that is additionally notified as a TMZ, providing they demonstrate equivalency of operation utilising Mode 3A and C.

service is to be sought from an appropriate provider. Where the pilot has elected to operate under VFR, the ATS provider shall request from the pilot the point of entry and exit from class E airspace and state any limitations of service that may be applicable.

- C3.5 Notwithstanding the ability of ATS providers to provide heading and level instructions to flights operating under a Traffic Service, where any such instruction would require flight in IMC in class E airspace and thus preclude the flight from continuing to operate under the VFR, the pilot shall inform the controller and request alternative instructions.

C4 Instrument Metrological Conditions (IMC)

- C4.1 Flight in IMC is not permitted for flights operating under VFR. Where such meteorological conditions are encountered unintentionally, the situation is to be treated as an emergency and the following actions complied with if the flight is not in receipt of an ATS:
- a. Squawk SSR Mode A 7700 – this will immediately inform IFR service providers to avoid the aircraft in question.
 - b. Contact the appropriate NATS Swanwick Centre, NATS Prestwick Centre or RAF(U) Swanwick sector responsible for that portion of airspace, or the UK D&D Cell.

Annex D

ATS Provision Within an Aerodrome CTR/CTA

D1 Introduction

- D1.1 It is recognised that the siting of two aerodromes in close proximity, combined with changes in the operational environment, may generate a requirement for ATC services to be provided within an aerodrome CTR/CTA by an ATS provider other than the notified airspace controlling authority.
- D1.2 This Annex outlines policy and the approval process required for the provision of ATC services within an aerodrome's CTR/CTA by an ATS provider other than that designated as the controlling authority. It supplements the guidance contained within the Airspace Change Process Guidance Document (CAP 725).
- D1.3 ATSU that are authorised to provide ATC services within an aerodrome CTR/CTA and are not the notified airspace controlling authority will be designated Enhanced ATSU.

D2 Scope

- D2.1 This policy statement applies only to land-based civil and military ATC service providers and relates to those CTRs/CTAs notified at AIP ENR 1.4, except those specified in paragraph D2.2 below.
- D2.2 This policy statement does not apply to the Balder CTA or Ekofisk CTA where the MOD retains the right to operate with 'Due Regard' under Article 3d to the Convention on International Civil Aviation, subject to the conditions set out within AIP ENR 1.4 paragraph 2.4.1.1 – Note 4.

D3 ATS Provision

- D3.1 Where a requirement exists for the provision of ATC service within a CTR/CTA by an ATS provider other than the notified airspace controlling authority, options to manage the air traffic environment include, inter alia:
 - a. The provision of a combined facility utilising shared communication navigation and surveillance infrastructure in order to deliver surveillance based ATC service associated with the participating aerodromes.
 - b. Separate ATS facilities from which ATC services are provided either wholly, or partly, in accordance with formal ATS delegation arrangements. Where such arrangements are considered to be appropriate, greater emphasis shall be placed on the interoperability and communication infrastructure required to support such operations and in particular the contingency and recovery arrangements put in place by both units.

D4 Criteria to be Applied

- D4.1 ATS providers other than the notified airspace controlling authority applying for approval to provide ATS within a CTR/CTA must demonstrate compliance with the following requirements:

- a. **Personnel.** ATS providers shall demonstrate that they are resourced with sufficient appropriately qualified controller(s) and support staff to undertake the task defined within the application and that shall be competent for the full scope of the tasks undertaken.
- b. **Technical Requirements.** ATS providers shall ensure that as a minimum they meet the applicable civilian²¹ or military²² technical standards and functionality requirements and shall demonstrate that they are equipped with suitable surveillance and communication equipment capable of undertaking the defined task. Specifically, the ATS provider shall provide the CAA with a safety assessment that affirms that the equipment intended to be used safely supports the ATS to be discharged²³. The following are considered to be the minimum surveillance and communication requirements, which should be enhanced where necessary in order to meet the safety requirements identified during the risk assessment phase of the application.
 - (1) **Surveillance Requirements.** ATSU seeking authorisation to provide surveillance based ATS within CTR/CTA established around an aerodrome, shall demonstrate that they are equipped with surveillance equipment which meets the requirements set out within CAP 670²⁴ to fulfil the defined task. Where such requirements are not met, these shall be detailed within the unit's hazard analysis with appropriate contingency mitigations to address the risk of sensor failure.
 - (2) **Communication Requirements.** ATS providers shall demonstrate that they are equipped with communications equipment and systems which meet the requirements set out within CAP 670²⁵ and are commensurate with the defined task.

D5 Letters of Agreement (LOA)

D5.1 LOA shall:

- a. define both the task to be undertaken by all ATS providers involved in the agreement and the applicable terms and conditions including, where appropriate, the priorities that will be afforded to interacting departure and arrival profiles from each unit.
- b. detail procedures for the sharing of, and right of access to, airspace specified within the agreement and the associated co-ordination procedures to be employed.
- c. describe agreed contingency procedures including the criteria and procedures for the suspension of the LOA.
- d. include a narrative description and graphical depiction of the lateral and vertical limits of the specified Area of Operations in which the ATSU will operate.

²¹ CAP 670

²² DefStan 00-972

²³ Military Units should refer to ATM 3000 Series – RA 3120 to 3140 for Surveillance Equipment Safety Cases and Release to Service requirements. Where Surveillance Equipment meets this requirement it shall be considered acceptable by the CAA.

²⁴ CAP 670 – Part C, Section 3, Surveillance.

²⁵ CAP 670 – Part C, Section 1: Communication.

- D5.2 LOA shall be agreed between the applicant, the notified airspace controlling authority and other relevant parties as identified on a case-by-case basis.
- D5.3 LOAs shall follow the format detailed within EUROCONTROL's 'Common Format Letter of Agreement Between Air Traffic Services Units'²⁶ and shall be approved by the CAA.
- D5.4 LOAs are to be reviewed for relevance and accuracy every 3-years by the Unit signatories and re-submitted to the CAA for approval should any significant changes be made.

D6 Initial Approval Procedure

- D6.1 Prior to submission of an application, ATS providers shall undertake hazard identification, risk assessment and mitigation activity in accordance with applicable civilian or military safety regulations to confirm that the unit is able to provide an ATS to aircraft operating within the proposed airspace. This activity shall examine all aspects of the system encompassing personnel, training, ATS procedures and equipment.
- D6.2 Specifically, the assessment should consider, inter alia:
- a. Communication, navigation and surveillance infrastructure;
 - b. the interaction and deconfliction of ATS procedures including lateral separation requirements, the interaction of IFR and VFR flights, responsibilities for the issuance of IFR, VFR and SVFR clearances, runway selection protocols and surveillance minima altitude charts;
 - c. the classification of the airspace, delineation of internal CTR/CTA boundaries and the limits of delegation or shared access;
 - d. altimeter setting procedures;
 - e. aircraft emergencies, notification requirements and contingency arrangements
 - f. qualification and training²⁷ of personnel.
- D6.3 Applications shall consist of all relevant documentation including draft LOAs, draft orders, contingency plans and risk assessments. Civilian applicants shall submit such applications under a covering letter to:
- Manager, Airspace Regulation
CAA Safety and Airspace Regulation Group
Aviation House
Beehive Ringroad
Crawley
West Sussex
RH6 0YR

²⁶ EUROCONTROL document ASM.ET1.ST015 DEL01/02 - https://www.eurocontrol.int/sites/default/files/field_tabs/content/documents/nm/airspace/airspace-atmprocedures-common-format-loa-4.0.pdf

²⁷ Where a military ATSU is involved in such arrangements, military ATCO training and endorsement requirements shall be in accordance with MAA regulatory requirements.

- D6.4 Military applicants should forward such requests through the appropriate chain of command to Defence Airspace and Air Traffic Management (DAATM). The DAATM, in turn, will co-ordinate such requests with the MAA to ensure all relevant military requirements have been undertaken prior to submission to the CAA²⁸.
- D6.5 The CAA shall assess the application and either approve, reject or request further clarification of the application. If the application is rejected, Manager Airspace Regulation (AR) will respond to the application sponsor stating the reason for rejection.

D7 Interpretations and Settlement of Disputes

- D7.1 Should any doubt or diverging views arise regarding the interpretation of any LOA, or in case of dispute regarding the application of a LOA, the parties involved shall endeavour to reach an acceptable solution. Should no agreement be reached, or there is a request to cancel a LOA which adversely impacts a unit's operations, each of the parties shall refer the dispute to the CAA for settlement.

D8 Amendment to Procedures

- D8.1 Amendment to procedures agreed between the relevant parties shall be subject to written agreement from all signatories to the LOA or their authorised representatives/successors and approval of the CAA.

D9 Cancellation

- D9.1 The CAA may cancel an authorisation made in accordance with this policy statement at any time; however, such a decision will only be taken following discussion between all affected parties.

²⁸ Where applications for Enhanced ATSU status are associated with an Airspace Change Proposal (ACP), the CAA will consider the application alongside the ACP and will issue its decision co-incident with the regulatory decision on the ACP.