

Airspace Modernisation: Outcome of the consultation on draft guidance for the UK Airspace Design and Coordination Services

CAP 3161



Published by the Civil Aviation Authority 2026

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First published March 2026

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Executive summary

1. From 17 November 2025 until 12 January 2026, the CAA ran an eight-week public consultation on draft guidance in respect of the provision by NATS (En Route) plc (NERL) of the UK Airspace Design Service (UKADS) and UK Airspace Coordination Service (UKACS).¹
2. The consultation asked five questions, inviting a mixture of multiple-choice answers and free text. We had 69 responses, of which 49 came from local organisations such as community action groups or residents affected by aviation. Nine were from commercial industry. The others came from a range of other stakeholders. Just under two thirds of respondents were based in the South East.
3. We have considered the responses to the consultation. Taking these into account, the final guidance, which we are publishing as CAP 3219², includes the changes summarised below. We have also taken the opportunity to make minor editorial changes to the guidance (which are not listed below) to improve clarity and consistency.
4. We also proposed³ that the scope of existing Department for Transport (DfT) and CAA governance arrangements should be revised, such that they would also provide governance of NERL's provision of the UKADS and UKACS (the Airspace Modernisation Strategy governance structure). Having now consulted on these arrangements and taken comments into account, the CAA will republish these on our website and in due course update the Airspace Modernisation Strategy.

Overview (Chapter 1 of the guidance)

5. We have amended the text quoting NERL's air traffic services licence to say that NERL is required to use "all reasonable endeavours" to provide the UKADS and UKACS.

Strategic delivery plan (Chapter 2 of the guidance)

6. We have amended the guidance to make it clearer that:

¹ CAP 3158 *Airspace Modernisation: Consultation on draft guidance for the UK Airspace Design and Coordination Services* <https://consultations.caa.co.uk/policy-development/draft-ukads-ukacs-guidance>.

² www.caa.co.uk/cap3219

³ In Annex B to CAP 3158, the consultation document.

- NERL is responsible for developing the content of the strategic delivery plan, publishing it, and reviewing and updating it
- NERL should submit the complete strategic delivery plan to the CAA and Secretary of State for approval, including updated versions of the complete plan, having taken advice from the Advisory Board, in accordance with the guidance
- any approval by the CAA and Secretary of State of the strategic delivery plan and any updates is limited to the form, scope and level of detail of the plan
- the strategic delivery plan must contain sufficient information to understand other NERL deliverables on which delivery of the UKADS and UKACS depend.

Stakeholder Engagement Plan (Chapter 3 of the guidance)

7. We have made it clearer in the guidance that NERL's stakeholder engagement plan should not cover matters relating to the specifics of any airspace change proposal, such as consultation and engagement on airspace design choices or their environmental impacts. Engagement with specific stakeholders for that purpose is required by the CAA's CAP 1616 process and the associated guidance material to that regulatory process.
8. We have amended the guidance to add airport consultative committees to the list of stakeholders to be included in the scope of the stakeholder engagement plan, and to add a broad definition of General Aviation.

Advisory Board (Chapter 4 of the guidance)

Membership

9. We have added to the guidance that a stakeholder can seek membership of the Advisory Board by contacting NERL directly, or by submitting a request to the Advisory Board, which can make a recommendation to NERL. Ultimately, membership of the Board is for NERL to determine, subject to consulting the CAA and Secretary of State, and in accordance with the guidance.

Terms of reference

10. We have amended the guidance on terms of reference:
 - to remove the seventh and eight bullets of paragraph 4.11, which now no longer states that the Advisory Board should:
 - advise NERL (as the UKACS provider) on whether any new strategically important interdependent airspace change proposals are needed or are likely (and conversely, whether any such identified airspace change proposals should no longer be so considered)

- advise NERL on the development of new technologies and process in the UK or worldwide that may impact on NERL's provision of UKADS or UKACS
- such that NERL determines, with the agreement of the Chair, the frequency of Advisory Board meetings, rather than the guidance specifying at least monthly.

Governance arrangements

11. We have added to the guidance that the Chair of the Advisory Board may be invited by the CAA and DfT to the Joint Airspace Modernisation Programme Board for relevant agenda items.
12. We have removed the second sentence from paragraph 4.1 of the guidance which incorrectly suggested that the Advisory Board was to have an oversight and governance role.
13. Similar changes will be made when we republish the governance arrangements for the Airspace Modernisation Strategy (see paragraph 4 above).

Chapter 1

The consultation

Purpose of this document

- 1.1 In March 2025 the government decided to reform the UK's approach to modernising the design of UK airspace by introducing a UK Airspace Design Service (UKADS) provided by NATS (En Route) plc (NERL).⁴ Between 17 November 2025 and 12 January 2026, the CAA consulted on CAP 3158, draft CAA guidance to which NERL should have due regard when providing the UKADS and the UK Airspace Coordination Service (UKACS).⁵
- 1.2 This document, CAP 3161, explains how the CAA has taken into account the responses to the consultation in:
- a final version of the guidance, now published as CAP 3219 *Guidance for the UK Airspace Design and Coordination Services*⁶
 - the revised governance arrangements relating to the UKADS and UKACS that will be incorporated into the CAA's Airspace Modernisation Strategy.⁷
- 1.3 The decisions in this document have been taken in light of the statutory duties, set out in sections 2 and 70 of the Transport Act 2000, applicable to the CAA's exercise of its air traffic services and air navigation functions. We consider the final guidance, published as CAP 3219, is consistent with our statutory duties.

Content of the consultation

- 1.4 The draft guidance covered NERL's provision of the UKADS and UKACS in respect of:
- its strategic delivery plan
 - its stakeholder engagement plan
 - the Advisory Board.

⁴ You can read more about the background to the UKADS and find links to related documents on the CAA's dedicated webpages www.caa.co.uk/ukads.

⁵ CAP 3158 *Airspace Modernisation: Consultation on draft guidance for the UK Airspace Design and Coordination Services* <https://consultations.caa.co.uk/policy-development/draft-ukads-ukacs-guidance>. We also published an associated consultation document, CAP 3159, seeking views on additional draft CAA requirements and associated guidance with which NERL should comply which only applies to NERL's provision of the UKACS. <https://consultations.caa.co.uk/policy-development/draft-ukacs-requirements>

⁶ www.caa.co.uk/cap3219

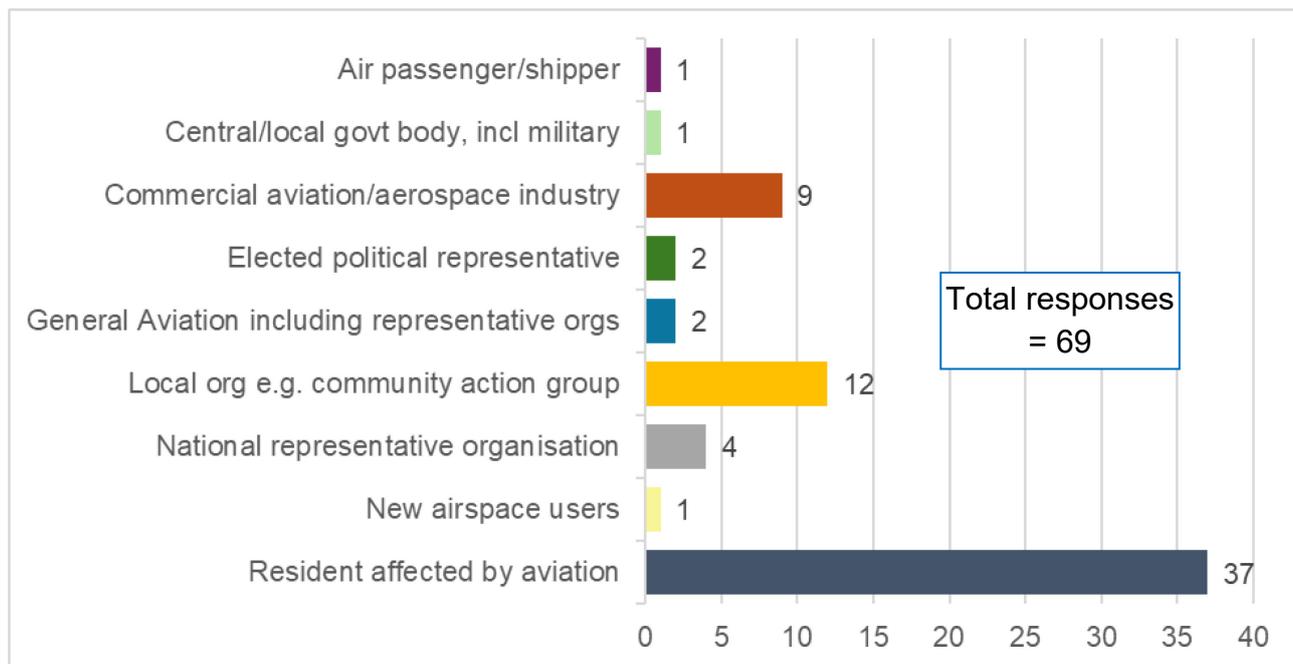
⁷ [Airspace Modernisation Strategy | UK Civil Aviation Authority](#)

- 1.5 The draft guidance was set out in Annex A to the consultation document.
- 1.6 The consultation document also sought views on a second annex, Annex B, which contained proposals for revising the scope of existing DfT/CAA governance arrangements so as to accommodate governance of NERL's provision of the UKADS and UKACS.
- 1.7 The consultation asked five questions, inviting a mixture of multiple-choice answers and free text.

Who responded to the consultation?

- 1.8 We had 69 responses in total, 37 of which were from individuals and the remainder from organisations. We asked respondents to categorise themselves into one of 10 categories. We asked that a respondent falling in more than one category choose the one that was most relevant to them answering about airspace issues. The results are shown in Figure 1.1.

Figure 1.1: Responses to the consultation by category of respondent



- 1.9 Of the 69 respondents:
- the greatest number, 37, were from residents affected by aviation
 - 12 responses were from local organisations, for example a community action group or residents' association
 - nine responses were from the commercial aviation/aerospace industry, including trade associations; of which seven were from airports or air navigation service providers, one was from an airline and one from a trade association representing airports

- four responses were from national representative organisations (excluding General Aviation organisations and industry trade associations), for example non-governmental organisations
- two responses were from an elected political representative, one a Member of Parliament and one on behalf of a parish council
- two responses were from the General Aviation community, one an airfield and one a representative organisation
- one response was received each from an air passenger/shipper, the Ministry of Defence and a new airspace user organisation
- there were no responses in the 'consultancy' category (which is therefore not shown in any of the tables or figures in this document).

1.10 A more detailed list of respondents appears at the end of this chapter.

Geographic spread of responses

1.11 Of the 69 responses, 54 (78%) identified themselves as resident or based in the South East, the next highest category being East of England with five responses (Table 1.1). There was one response from outside the UK. There were no responses categorised as from Northern Ireland, Wales, North East, North West or Yorkshire and the Humber.

Table 1.1: Responses to the engagement exercise by geographic region

	South East	South West	East of England	East Midlands	West Midlands	Scotland	Non-UK	Not answered
Air passenger/shipper	1							
Central/local govt body, incl. military	1							
Commercial industry	5		2		1	1		
Elected political representative	2							
General Aviation	1			1				
Local organisation e.g. action group	10	1	1					
National representative org	2	1		1				
New airspace users							1	
Resident affected by aviation	32		2			1		2
Total	54	2	5	2	1	2	1	2

Stakeholder engagement

- 1.12 To encourage a wide engagement with the consultation, on the day of publication in November 2025, the CAA invited views from approximately 2,100 individuals and organisations through direct emails and a further 10,200 through the CAA's Skywise alerts platform.
- 1.13 The UKADS project has been running since 2023 with periodic targeted stakeholder engagement, including a public consultation on the UKADS concept in October 2024. We set up dedicated UKADS webpages to keep stakeholders up to date with developments.⁸ In parallel, for some years we have maintained webpages dedicated to our oversight of the development of the airspace change masterplan by the Airspace Change Organising Group.⁹ In September 2025, to explain the multiple strands of work underway relating to the proposed provision of UKADS and UKACS, we published CAP 3156 *Modernising the way we do airspace design: information relevant to the CAA autumn 2025 consultations concerning airspace design*.¹⁰ CAP 3156 'signposted' stakeholders of airspace modernisation to changes that were planned, or to be consulted on, in autumn 2025, including this one.

List of respondents by category

Air passenger, shipper or customer (1 response)

1 individual

Central or local government body, including military (1 response)

Ministry of Defence

Commercial aviation/aerospace industry, including trade associations (9 responses)

AirportsUK

Farnborough Airport

Heathrow Airport

Manchester Airports Group

NATS

Three airport respondents and one airline which preferred to remain anonymous

Elected political representative, such as councillor or MP (2 responses)

Betchworth Parish Council

One MP who preferred to remain anonymous

⁸ www.caa.co.uk/ukads including [Latest news about the UKADS | UK Civil Aviation Authority](#).

⁹ [Airspace change masterplan | UK Civil Aviation Authority](#)

¹⁰ www.caa.co.uk/cap3156

General Aviation, including representative organisations (2 responses)

General Aviation Alliance

One airfield which preferred to remain anonymous

Local organisation such as a community action group, airport consultative committee or forum (12 responses)

Communities Against Gatwick Noise Emissions

East Twickenham Heathrow Campaign

Elmbridge Council and the Molesey Residents Association

Gatwick Obviously Not

Gatwick Area Conservation Campaign

Heathrow Association for the Control of Aircraft Noise

Longford Residents Association

Luton and District Association for the Control of Aircraft Noise

Richmond and Twickenham Friends of the Earth

Richmond Heathrow Campaign

Two organisations which preferred to remain anonymous

National or international organisation (excluding General Aviation organisations and industry trade associations), for example non-governmental organisations (4 responses)

Airspace Change Organising Group

Aviation Environment Federation

GATCO

No Airport Expansion National Alliance

New or developing airspace user, such as remotely piloted aircraft system, eVTOL, space industry, including representative/related organisations (1 response)

One organisation which preferred to remain anonymous

Resident affected by aviation (37 responses)

37 individuals

Chapter 2

Consultation questions and analysis methodology

Overview

2.1 This chapter includes:

- a reminder of the five questions we asked in the consultation
- the methodology we used to identify key themes from free-text responses to those five questions
- how we handled responses submitted by email rather than our online consultation platform
- how we handled material that was out of scope.

Consultation questions

2.2 The consultation asked five questions. Four were in a multiple-choice format with space for supporting free-text comments giving views or supporting rationale, and one was free text only. The questions were:

Annex A Draft UKADS and UKACS guidance

- Consultation question 1: Do you have any comments on the draft guidance concerning NERL's strategic delivery plan?
- Consultation question 2: Do you have any comments on the draft guidance concerning NERL's stakeholder engagement plan?
- Consultation question 3: Do you have any comments on the draft guidance concerning the Advisory Board?
- Consultation question 4: Do you have any other comments on the draft guidance document (Chapters 1 to 4)?

Annex B Proposed DfT and CAA governance arrangements

- Consultation question 5: Do you have any comments on the CAA/DfT governance arrangements for NERL providing the UKADS and UKACS?

2.3 The options for the multiple-choice questions 1, 2, 3 and 5 were:

- about right
- minor modifications needed
- major modifications needed
- don't know.

Responses submitted by email

- 2.4 Of the 69 responses we received, 22 were submitted by email rather than through our consultation website. Of those 22 email-only submissions, 21 were not arranged in our question format and so gave no answer to individual questions. Therefore, they are necessarily shown as 'not answered' in our analysis of answers to the multiple-choice questions. We consider the points they raised in our qualitative analysis of free-text responses. Where a response was arranged in our question format, we were able to analyse it in the same way as those submitted via the consultation website.

Methodology for analysing free-text responses

- 2.5 We read the responses in full, listing the topics, concerns, questions and comments raised within them. Each element of each response was arranged into themes associated with the relevant questions in the consultation document.
- 2.6 Some responses to the parallel consultations seeking views on:
- additional draft CAA requirements and associated guidance for the UKACS¹¹, and
 - final proposals for the NERL licence¹²
- commented on issues relevant to this consultation. Where this occurred, we have taken these comments into account in our analysis.

Matters out of scope

- 2.7 The draft guidance did not relate to how NERL develops an airspace change proposal and progresses it through the CAA's CAP 1616 airspace change process¹³, which includes opportunities for stakeholders to engage with NERL and for them to be consulted about the proposal.
- 2.8 Our consultation set out clearly (at paragraph 9) that we were seeking views on the draft guidance and proposed governance for the UKADS and UKACS, and that we were not seeking views on any of the following:

¹¹ www.caa.co.uk/CAP3159 and <https://consultations.caa.co.uk/policy-development/draft-ukacs-requirements>

¹² [CAP3164: Economic Regulation of NERL: Final proposals for modifying the Licence to support the implementation of a UK Airspace Design Service | UK Civil Aviation Authority](#)

¹³ [Airspace change process | UK Civil Aviation Authority](#)

- specific airspace change proposals, past or present
- technical or operational concepts about how aircraft will fly or other aspects of airspace design; whether potential designs are technically feasible will be a regulatory decision to be made in accordance with the CAP 1616 airspace change process
- the CAA's CAP 1616 airspace change process, which was subject to a separate consultation by the CAA
- government policy and any guidance given to the CAA by the Secretary of State.

2.9 Nevertheless, a number of responses from local organisations representing communities and from residents affected by aviation included free-text comments that were out of scope of the consultation. Of the 37 responses from residents, at least 21 used identical or near-identical text in their response covering issues that were out of scope. They were out of scope because they were expressing concerns about:

- the environmental impacts of design choices of airspace change proposals, whether sponsored by NERL as UKADS provider or coordinated by NERL as UKACS provider
- government policy on aviation or economic growth
- the CAA's Airspace Modernisation Strategy

rather than the draft guidance on which we were consulting.

2.10 We have read all comments that were out of scope. We have published them where we had permission to do so, and where relevant we have drawn published responses to the attention of the relevant CAA department or the DfT.

Chapter 3

Analysis of the responses

Introduction

- 3.1 In this chapter we consider in detail what the responses told us.
- 3.2 You can read individual responses, where we had permission to publish them, on our consultation website.¹⁴
- 3.3 This chapter includes:
- an analysis of responses to the four multiple-choice questions; although it should be noted that we do not treat the consultation results as a referendum
 - an analysis of free-text responses to all five questions
 - the areas where there was broad support
 - the key themes we identified from responses telling us that modifications to the guidance (Annex A in the consultation document) or the governance arrangements (Annex B in the consultation document) were needed, which we have grouped under appropriate headings
 - direct quotes from responses, where we have permission to publish
 - our conclusions from this analysis and how we have taken this feedback into account in the final guidance and governance arrangements.

Question 1: Do you have any comments on the draft guidance concerning NERL's strategic delivery plan?

Multiple-choice responses to question 1

- 3.4 Responses are shown in Figure 3.1 and Table 3.1 below.

¹⁴ [Published responses for Airspace modernisation: Consultation on draft guidance for the UK Airspace Design and Coordination Services - Civil Aviation Authority - Citizen Space](#)

Figure 3.1: Multiple-choice responses to question 1 (guidance concerning NERL’s strategic delivery plan)

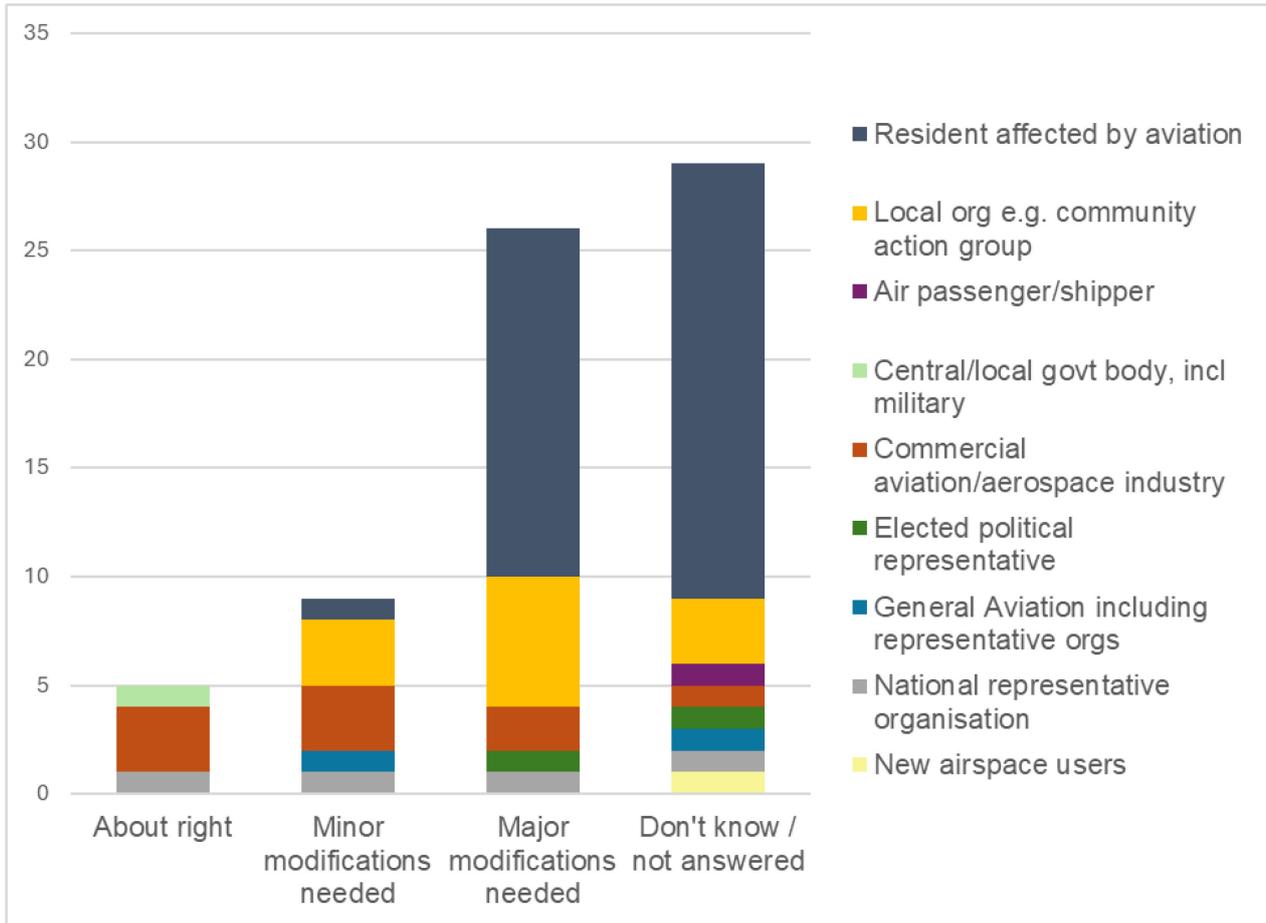


Table 3.1: Multiple-choice responses to question 1 (guidance concerning NERL’s strategic delivery plan)

	a	b	c	d	e	f	g
Respondent category	about right	minor mods needed	a + b	major mods needed	don't know/ not answered	total	<u>a + b</u> total
Resident affected by aviation		1	1	16	20	37	3%
Local org e.g. community action grp		3	3	6	3	12	25%
Air passenger/shipper			0		1	1	0%
Central/local govt body, incl. military	1		1			1	100%
Commercial aviation industry	3	3	6	2	1	9	67%
Elected political representative			0	1	1	2	0%
General Aviation community		1	1		1	2	50%
National representative organisation	1	1	2	1	1	4	50%
New airspace users			0		1	1	0%
Total	5	9	14	26	29	69	20%

3.5 Of the 69 responses:

- 14 said the guidance was about right or only minor modifications were needed (20%)
- 26 said major modifications were needed (38%)
- 29 said they didn't know or chose not to answer the question (42%).

3.6 In terms of specific category of respondent:

- of the 14 responses saying that the guidance was about right or only minor modifications were needed, six (of nine total) came from commercial industry, three from local organisations (of 12 total) and two from national representative organisations (of four total); the other three came from a resident (just one out of 37 total), the Ministry of Defence and a General Aviation organisation
- the 26 responses saying major modifications were needed mainly came from residents (16 of 37 total) and local organisations (six of 12 total); the other four came from commercial industry, an elected political representative and a national representative organisation
- the 29 don't know/not answered mainly came from residents (20 of 37 total) and local organisations (three of 12 total); with one each from six other categories.

Free-text responses to question 1

3.7 A number of commercial industry responses¹⁵ and the Ministry of Defence expressed general support for the proposed guidance in relation to the strategic delivery plan, in some cases subject to further clarity on specific points.

3.8 **Issue:** NATS said that the draft guidance was too detailed for creating and updating a strategic plan. Over-specification of the required level of detail, breadth and consultation required for reporting of any changes reduced flexibility, and risked increasing timescales and complexity by creating unnecessary bureaucracy. While NATS could agree with the first bullet of paragraph 2.4, the other three bullets were not appropriate. The plan itself should be the vehicle for communicating to CAA/DfT the strategic intent and challenges to delivery, not used as a project management tool. **CAA response:** Providing guidance on the content of the plan is key to transparency and accountability. The second bullet

¹⁵ In three cases this support was expressed via responses to our parallel consultation CAP 3159 which sought views on additional draft CAA requirements and associated guidance with which NERL should comply, which only applies to NERL's provision of the UKACS. <https://consultations.caa.co.uk/policy-development/draft-ukacs-requirements>

(relating to dependencies on or coordination with other plans, programmes or workstreams) is particularly important to retain.

- 3.9 **Issue:** NATS asked that the requirements and timing for the plan should align with NERL's existing Service and Investment Plan, ensuring that all stakeholders including DfT/CAA receive the same timely and accurate information, avoiding duplication and aiding transparency. **CAA response:** We agree that it is important for stakeholders to receive timely and accurate information. We have no objection to NERL aligning publication of the strategic delivery plan with its Service and Investment Plan, providing that NERL can meet the timelines required in paragraph 2.4 of the guidance, that this approach enables subsequent timely updates required, and that it complies with the established requirements. It would be for NERL to manage the timings in relation to its other workstreams.
- 3.10 **Issue:** Several local organisations and residents said that the plan incorrectly prioritised industry interests over community and environmental impacts, which should be specifically included in the plan with an increased level of granularity and detail as core design requirements for the UKADS and UKACS. They sought mechanisms for community representatives to influence – or engage on the impacts of – airspace design choices; the prioritisation of environmental objectives within airspace design choices; balancing government policy on industry and UK economic growth against the impact on communities and the environment; and they commented on the objectives of airspace modernisation. One organisation sought independent peer review and audit of NERL design decisions to show how they were arrived at. One national organisation questioned how the guidance took account of the overarching environmental objectives in the Airspace Modernisation Strategy and the Secretary of State's environmental strategy, which should be embedded in the strategic delivery plan. **CAA response:** NERL is required to produce a strategic delivery plan for the UKADS and UKACS. This must also contain sufficient information to understand other matters on which delivery of the UKADS and UKACS depend, including Airspace Modernisation Strategy delivery elements for which NERL is responsible, and NERL's plans to deliver its air traffic technology replacement and upgrade programme. **We have made this clearer in the guidance.** The impacts of airspace design changes are outside the scope of this consultation, because they are governed by the airspace change process. Guidance on the strategic delivery plan does not alter the need for airspace changes to follow the airspace change process, nor does it alter the legal and policy framework that bound the regulatory decisions on such changes, including the Airspace Modernisation Strategy and its overarching sustainability objective, and the DfT's Air Navigation Guidance.
- 3.11 **Issue:** One resident said that the plan must show progress against the strategic objectives and clear measurable targets to deliver benefits (such as reduced

track miles, holding times or noise benefits), and that any disbenefits must be reported in a form accessible to all. **CAA response:** The plan concerns strategic delivery of the provision of the UKADS and UKACS, as explained in the guidance. Guidance on the stakeholder engagement plan (see below) expects NERL to communicate airspace modernisation benefits effectively. The airspace change proposals, through the airspace change process, will set out the detail of expected impacts of revised airspace design.

- 3.12 **Issue:** NATS said that because the guidance says that NERL should determine the form, scope and level of detail of the strategic delivery plan, informed by the CAA guidance, approval by the CAA and DfT was not needed. **CAA response:** Approval of the form, scope and level of detail of the plan is needed to provide reassurance to other stakeholders of DfT and CAA oversight. This still gives NERL considerable flexibility to determine the content of the plan.
- 3.13 **Issue:** Some industry responses misunderstood the guidance concerning CAA/DfT approval of the strategic delivery plan, and that CAA/DfT approval is limited to the form, scope and level of detail. **CAA response: We have amended the guidance** to make it clearer that:
- NERL is responsible for developing the content of the strategic delivery plan, publishing it, and reviewing and updating it
 - NERL should consult the CAA and Secretary of State, and seek advice from the Advisory Board, when developing the plan, including updates
 - NERL should submit the plan and any updates to the CAA and DfT for approval, but that any such approval is limited to the form, scope and level of detail of the plan.
- 3.14 **Issue:** One respondent said the guidance should clarify how the Advisory Board will shape updates to the strategic delivery plan, especially where risks or interdependencies are identified. One airline suggested that explanations for any proposed changes to the plan should include the rationale of how the plan would better support delivery of NERL's objectives, plus supporting evidence, and the guidance should say how stakeholder feedback will be reflected in any proposed updates. One airport commented that the level of detail must be balanced against the need for flexibility at the local level. One local organisation said it was concerned that NERL (a public private partnership) was being given free hand to determine what constitutes appropriate consultation of the DfT, CAA and Advisory Board about updates to the plan, and more structure to the guidance was needed, including requiring cost information to give stakeholders reassurance of value for money. **CAA response:** NERL should take advice from the Advisory Board when reviewing or updating the plan (paragraphs 2.3 and 2.4 of the guidance) and will need to determine the mechanisms for this (paragraphs 2.5 and 4.11). There is already guidance on the content of the plan (paragraph

2.6). We consider that the guidance strikes the right balance without overly constraining NERL.

- 3.15 **Issue:** Some airports said that the guidance should provide for periodic updates to stakeholders, particularly partners on an airspace change proposal, every six to 12 months, including latest timescales, risk management (including mitigations) and progress updates, including delays caused by slower-moving airports in a geographic cluster. Certain events should trigger an updated plan, and there should be engagement with airports throughout the progress reporting cycle and when the plan is updated. **CAA response:** Guidance on the stakeholder engagement plan (see below) covers these issues, although we consider that it would not be appropriate to include in the guidance the level of detail suggested, because this could make the process insufficiently flexible. The guidance states that NERL should submit the strategic delivery plan to the DfT and CAA for approval (and publish its stakeholder engagement plan) within six months once the relevant licence condition has come into effect. Airport input to the plan would be achieved via the Advisory Board, the onboarding process and partnership arrangements¹⁶ (for airports where the UKADS is being provided) and the UKACS coordination role (for other interdependent airports). An escalation route to the CAA and DfT via the Advisory Board is provided for in the guidance if required.

Quote

“The proposals strike a good balance between providing broad guidance to NERL in production of the strategic delivery plan whilst stressing the importance of coordination with other relevant aspects of NERL’s activities such as the technology and broader airspace programmes.” [response from Airspace Change Organising Group]

Quote

“MAG agrees NERL should be required to produce a strategic delivery plan through UKADS and UKACS. Such a plan would help build a clearer overview and assist in identifying required evolution of the DfT and CAA governance structures to match the plan. With NERL required to coordinate the LTMA and MTMA quite different structures/processes will be required and establishing a plan will identify these.” [response from Manchester Airports Group]

¹⁶ [CAP3129: Onboarding Process for the UK Airspace Design Service \(UKADS\) Provider for the London TMA Region | UK Civil Aviation Authority](#)

Quote

“While we recognise the purpose of the strategic delivery plan in coordinating airspace modernisation activity, we are concerned that the draft guidance frames the plan primarily around delivery of the Secretary of State’s strategic objectives and the Airspace Modernisation Strategy (AMS), without adequate regard to noise impacts on communities and other environmental impacts. The AMS prioritises industry and consumer benefits and explicitly acknowledges that airspace modernisation may result in community and environmental disbenefits arising from increased capacity. Although environmental sustainability is described as an overarching principle, the draft guidance does not explain how this principle is to be applied in practice, nor does it require the strategic delivery plan to articulate, measure or report on community or environmental outcomes.” [response from Luton And District Association for the Control of Aircraft Noise]

Quote

“We believe that the delivery plan should include specific estimates of likely noise impact and/or benefit that the plan is expecting to deliver. A range of potential impacts and benefits in terms of noise level, number of noise events and frequency would be very useful information. We would also like to see consideration of the impacts on communities overflowed by flight paths from more than one airport and how these impacts will be communicated in the plan” [response from HACAN]

Quote

“What is currently proposed seeks, in our opinion, to want to push through airspace change as fast as possible, benefiting aviation as much as possible, with little (if any) benefits for the planet or residents on the ground [...] ‘Stakeholders’ seem to be only those with a vested (aviation/ government/ CAA) interest in benefiting from the process whilst residents are totally reliant upon a weakened CAP1616...” [response from CAGNE]

Quote

“The role of Partners will be crucial in the creation and delivery of the Strategic Delivery Plan, potentially including ensuring alignment with possible DCO requirements. Consequently, we suggest the guidance should include an explicit requirement to engage with Partners on an individual basis during the Plan’s development and updates, and to seek, consider and apply (where appropriate) Partners’ views through the progress reporting cycle.” [response from Heathrow Airport]

Guidance on NERL's strategic delivery plan – outcome:

We have amended the guidance to make it clearer that:

- NERL is responsible for developing the content of the strategic delivery plan, publishing it, and reviewing and updating it
- NERL should submit the complete strategic delivery plan to the CAA and Secretary of State for approval, including updated versions of the complete plan, having taken advice from the Advisory Board, in accordance with the guidance
- any approval by the CAA and Secretary of State of the strategic delivery plan and any updates is limited to the form, scope and level of detail of the plan
- the strategic delivery plan must contain sufficient information to understand other NERL deliverables on which delivery of the UKADS and UKACS depend.

Question 2: Do you have any comments on the draft guidance concerning NERL's stakeholder engagement plan?

Multiple-choice responses to question 2

3.16 Responses are shown in Figure 3.2 and Table 3.2 below.

Figure 3.2: Multiple-choice responses to question 2 (guidance concerning NERL’s stakeholder engagement plan)

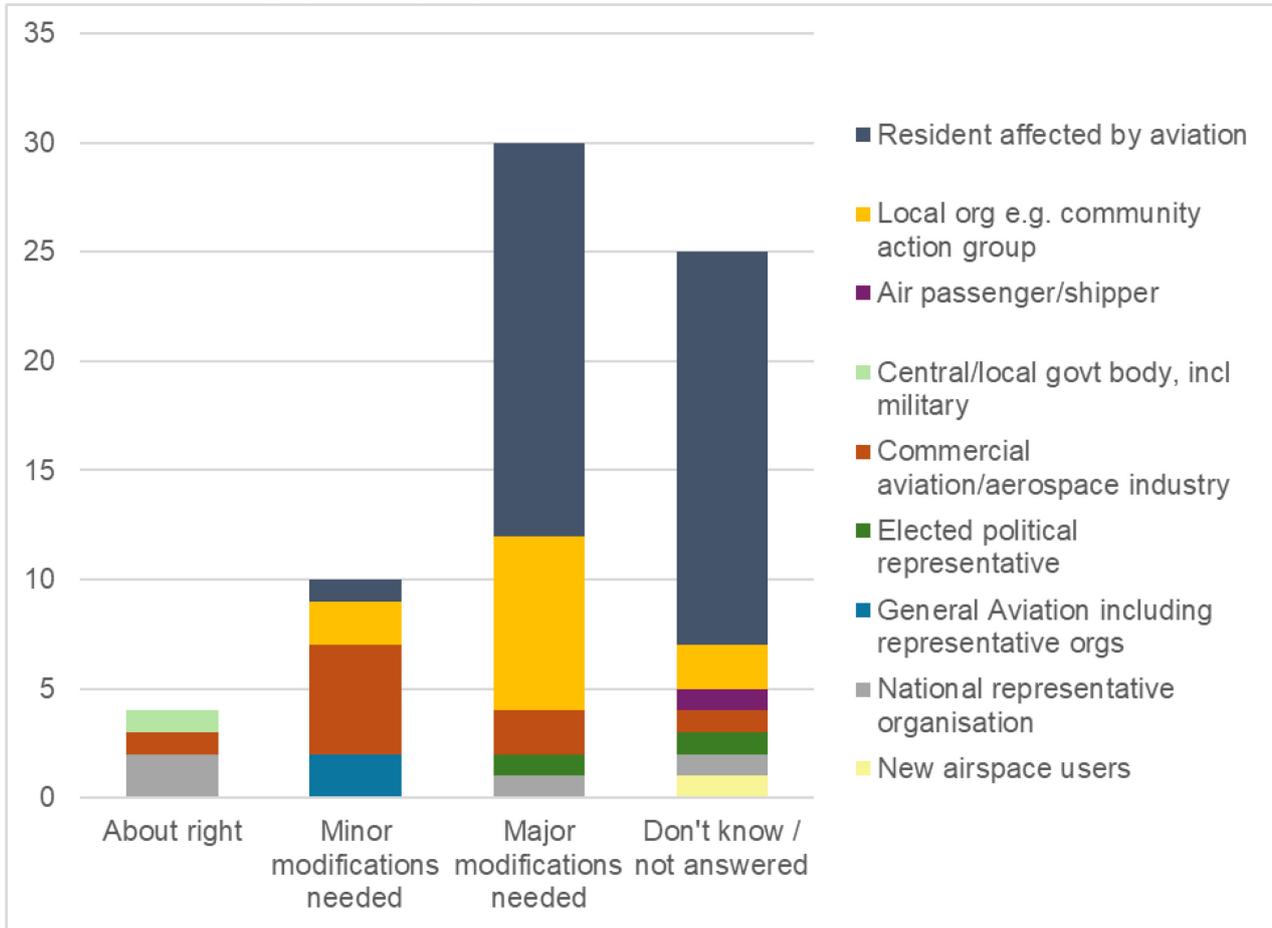


Table 3.2: Multiple-choice responses to question 2 (guidance concerning NERL’s stakeholder engagement plan)

	a	b	c	d	e	f	g
Respondent category	about right	minor mods needed	a + b	major mods needed	don't know/ not answered	total	$\frac{a + b}{total}$
Resident affected by aviation		1	1	18	18	37	3%
Local org e.g. community action grp		2	2	8	2	12	17%
Air passenger/shipper			0		1	1	0%
Central/local govt body, incl. military	1		1			1	100%
Commercial aviation industry	1	5	6	2	1	9	67%
Elected political representative			0	1	1	2	0%
General Aviation community		2	2			2	100%
National representative organisation	2		2	1	1	4	50%
New airspace users			0		1	1	0%
Total	4	10	14	30	25	69	20%

3.17 Of the 69 responses:

- 14 said the guidance was about right or only minor modifications were needed (20%)
- 30 said major modifications were needed (43%)
- 25 said they didn't know or chose not to answer the question (36%).

3.18 In terms of specific category of respondent:

- of the 14 responses saying that the guidance was about right or only minor modifications were needed, six (of nine total) came from commercial industry, two each came from local organisations (of 12 total), the General Aviation community (of 2 total) and national representative organisations (of 4 total); the remaining two came from a resident (just one out of 37 total) and the Ministry of Defence
- the 30 responses saying major modifications were needed mainly came from residents (18 of 37 total) and local organisations (eight of 12 total); the other four came from commercial industry (two), an elected political representative and a national representative organisation
- the 25 don't know/not answered mainly came from residents (18 of 37 total) and local organisations (two of 12 total); with one each from five other categories.

Free-text responses to question 2

3.19 Various responses from different categories of respondent expressed general support for the guidance on the stakeholder engagement plan. The importance of broad, effective and timely engagement across the breadth of aviation stakeholders, including local communities impacted by aviation, was a consistent message.

3.20 **Issue:** Some local organisations expressed scepticism that NERL would deliver meaningful engagement. Some airports and local organisations reiterated a desire to maintain existing airport-community relationships because of the complex issues specific to a particular airport. Some set out best practice principles that they expected to see, for example that NERL's primary engagement role should be securing meaningful input from key external stakeholders whose support was critical to delivery of modernisation, promoting shared values and goals, securing buy-in to what is being proposed and acting on feedback. **CAA response:** We have previously accepted¹⁷ that some airports want to run their own consultations for airspace change proposals. The responsibilities for engagement will be agreed between the airport and NERL in

¹⁷ See, for example, paragraph 26 of DfT/CAA UKADS policy paper 25/1. [UKADS 25-1 CRD Q&A supplement](#)

the partnership arrangement (see CAP 3129¹⁸) to tailor them to the particular circumstances and needs of the respective parties.

- 3.21 **Issue:** A number of local organisations or residents referred to engagement principles for airspace change proposals. **CAA response:** This is out of scope of the consultation. The guidance on the stakeholder engagement plan states that it should set out written ways of working for NERL's approach to engaging with key stakeholders with an interest in how it is providing the UKADS and UKACS. The plan should not cover matters relating to the specifics of any airspace change proposal, such as consultation and engagement on airspace design choices or their environmental impacts. Engagement with specific stakeholders for that purpose is required by the CAA's CAP 1616 process and the associated guidance material to that regulatory process. **We will make this clearer in the guidance.**
- 3.22 **Issue:** NATS expressed concern that the scope of the proposed guidance was too wide, overly prescriptive and (at paragraphs 3.8 to 3.10) potentially overlapping with CAP 1616 processes, and therefore disproportionate and a potential impediment to effective progress of the UKADS. One airline and one airport also suggested that engaging all stakeholders potentially impacted by an airspace change proposal was far too broad a scope. One General Aviation organisation said that GA operators, including those not directly affect by an airspace change, should be factored into stakeholder engagement. **CAA response:** Guidance on the engagement plan for the provision of UKADS and UKACS clearly differentiates from, and must not be confused with, the formal consultation required by the airspace change process (governed separately by CAP 1616). The guidance gives NERL sufficient flexibility to tailor the plan to reflect the scope and type of engagement needed in a variety of circumstances, and depending on the service being provided (UKADS or UKACS). Although the guidance lists a wide range of stakeholders who should be included in the plan, it does not specify the type of engagement that will be required for a particular stakeholder, which will be determined by NERL and which will vary greatly, as explained in paragraph 3.1 of the guidance. At the same time, it should also be borne in mind that NERL, through UKADS and UKACS, will be sponsoring or coordinating significant changes to airspace design at many of the UK's major airports. NERL's engagement plan should take this breadth into account to lay the groundwork for later formal consultation on airspace change proposals, even if that consultation is in practice largely carried out by the airports concerned.

¹⁸ Onboarding Process for the UK Airspace Design Service (UKADS) Provider [for the London TMA Region] www.caa.co.uk/cap3129

- 3.23 **Issue:** NATS did not consider it appropriate or necessary for the plan to be published, outside providing a summary for groups that are directly involved with the proposal development work. Publishing it more widely would create expectations of engagement that blur the distinction between programme management and formal consultation delivered through the airspace change process. **CAA response:** NERL should make these distinctions quite clear in the plan so that when it is published there is no confusion with the airspace change process or unreasonable expectations created.
- 3.24 **Issue:** One airport said that NERL should consult, as well as take advice from, the Advisory Board, and allow non-partners a voice. A General Aviation organisation said that the scope of stakeholder engagement should be consulted on, and that all aspects of GA such as sports and recreational aviation be included. One local organisation suggested that local communities be given the opportunity to review the stakeholder plan to ensure that the language used is accessible for communities. Two local organisations suggested that the plan and/or engagement exercises should be monitored, evaluated and subject to external audit. One airport said there was a risk of NERL doing the bare minimum with little oversight to prevent this. **CAA response:** The guidance states that NERL should consult the CAA and DfT and take advice from the Advisory Board when developing the plan, which we regard as sufficient assurance of the plan. It is in NERL's interest to ensure that its engagement is effective if the UKADS and UKACS are to be delivered successfully. The guidance states that engagement should include those potentially impacted, which would extend to non-partner airports and General Aviation, but they could also make their voice heard through the Advisory Board. **We will amend the guidance** to add airport consultative committees to the list of stakeholders to be included in the scope of the plan, and to add a broad definition of General Aviation. Formal consultations on an airspace change proposal are overseen through the airspace change process.

Quote

“Requiring frequent engagement across a broad range of stakeholders using a wide variety of communications methodologies in advance of any developed airspace design would add cost and delay without improving outcomes, particularly given that full, formal consultation would be undertaken through CAP1616 before any proposal can be implemented.” [response from NATS]

Quote

“...we are concerned that the purpose and scope of engagement, as currently described in the draft guidance, is too narrow and risks becoming largely one-way and explanatory rather than genuinely participatory.” [response from (Luton And District Association for the Control of Aircraft Noise)]

Quote

“the range of stakeholders mentioned is vast which implies the requirement for massive engagement and the dangers of causing confusion with CAP 1616 engagement/consultation must be avoided. Equally the actual engagement mentioned is ill defined, is it 2-way engagement or just website/briefing updates? Expectations should be managed so that stakeholders understand the level of interaction required.” [response from Farnborough Airport]

Quote

“When developing the stakeholder engagement plan, NERL should not only take advice, but consult with the members of the Advisory Board, particularly the aerodrome operators and their representatives. Given the engagement relates to ‘how the Licensee is providing the UKADS and UKACS’ it would seem prudent to include a mechanism to allow airports and ANSPs that are not classified as ‘partners’ given the impact of the work of UKADS will be beyond the geographical area of its initial focus, i.e. southeast UK.”
[response from an airport]

Guidance on NERL’s stakeholder engagement plan – outcome:

We have made it clearer in the guidance that NERL’s stakeholder engagement plan should not cover matters relating to the specifics of any airspace change proposal, such as consultation and engagement on airspace design choices or their environmental impacts. Engagement with specific stakeholders for that purpose is required by the CAA’s CAP 1616 process and the associated guidance material to that regulatory process.

We have amended the guidance to add airport consultative committees to the list of stakeholders to be included in the scope of the stakeholder engagement plan, and to add a broad definition of General Aviation.

Question 3: Do you have any comments on the draft guidance concerning the Advisory Board?

Multiple-choice responses to question 3

3.25 Responses are shown in Figure 3.3 and Table 3.3 below.

Figure 3.3: Multiple-choice responses to question 3 (guidance concerning the Advisory Board)

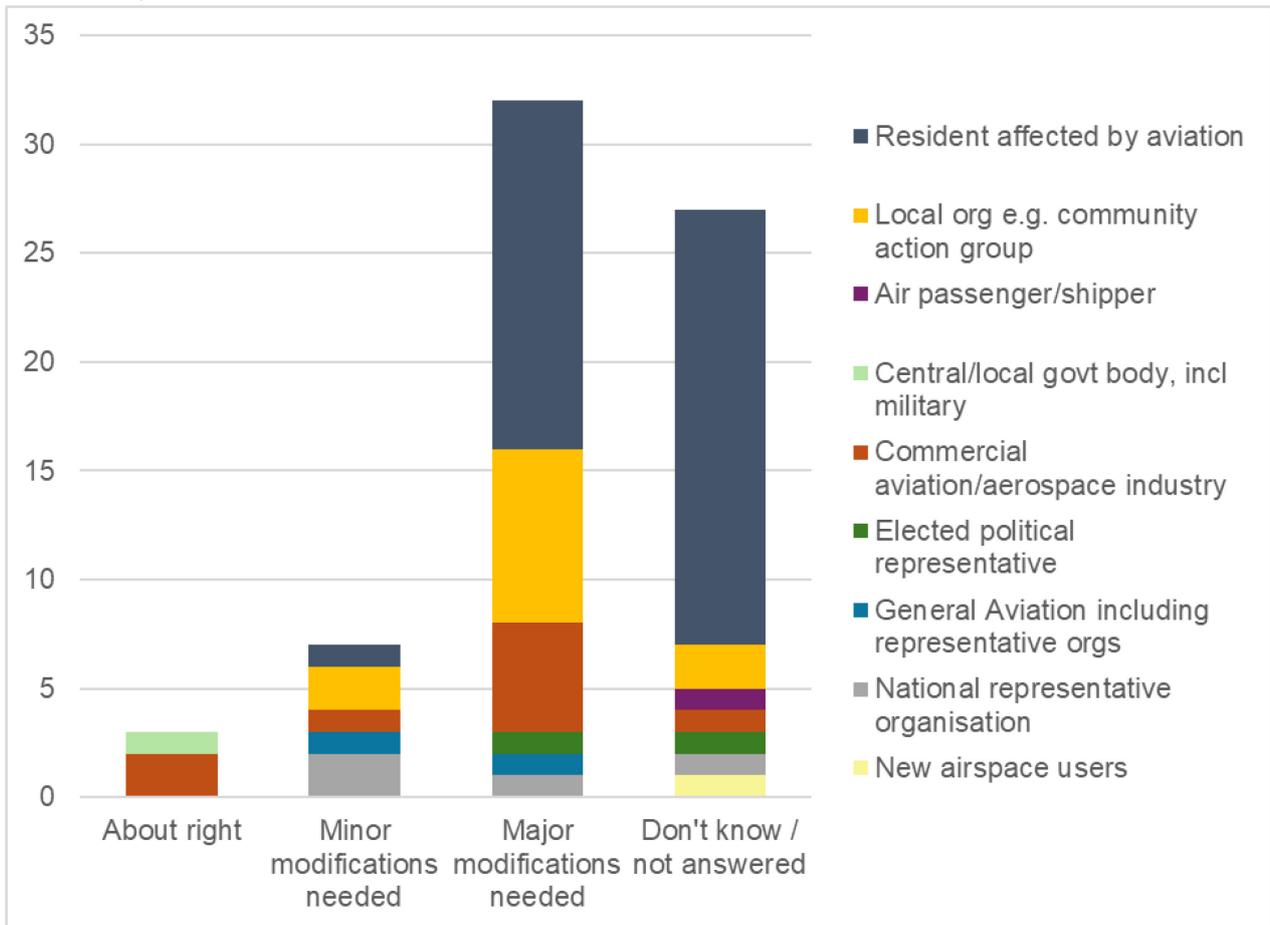


Table 3.3: Multiple-choice responses to question 3 (guidance concerning the Advisory Board)

	a	b	c	d	e	f	g
Respondent category	about right	minor mods needed	a + b	major mods needed	don't know/ not answered	total	$\frac{a + b}{total}$
Resident affected by aviation		1	1	16	20	37	3%
Local org e.g. community action grp		2	2	8	2	12	17%
Air passenger/shipper			0		1	1	0%
Central/local govt body, incl. military	1		1			1	100%
Commercial aviation industry	2	1	3	5	1	9	33%
Elected political representative			0	1	1	2	0%
General Aviation community		1	1	1		2	50%
National representative organisation		2	2	1	1	4	50%
New airspace users			0		1	1	0%
Total	3	7	10	32	27	69	14%

3.26 Of the 69 responses:

- 10 said the guidance was about right or only minor modifications were needed (14%)
- 32 said major modifications were needed (46%)
- 27 said they didn't know or chose not to answer the question (39%).

3.27 In terms of specific category of respondent:

- of the 10 responses saying that the guidance was about right or only minor modifications were needed, three (of nine total) came from commercial industry, two from local organisations (of 12 total), two from national representative organisations (of four total); the other three came from a resident (just one out of 37 total), the Ministry of Defence and the General Aviation community
- the 32 responses saying major modifications were needed mainly came from residents (16 of 37 total), local organisations (eight of 12 total) and commercial industry (five of nine total), with the other three from the General Aviation community, an elected political representative and a national representative organisation
- the 27 don't know/not answered mainly came from residents (20 of 37 total) and local organisations (two of 12 total); with one each from five other categories.

Free-text responses to question 3

3.28 There was general support for the concept of an Advisory Board. Many responses across different categories (airports, airlines, local organisations, an MP) made a case to be represented on the Board (in one case even if only as an observer). Some were concerned about the effectiveness of the Board or sought detailed changes to the Board's terms of reference and operation.

Membership

3.29 **Issue:** Some respondents said that it was inappropriate for NERL to be the sole determinant of membership where there was limited guidance on who should be included and no formal mechanism for challenge. Several responses asked how representatives would be chosen. **CAA response:** The guidance states (paragraph 4.4) that NERL should determine the structure and membership of the Advisory Board in consultation with the DfT and CAA, and this remains our view if the Board is to function effectively.

3.30 **Issue:** One airline said that membership should be determined from a long-term, strategic perspective. It was also suggested that Board membership could reflect the area of airspace being delivered. AirportsUK recommended that membership be limited to those with expertise in modernisation processes, given that the

Advisory Board's role was to oversee process compliance and that local organisations' input would be through the airspace change process. Given that the UKADS would be designing London airspace, selecting only certain London airports to be members (in addition to AirportsUK) could introduce a distortion or conflict of interest. Other respondents suggested rotating membership between London airports, appointing a non-London airport, and fixed terms. Two other responses also said that members required appropriate technical or environmental subject matter expertise, with experience of airport operations and of sponsorship of airport airspace change proposals. One General Aviation organisation and one airport said that GA or smaller airports and GA operators should be represented. Several local organisations said that the Board needed to engage with or include representatives of the interests of both communities potentially impacted by the airspace modernisation programme and the wider environment. **CAA response:** We note these comments. As the DfT and CAA 2024 proposals for the Advisory Board have subsequently developed, the role which we expect it to play has evolved and accordingly the final guidance on membership reflects this. Membership of the Advisory Board will be determined by NERL, following the guidance at paragraphs 4.4 to 4.6. The Advisory Board will include subject matter experts who are able to give an informed view on the overarching approach taken by NERL, but the Advisory Board should not duplicate existing relationships between communities and airports and must be separated completely from the formal consultation process on specific airspace change proposals.

NERL determining membership of the Advisory Board

- 3.31 **Issue:** Several responses were concerned about NERL being influenced by its industry shareholders and questioned whether it was therefore appropriate for NERL to determine the membership of the Advisory Board. Two industry responses thought there was a risk that the Advisory Board might prove ineffective at influencing NERL decisions. One airport suggested that because NERL was partly owned by certain airlines/airports, only AirportsUK should be members rather than selected airports. The ACOG Steering Group membership was suggested as a model. Some responses suggested that guidance was needed on how it should identify and manage conflicts of interest, disagreements or unresolved concerns. **CAA response:** The provision of UKADS and UKACS activities will be overseen through NERL's air traffic services licence and existing governance arrangements for the Airspace Modernisation Strategy, including regular, transparent progress reporting to the co-sponsors. NERL's licence includes conditions that NERL shall act transparently and not unduly prefer or discriminate against any person or class of person, and also requires NERL's directors, where potential conflicts of interest arise, to discharge their responsibilities independently of the interests of any affiliate or related undertaking of NERL. Concerns can be flagged through the Advisory Board,

which can escalate an issue to the CAA and DfT via the Joint Airspace Modernisation Programme Board if required.

Role of the Advisory Board

- 3.32 **Issue:** One industry response noted that paragraph 4.1 said that the Advisory Board would contribute external oversight and governance in addition to governance by the DfT and CAA, implying a formal governance role, which would be unusual for an advisory board. Other industry responses advocated a higher degree of autonomy and responsibility for the Advisory Board and less emphasis on it being solely advisory, with one airline organisation noting that airlines were financing UKADS. **CAA response:** We consider it appropriate to limit the Board to an advisory role to give NERL sufficient freedom to provide the UKADS and UKACS effectively, while taking into account the Board's advice. We have made provision for escalation of material issues that cannot be resolved by the Board; we do not accept that this is inconsistent with an advisory role. However, we do accept that the advisory role is there to provide challenge and advice rather than oversight or governance (which is for the CAA and DfT). **We have therefore removed from the guidance** the second sentence of paragraph 4.1.

Appointing the Chair of the Advisory Board and consulting CAA/DfT about membership

- 3.33 **Issue:** NATS said the Chair should be appointed by NERL, rather than elected, and that NERL should inform, rather than consult, the DfT and CAA about membership. Other respondents said that the CAA/DfT should approve membership; that stakeholders should be consulted about membership; that NERL giving its agreement limited the Chair's independence; and that two members should be independent as well as the Chair. **CAA response:** Given the concern expressed by some respondents that there was a risk that the Advisory Board would be neither effective nor sufficiently autonomous, and concerns about NERL's provision of UKADS and UKACS more generally, an independent Chair would provide greater confidence in transparency and effectiveness of the Advisory Board. NERL would retain responsibility for determining membership and agreeing the Chair. We remain of the view that the Chair should be an elected position and that the CAA and DfT (but not stakeholders) should be consulted about membership.

Chair of Advisory Board attendance at the Joint Airspace Modernisation Programme Board

- 3.34 **Issue:** One airport noted that the Head(s) of UKADS and UKACS could be invited to discuss relevant agenda items at the Joint Airspace Modernisation Programme Board (JAMPB) (paragraph B9 of the consultation document), but not the Chair of the Advisory Board. One General Aviation organisation said stronger interface with and accountability to the JAMPB was needed. **CAA response:** Given that the JAMPB is the escalation route for unresolved issues between the Advisory Board and NERL, **we have added to the guidance**

and the governance arrangements that the Chair of the Advisory Board may be invited by the CAA/DfT to the JAMPB for relevant agenda items.

Escalation to the Joint Airspace Modernisation Programme Board

3.35 **Issue:** NATS said that it should not be possible for stakeholders – presumably meaning those not represented on the Advisory Board – to raise issues with the Advisory Board, nor for the Advisory Board to escalate issues to the DfT/CAA Joint Airspace Modernisation Programme Board. The appropriate mechanism was the airspace change process or broader stakeholder engagement.

CAA response: We consider that it is appropriate (see paragraph 4.12 of the guidance) for any stakeholder to raise an issue with the Advisory Board. The Board will be a forum for NERL to obtain advice, to exchange views, ideas and information to support NERL's delivery of the UKADS and UKACS (paragraph 4.1 of the guidance). However, the Advisory Board does not have a decision-making role. Paragraphs 4.14 and 4.15 of the guidance explain the circumstances where escalation of an issue to the CAA and DfT would therefore be appropriate. The mechanism, including any timelines, would be a matter for the Board's terms of reference. Only the Board will be able to escalate issues direct to the JAMPB, and not non-members directly, as one respondent suggested.

3.36 **Issue:** Some responses questioned paragraph 4.7 of the guidance – that someone not being chosen as a member of the Advisory Board is not a complaint that can be escalated to the DfT and CAA at the Joint Airspace Modernisation Programme Board. **CAA response:** NERL's air traffic services licence¹⁹ requires it to determine the appropriate structure and membership for the Advisory Board in consultation with the CAA and Secretary of State, and in accordance with the guidance. Given that the guidance on terms of reference for the Board (paragraph 4.12) provides for:

- the Advisory Board to make recommendations to NERL, and
- stakeholders not represented on the Board to be able to raise issues with the Board

we have added to the guidance that a stakeholder can seek membership of the Advisory Board by contacting NERL directly, or by submitting a request to the Advisory Board, which can make a recommendation to NERL. Ultimately, membership of the Board is for NERL to determine, subject to consulting the CAA and Secretary of State, and in accordance with the guidance.

¹⁹ CAP 3225 *Economic Regulation of NERL: Decision to modify NERL's Licence to support the implementation of a UK Airspace Design Service* www.caa.co.uk/cap3225

Set up timeline

- 3.37 **Issue:** One airport said that the six months (from the licence decision taking effect) allowed for NERL to publish the structure, membership and terms of reference of the Advisory Board should be reduced to one to two months. This would enable the Board to have meaningful input into the stakeholder engagement and strategic delivery plans and avoid programme delays.
- CAA response:** We agree that earlier publication would be advantageous, given that the guidance allows six months for the delivery and engagement plans to be produced, and both draw on advice from the Advisory Board. However, we need to allow sufficient time for NERL to put together the materials for the Advisory Board and engage with relevant stakeholders and the CAA/DfT. We therefore encourage NERL to manage the timescales for standing up the UKADS and UKACS to make this work.

Advice on strategically important interdependent airspace change proposals

- 3.38 **Issue:** NATS suggested that the seventh bullet of paragraph 4.11 of the guidance – advice on whether any new strategically important interdependent airspace change proposals were needed, or existing ones no longer considered – was unnecessary, as the relevant technical expertise already existed within NERL. Farnborough Airport also questioned whether this was appropriate, given that the Advisory Board does not have a decision-making role.
- CAA response: We have removed this from the guidance.** We agree that NERL is best placed to advise on which airspace change proposals are considered strategically important, having consulted with relevant sponsors. This is because determining which airspace change proposals require coordination depends on geography and the specific details of the proposals. The Advisory Board is not the appropriate forum for discussing the details of individual airspace change proposals.

Detailed workings / Terms of Reference of the Advisory Board

- 3.39 **Issue:** NATS said that the scope and level of detail for the Advisory Board's terms of reference (paragraphs 4.11 and 4.12) were excessive. For example, the eighth bullet about advising on new technologies was inappropriate for a committee of varied stakeholders. Also, given its strategic role, it would be more appropriate for the Advisory Board to meet quarterly rather than monthly.
- CAA response:** We have reviewed these requirements. Given that the intent is for the Advisory Board to provide support to the strategic direction of the UKADS and UKACS, we agree that it would seem out of place to require the Board to advise NERL on the development of new technologies and process that may impact on NERL's provision of the UKADS or UKACS. Similarly, we agree that it is appropriate that NERL, in agreement with the Chair, determines the frequency of meetings. **We will amend the guidance** on terms of reference:

- to remove the seventh bullet in paragraph 4.11 (see above)
- to remove the eighth bullet concerning advice on new technologies
- such that NERL determines the frequency of Advisory Board meetings, with the agreement of the Chair.

3.40 **Issue:** Some respondents made suggestions about the detailed workings of the Advisory Board which would be relevant to the terms of reference. For example, some suggested that members should be required to declare any conflicts of interest to the Advisory Board, and that meeting summaries should be published. **CAA response:** These details should be covered by the terms of reference, which will be published (paragraph 4.13 of the guidance), but minor points of detail are not appropriate for inclusion in the guidance. The Advisory Board does not have a decision-making role, so the issue of conflict of interest of any one member does not arise. As mentioned above, NERL's licence obligations²⁰ require it to act transparently and to not unduly prefer or discriminate against any person or class of persons in providing the UKADS and UKACS. We agree that it is important that the workings of the Advisory Board are as transparent as possible.

Environmental impacts

3.41 **Issue:** One local organisation asked that the Advisory Board be required to advise NERL on likely environmental impacts arising from the delivery plan, including noise impacts. **CAA response:** The Advisory Board is not a forum for making or consulting on airspace design choices; that is a matter for the airspace change process. These issues would be addressed through the CAA's airspace change process.

Quote

"NATS agrees that the Advisory Board should not be a decision-making body and should not discuss the specifics of any airspace change proposal under the remit of the UKADS. The Airspace Design Priorities, as set out in the proposed ANG2026, provide clarity on the priorities for airspace design and therefore alleviate the need for unnecessary governance and oversight. NATS believes the Advisory Board and its Chair should be appointed by NERL. NERL should inform the DfT and CAA on appointments without the need to consult them. The Chair should be appointed by NERL and not elected. NATS agrees that the membership should be kept under review and refreshed from time to time (when appropriate to do so). NATS agrees that the membership of the Advisory Board is not a matter for escalation to the DfT and CAA as co-sponsors.

²⁰ CAP 3225 *Economic Regulation of NERL: Decision to modify NERL's Licence to support the implementation of a UK Airspace Design Service* www.caa.co.uk/cap3225

[...] NATS does not believe it should be possible for stakeholders to raise issues to the Advisory Board. The appropriate mechanism for stakeholders to engage with the UKADS proposals is through the airspace change process or broader stakeholder engagement. In addition, it should not be possible for the Advisory Board to raise such matters with the DfT/CAA Joint Airspace Modernisation Programme Board. The Advisory Board is not a decision-making body. Therefore, facilitating stakeholders in this manner creates a de facto direct line between stakeholders and the DfT/CAA Joint Airspace Modernisation Programme Board as the Advisory Board will have no power to resolve matters.” [response from NATS]

Quote

“The proposal to form an Advisory Board is a welcome one in helping to facilitate external input to NERL’s work. However, some further clarification in the Advisory Board’s final Terms of Reference could be helpful. [...] There is a risk that insufficient clarity over the Advisory Board’s remit, influence and escalation routes could blur the distinction between advisory input and formal decision-making authority, potentially creating uncertainty for stakeholders and the NERL Board alike. [...] In addition, the absence of clearly articulated mechanisms for handling disagreement or unresolved concerns between the Advisory Board and NERL’s main governance board could weaken accountability and dilute oversight.” [response from Airspace Change Organising Group]

Quote

“The consultation document [...] does not refer to community membership despite previous assurances that representatives of community groups would have a seat on the Board. There is no credible explanation offered for excluding community representation on the Advisory Board, but the unstated reason appears to be that doing so would present an obstacle to progression on airspace changes and modernisation that the Government, the CAA and NERL are in a hurry to deliver. It is stated that the purpose of the Advisory Board will be to "assist NERL in contributing to the objectives of the Airspace Modernisation Strategy." These objectives include managing noise impacts. Amongst communities, there is deep concern that airspace modernisation, which will see aircraft concentrated along narrow flightpaths, will create "motorways in the sky" and "noise sewers" and those already suffering the cumulate impacts of being overflown by multiple airports are doubly worried. [...] It is only right and fair that communities should have representation on the Board. We propose that, at the minimum, and in the interests of transparency, AEF should have a seat on the board as an observer.” [response from Aviation Environment Federation]

Quote

“The Advisory Board members should include stakeholder representatives and relevant subject matter experts, including technical and environmental experts and those with experience of airport operations and sponsorship of airport ACPs. Heathrow maintains the position set out in our response to the consultation on CAP 3029 on the desirability and potential scope of direct airport membership of the Advisory Board, given the need for technical input drawn on real-world experience. Our view remains that the Board should comprise two types of member: standing and time-limited members. The standing members should include affected airports. Given the range of sizes and capacities there should be several airport members to reflect the range and breadth of interests. These members might be selected on the basis of likely benefits and impacts from the airspace change, ATMs per annum, size and complexity of flightpath design, with perhaps a tiered system including representatives of 3 relevant London airports. Periodically the standing membership could be reviewed and, potentially, updated. In addition, there would be time-limited members who would join (in addition to the standing members) to help resolve specific key issues, for example during deployments. We propose that airport promoters of relevant DCO or planning applications should be invited to sit as members of the Advisory Board to assist in it, and UKADS’, work.” [response from Heathrow Airport]

Quote

“Given that the AB’s role is to oversee process compliance, we recommend that membership be limited to individuals with expertise in modernisation processes. Therefore, we do not support the inclusion of local stakeholders on this body. These audiences have a valid and important role in discussion of potential designs, but this should be dealt with through the main consultation process (CAP 1616). Airports need representation on the AB. This should certainly come via AirportsUK having membership of the AB to ensure all UK airports have a form of representation. However, the sector believes additional subject matter expertise is required. Given the vital role UKADS will have in the London design it would be seen as a potential distortion or conflict of interest for only some of the airports in that area to have representation, whilst having all would be too unwieldy. UKADS should explore options to ensure fair expert representation can be achieved – for example by an airport expert from a non-London airport.” [response from AirportsUK]

Guidance on the Advisory Board – outcome:

Membership

We have added to the guidance that a stakeholder can seek membership of the Advisory Board by contacting NERL directly, or by submitting a request to the Advisory Board, which can make a recommendation to NERL. Ultimately, membership of the Board is for NERL to determine, subject to consulting the CAA and Secretary of State, and in accordance with the guidance.

Terms of reference

We have amended the guidance on terms of reference:

- to remove the seventh and eight bullets of paragraph 4.11, which now no longer states that the Advisory Board should:
 - advise NERL (as the UKACS provider) on whether any new strategically important interdependent airspace change proposals are needed or are likely (and conversely, whether any such identified airspace change proposals should no longer be so considered)
 - advise NERL on the development of new technologies and process in the UK or worldwide that may impact on NERL’s provision of the UKADS or UKACS
- such that NERL determines, with the agreement of the Chair, the frequency of Advisory Board meetings, rather than the guidance specifying at least monthly.

Governance arrangements

We have added to the guidance that the Chair of the Advisory Board may be invited by the CAA and DfT to the Joint Airspace Modernisation Programme Board for relevant agenda items.

We have removed the second sentence from paragraph 4.1 of the guidance which incorrectly suggested that the Advisory Board was to have an oversight and governance role.

Question 4: Do you have any other comments on the draft guidance document (Chapters 1 to 4)?

Free-text responses to question 4

- 3.42 This question was free text only. One airline and one airport group expressed support for the guidance overall. A respondent in the ‘new airspace user’ category supported that airspace change proposals supporting drone operations would not be in scope of the UKADS or UKACS.
- 3.43 **Issue:** One airport group sought more clarity on migration from ACOG to UKACS to avoid uncertainty, such as the formal processes, maintaining continuity for

airports already well advanced, and managing uneven readiness between sponsors. **CAA response:** Please see the consultation response document CAP 3162²¹ relating to the parallel consultation (CAP 3159) about the requirements for NERL's provision of the UKACS.

- 3.44 **Issue:** One airport pointed out that paragraph 1.1 in the Overview chapter of the guidance, where quoting text from NERL's air traffic services licence, should say that NERL is required to use "all reasonable endeavours" to provide the UKADS and UKACS. **CAA response: We have amended the guidance** to correct this.
- 3.45 **Issue:** Four responses from local or national organisations suggested that in the interests of transparency, NERL should be subject to the Freedom of Information Act or equivalent statutory disclosure obligations, because NERL would be exercising monopoly public functions with direct public impacts or holding information on behalf of a public body. This would give communities access to information allowing them to engage constructively. **CAA response:** This aligns with a wider theme in some responses about transparency and non-discrimination. The guidance references the need for NERL to be transparent in different aspects of the provision of the UKADS and UKACS. The scope of the provisions of the Freedom of Information Act and to whom they apply is a matter for Parliament.
- 3.46 **Issue:** A parish council said that industry benefiting from increased airspace capacity created by airspace change proposals was well represented in the guidance, while communities potentially suffering from noise pollution were totally under-represented. Three local organisations said that the proposals had to be seen in the context of other proposed changes to the airspace change process and the DfT Air Navigation Guidance. **CAA response:** This guidance concerns NERL's provision of the UKADS and UKACS where it will both sponsor an airspace change proposal relating to airports in the London area (UKADS) and coordinate certain airspace change proposals elsewhere (UKACS). It does not in itself alter the process for progressing an airspace change proposal or the involvement of communities. Potential modifications to that process and to the DfT Air Navigation Guidance have been the subject of separate consultations²², the outcomes of which are expected to be published later in the year.
- 3.47 **Issue:** An airport commented that the consultation contained insufficient information and that it was difficult to respond when related consultations were still in progress and yet to produce outcomes. **CAA response:** We acknowledge that a number of separate documents necessary to establish the UKADS and UKACS were published within a short period. This was necessary and

²¹ www.caa.co.uk/cap3162.

²² [Consultation on the airspace change process - Civil Aviation Authority - Citizen Space](#)
[Changes to the air navigation directions and air navigation guidance - GOV.UK](#)

proportionate to progress modernisation of the way we do airspace change within the time frame we committed to the Prime Minister to do.²³ Additionally we considered it important that stakeholders were able to review the relevant documents “as a package” to assist understanding of how they are proposed to work together. In order to guide stakeholders through the context, we published CAP 3156 *Modernising the way we do airspace design: information relevant to the CAA autumn 2025 consultations concerning airspace design*²⁴ and referenced this in the consultations. The timing of the publications was signposted in advance and where it made sense to do so the consultations were staggered, albeit the consultation periods overlapped for the reasons above.

Quote

“Overall, we broadly support the aims of the draft guidance; transparency should be a guiding principle throughout its implementation. Clear and accessible information on decision-making, dependencies and coordination requirements is essential, alongside clarity on how timelines, plans and stakeholder input are managed in practice to support effective delivery.”
[response from an airline]

Other comments – outcome:

We have amended the Overview chapter of the guidance quoting text from NERL’s air traffic services licence to say that NERL is required to use “all reasonable endeavours” to provide the UKADS and UKACS.

Question 5: Do you have any comments on the CAA/DfT governance arrangements for NERL providing the UKADS and UKACS?

Multiple-choice responses to question 5

3.48 Responses are shown in Figure 3.4 and Table 3.4 below.

²³ www.caa.co.uk/cap3085a

²⁴ www.caa.co.uk/cap3156

Figure 3.4: Multiple-choice responses to question 5 (governance arrangements for providing the UKADS and UKACS)

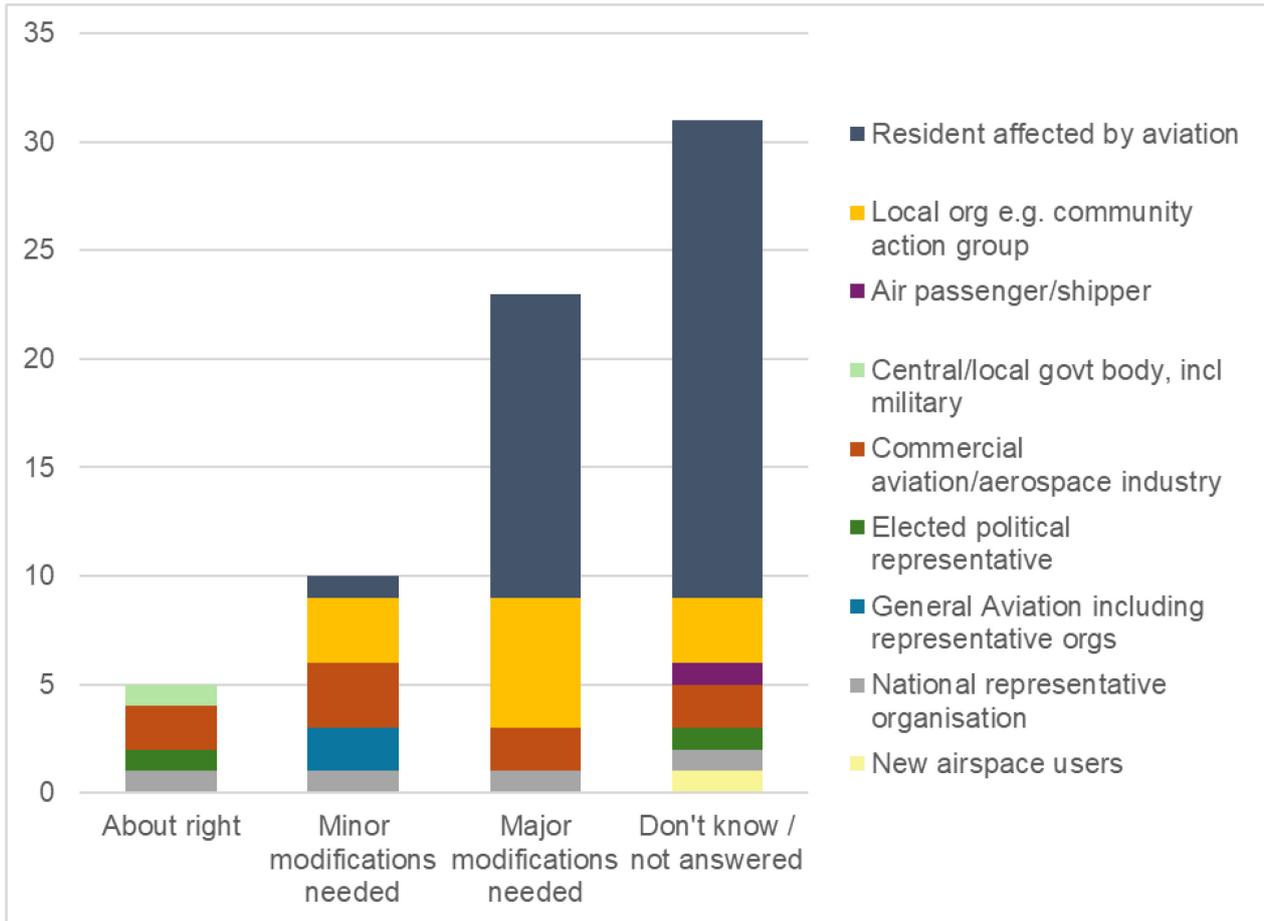


Table 3.4: Multiple-choice responses to question 5 (governance arrangements for providing the UKADS and UKACS)

	a	b	c	d	e	f	g
Respondent category	about right	minor mods needed	a + b	major mods needed	don't know/ not answered	total	<u>a + b</u> total
Resident affected by aviation		1	1	14	22	37	3%
Local org e.g. community action grp		3	3	6	3	12	25%
Air passenger/shipper			0		1	1	0%
Central/local govt body, incl. military	1		1			1	100%
Commercial aviation industry	2	3	5	2	2	9	56%
Elected political representative	1		1		1	2	50%
General Aviation community		2	2			2	100%
National representative organisation	1	1	2	1	1	4	50%
New airspace users			0		1	1	0%
Total	5	10	15	23	31	69	22%

3.49 Of the 69 responses:

- 15 said the governance arrangements were about right or only minor modifications were needed (22%)
- 23 said major modifications were needed (33%)
- 31 said they didn't know or chose not to answer the question (45%).

3.50 In terms of specific category of respondent:

- of the 15 responses saying that the governance arrangements were about right or only minor modifications were needed, five (of nine total) came from commercial industry, three from local organisations (of 12 total), two from national representative organisations (of four total), two from the General Aviation community (of two total) with the other three from a resident (just one out of 37 total), the Ministry of Defence and an elected political representative
- the 23 responses saying major modifications were needed mainly came from residents (14 of 37 total) and local organisations (six of 12 total); the other three came from commercial industry (two) and a national representative organisation
- the 31 don't know/not answered mainly came from residents (22 of 37 total), local organisations (three of 12 total) and commercial industry (two of nine total); with one each from four other categories.

Free-text responses to question 5

3.51 Several responses expressed broad support for the proposed governance arrangements, saying they needed to be transparent and robust with independent oversight. One airport group said that these arrangements appeared broadly appropriate and proportionate in that they built sensibly on existing CAA/DfT oversight structures, subject to roles and accountabilities remaining clear in practice.

3.52 **Issue:** Some airports and a General Aviation respondent expressed a need for assurance that NERL would remain unbiased, given the significance of the design decisions. They noted that some sponsors or beneficiaries of airspace modernisation are shareholders of NERL. **CAA response:** Delivering the UKADS and UKACS are conditions of NERL's air traffic service licence. Ultimately, therefore, such delivery can be enforced via the licence enforcement mechanisms. The licence²⁵ requires NERL to act transparently and to not unduly prefer or discriminate against any person or class of persons in providing the UKADS and UKACS. It also requires NERL's directors, where potential conflicts of interest arise, to discharge their responsibilities independently of the interests

²⁵ CAP 3225 *Economic Regulation of NERL: Decision to modify NERL's Licence to support the implementation of a UK Airspace Design Service* www.caa.co.uk/cap3225

of any affiliate or related undertaking of NERL. Concerns can be flagged through the Advisory Board. We consider that these arrangements will enable the effective management of any conflicts of interest which may arise.

3.53 **Issue:** Airports were concerned that they had no way to escalate concerns to the CAA or DfT, other than objecting to the airspace change proposal, which would be too late. A process was required for resolving design conflicts with a robust, defined appeal process, or identifying in good time issues that might affect airspace modernisation progress. One airline felt that there was insufficient involvement or consultation of operators and too much reliance on NERL making critical decisions. Several local organisations and more than 20 residents said there was a lack of a clear escalation mechanism where airspace change results in adverse impacts on communities or where engagement with them is inadequate, and that there should be independent oversight of this and associated processes.

CAA response: See previous answer above. A concern must first be raised with NERL as the UKADS provider. If this does not resolve the issue, and the issue relates to a matter of principle or general approach, then it could be raised by a member of the Advisory Board. The Advisory Board will provide transparency, assurance and scrutiny of NERL's provision of the UKADS and UKACS, as explained in Chapter 4 of the guidance. However, a specific airspace change proposal sponsored or coordinated by NERL as the UKADS or UKACS provider, including design choices and environmental impacts, will be addressed through the CAP 1616 process that includes associated engagement and consultation. Ultimately it is the decision of the Secretary of State and the CAA that where NERL is asked to provide the UKADS²⁶ as the 'single guiding mind' deciding what airspace design to propose to the CAA – which we consulted on in autumn 2024 – NERL needs to 'hold the pen' on the airspace design if modernised airspace is to be delivered. The Advisory Board will have no decision-making role and will not be involved in decisions around individual airspace change proposals. The CAA will not be involved in the UKADS design choices, but will decide whether to approve any design proposed to us. Conversely, the Secretary of State has consulted on statutory guidance which includes policy on what airspace design in the UK should achieve. It will be critical for NERL to manage effectively its partnership arrangements with airports when making these design choices.

3.54 **Issue:** One airport noted that the Head(s) of UKADS and UKACS could be invited to discuss relevant agenda items at the Joint Airspace Modernisation Programme Board (paragraph B9 of the consultation document), but not the Chair of the Advisory Board. **CAA response:** Given that the JAMPB is the

²⁶ As set out in the Secretary of State's strategic objectives published on 17 November 2025. [UKADS and UKACS licence obligations: strategic objectives - GOV.UK](#)

escalation route for unresolved issues between the Advisory Board and NERL, **we have added to the guidance** and the governance arrangements that the Chair of the Advisory Board may be invited by the CAA/DfT to the JAMPB for relevant agenda items.

- 3.55 **Issue:** NATS asked that the requirements and timing for reporting should align with the reporting for NERL's existing Service and Investment Plan, ensuring that all stakeholders including DfT/CAA receive the same timely and accurate information, avoiding duplication and aiding transparency. NATS regarded the level of reporting described in paragraph B17 of the consultation document as excessive and asked that there be no mechanism for DfT/CAA to commission additional reviews (B18). **CAA response:** We agree that reporting requirements should not duplicate NERL's existing reporting obligations. We have no objection to the use of the Service and Investment Plan timetable subject to this providing sufficient transparency and accessibility to relevant stakeholders, but we consider that it is appropriate to include the level of reporting in paragraphs B17 and B18.
- 3.56 **Issue:** One airport, one airline and one local organisation mentioned the need for regular progress reporting for stakeholders on milestones, risks and dependencies etc. **CAA response:** CAA and DfT governance through the existing Airspace Modernisation Strategy governance structure will include regular, transparent progress reporting by NERL.
- 3.57 **Issue:** Responses from local organisations and residents expressed concern that there were no reporting requirements for environmental impacts of airspace design choices. Work on design principles between airports and local communities could be lost. Greater clarity, transparency and accountability was required for community stakeholders. **CAA response:** The guidance includes a chapter on the requirement for NERL to produce a stakeholder engagement plan, including stakeholders potentially impacted by the airspace change proposal being sponsored by NERL as the UKADS provider. However, the guidance makes clear that this does not include environmental assessment of the impacts of specific airspace design choices and related consultation and engagement with impacted communities. That is out of scope of the guidance and these governance arrangements, being an issue for the airspace change process and associated CAP 1616 guidance. The onboarding process in CAP 3129²⁷, published on 1 September 2025, sets out how existing airspace change proposals within the London geographic 'cluster' will be transferred to enable the UKADS provider to sponsor a single airspace change proposal for the London TMA Region. Through the partnering arrangements, the UKADS

²⁷ [CAP3129: Onboarding Process for the UK Airspace Design Service \(UKADS\) Provider for the London TMA Region | UK Civil Aviation Authority](#)

provider will agree with each airport or other organisation where responsibility rests for the consultation and engagement tasks required by CAP 1616.

- 3.58 **Issue:** An airport asked how the outcome to an issue escalated by the Advisory Board to the Joint Airspace Modernisation Progress Board would be fed back. **CAA response:** We have amended the guidance and governance arrangements to add that the Chair of the Advisory Board may be invited to the Programme Board for such agenda items (see response to question 3 above), and can therefore feed back.
- 3.59 **Issue:** NATS sought clear terms of reference for the oversight meetings (paragraphs B11 and B12 of the consultation document) and a formal escalation path to the Joint Airspace Modernisation Programme Board. **CAA response:** This will form part of adapting the existing governance arrangements. The Head(s) of the UKADS and UKACS will be invited to attend the Programme Board for the relevant agenda items, but they will not be members.
- 3.60 **Issue:** One airports group said that it would expect the governance structure to take responsibility for guiding and resolving a number of issues related to the wider Airspace Modernisation Strategy and airspace change process more generally. **CAA response:** Although the UKADS does give the opportunity for a more holistic approach to airspace design, the issues referred to in the response do not relate directly to the provision of UKADS and UKACS by NERL, would not be in scope, and are therefore best addressed in the specific consultation and engagement on those documents by the CAA.
- 3.61 **Issue:** A local organisation and a number of residents challenged that NERL's accountability to the CAA and DfT in the governance arrangements referred to aviation interests and not those of residents on the ground. **CAA response:** The proposed governance arrangements concern NERL's provision of the UKADS and UKACS, regulated by the CAA through NERL's licence, and do not affect the airspace change process, also regulated by the CAA, which will continue to require engagement and consultation with communities.
- 3.62 **Issue:** One airport suggested that governance arrangements be reviewed periodically. One airport suggested that representatives of the main airspace operators should be members of the Joint Airspace Modernisation Programme Board. **CAA response:** The governance arrangements are likely to remain subject to review as the Airspace Modernisation Strategy evolves, and stakeholders can make their views known through the Advisory Board. It would not be appropriate for industry to be represented on the Programme Board, although the CAA/DfT may choose to invite the Head(s) of UKADS and UKACS or the Chair of the Advisory Board for specific agenda items (as non-members).

Quote

“We broadly support the proposed CAA and DfT governance arrangements for NERL’s delivery of the UKADS and the UKACS. To support the timely delivery of airspace modernisation, it will be important that these arrangements provide effective oversight of NERL’s delivery performance and progress against the Strategic Delivery Plan. Regular reporting on milestones, risks, and dependencies will be key. We would welcome further clarity on how Advisory Board members can raise and escalate concerns where progress appears insufficient, including the formal escalation routes and expected responses.”
[response from an airline]

Quote

“There is no specific analysis/review/statement of arising and potential NERL internal conflict of interest and a plan/proposal to address issues arising, which should be part [of] the current analysis and ongoing governance.” [response from General Aviation Alliance]

Quote

“The proposed arrangements appear to be largely a continuation of existing airspace modernisation governance processes. Those processes have been ineffective, non-inclusive and non-transparent. [...] Instead of baking-in failed structures DfT and the CAA should:
–reinstate an empowered Airspace Strategy Board chaired by the Minister;
–involve non-industry stakeholders in a meaningful and serious way, rather than seeking to exclude them. Mandating that NERL must provide the UKADS and UKACS "in the best interests of the UK airspace network" is a symptom of the bias with which the current proposals are laced;
–publish the minutes of all governance bodies including the Joint Airspace Modernisation Board.” [responses from Gatwick Area Conservation Campaign and from Gatwick Obviously Not]

Governance arrangements – outcome:

We have added to the guidance that the Chair of the Advisory Board may be invited by the CAA and DfT to the Joint Airspace Modernisation Programme Board for relevant agenda items.