

CAP 1616 Review

Webinar – Tuesday 28th November 2023



Agenda

What will be covered?

- Background and context for the airspace change process and CAP 1616 Review
- Modifications made to the CAP 1616 document set
- Modifications made to the permanent airspace change process
- Modifications made to the temporary / airspace trials airspace change process
- Transition arrangements for in progress airspace change proposals
- Separate but related work strands
- Questions



Background and context

Why is there an airspace change process?

- Section 66 of the **Transport Act 2000** states that the “*Secretary of State may give directions to the CAA imposing duties or conferring powers (or both) on it with regard to air navigation*”.
- **The Civil Aviation Authority (Air Navigation) Directions 2023...**



Proposals for airspace design changes: procedure and guidance

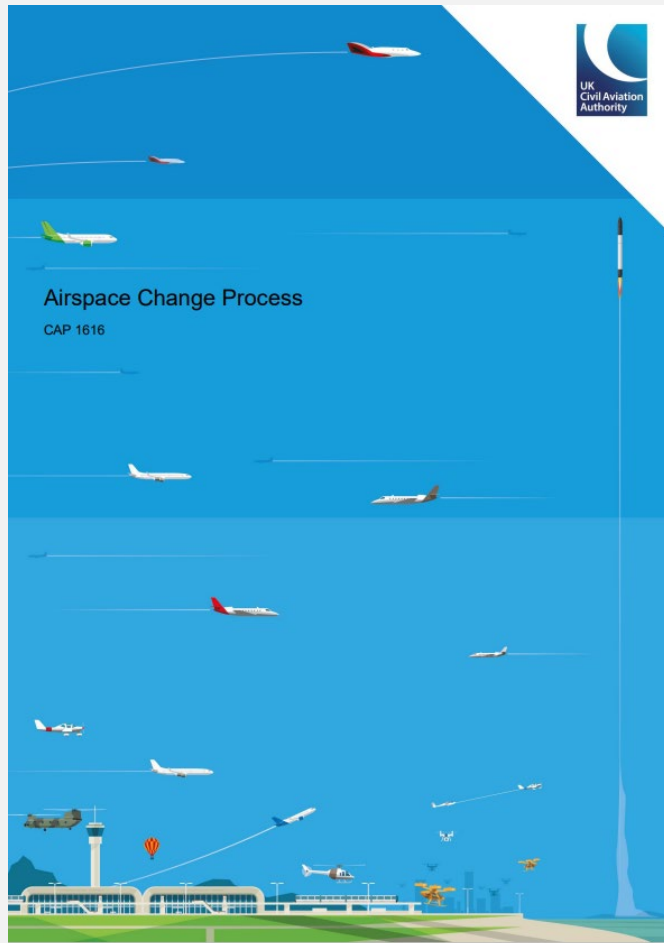
4.—(1) The CAA must develop and publish procedures, and guidance on such procedures, for the development, making and consideration of a proposal for—

- (a) a permanent change to airspace design,
- (b) a temporary change to airspace design, or
- (c) an airspace trial.

(2) All procedures developed and published under paragraph (1) must reflect Government policy, be proportionate, and aim to expedite such proposals.

Background and context

What is the airspace change process?



- The airspace change process is the regulatory process that applies to any proposed changes to the notified design of UK airspace i.e. that which is published in the UK Aeronautical Information Publication.
- The airspace change process is structured, comprising of different stages and gateways, depending on the type of airspace change that has been proposed.
- There are several stakeholders involved in the airspace change process:
 - The **Government** sets the legal framework and statutory objectives for the CAA, outlining our functions and responsibilities.
 - The **CAA** is the airspace regulator and primary decision maker. We are responsible for developing and publishing the airspace change process, deciding on changes to airspace design and providing related guidance.
 - The **change sponsor** owns the airspace change proposal and is responsible for developing it in accordance with the requirements of the airspace change process.
 - **Stakeholders** who may be impacted by airspace change have the opportunity to influence the development of an airspace change proposal through their engagement with the change sponsor.

Background and context

Why has the CAA reviewed the CAP 1616 airspace change process?

- The Review was initiated in accordance with commitments made *“to review the process for proposed changes in airspace...three years after CAP1616 was published”*.
- The scope of the Review was primarily focussed on the regulatory process for permanent and temporary airspace change proposals, as well as airspace trials.
- Our objective was to produce an updated version of CAP1616 which provides a more proportionate and tailored approach to airspace change, whilst ensuring that risks and impacts continue to be addressed, understood and transparently engaged on for the benefit of all those who use and are affected by airspace changes.
- We have engaged with a wide range of internal and external stakeholders throughout the course of the Review.



Background and context

What are the key principles of the airspace change process?

- **Safety:**
 - all airspace change proposals must consider safety and demonstrate the impact they will have on safety
 - safety has the highest priority in the airspace change process
- **Transparency:**
 - the airspace change process needs to be as transparent as possible
 - those potentially affected by an airspace change proposal should feel confident that their views have a formal place in the process
 - openness allows a change sponsor to see more clearly what's expected of them
- **Proportionality:**
 - we have a duty to develop a proportionate airspace change process to ensure the expeditious assessment of airspace change proposals
- **Accountability and Consistency:**
 - aligned with transparency, it's important that we publish Gateway Outcomes (Stages 1 to 3) and assessment/decision documents (Stage 5) so that everyone can see the rationale behind our decisions

Modifications - CAP 1616 document set

Separating the 'parts' into standalone publications

- To simplify CAP 1616, we have split the current version into separate publications
- CAP 1616 version 5 (published on 30th October) is a shorter document, focussed on the requirements of the permanent airspace change process
- Guidance on the permanent airspace change process has been kept separate and published in CAP 1616f
- Guidance related to the temporary airspace change process (Part 1a) and airspace trials (Part 1b) will be published in CAP 1616g
- CAP 1616h provides guidance on low impact airspace change proposals where a pre-scaled airspace change process exists
- Environmental guidance is published in CAP 1616i
- CAP 1617 (a withdrawn publication) has been re-purposed to cover Planned and Permanent Redistribution of Air Traffic (Part 2)
- CAP 1618 (Airspace Design: Unusual Aerial Activities) has been re-purposed to cover Airspace Information (Part 3)
- CAP 1619 (Airspace Design: guidelines on moderation of consultation responses) will be withdrawn as content has been incorporated into CAP 1616f

Modifications made to the CAP 1616 document set

Improving the clarity related to individual process requirements

- To clarify the degree of compliance expected against each of the requirements, we have used the following definitions throughout the CAP 1616 document set:
 - **'will'** or **'must'** is used to refer to requirements that must be met in full unless it has been agreed in advance with the CAA that it would be disproportionate to do so.
 - **'should'** is used to refer to a requirement that is expected to be met in full unless the change sponsor provides an acceptable rationale (within their submissions) that it would be disproportionate to do so.
 - **'may'** is used to refer to an action that the change sponsor is encouraged to consider taking. Given the unique circumstances of each airspace change proposal, there may be instances where the CAA might instruct the change sponsor to take specific action.

Creation of the airspace change proposal on the airspace change portal

- 3.7 The change sponsor **must**:
- create an entry for their airspace change proposal
 - add a potentially affected area (**should** for Level 2)
 - ensure that the status is set to 'in progress'

Modifications - permanent airspace change process

Stage 1 – Define – assessing the need for change and developing design principles

- **Statement of Need:**
 - To help understand the need for change, we've placed a greater focus on articulating the objective, the airspace issue or opportunity and the current-day scenario.
- **Applicability and Policy Alignment Check:**
 - To help change sponsors who are unsure whether their proposal falls within scope of the airspace change process, we've introduced the 'Applicability and Policy Alignment Check'.
- **Level definitions:**
 - To address feedback regarding the scalability and proportionality of the airspace change process, we've modified the level definitions.
 - To simplify the airspace change process, we've de-scoped Level 0's (*changes to nomenclature or qualifying remarks of the notified airspace design*).

Modifications - permanent airspace change process

Stage 1 – Define – assessing the need for change and development of design principles

- **Current day scenario:**
 - To ensure stakeholders understand the context, we've provided more clarity on what should be included in the current-day scenario so that a clear description of the current impacts is provided.
 - This description is important because it informs the selection and development of relevant design principles to be applied to the proposed airspace design options that are developed in subsequent stages.
- **Design Principles:**
 - We've introduced three mandatory design principles covering safety, policy & environment, which must be included in all ACPs
 - We've provided 18 discretionary design principles, a selection of which may be used.
 - Bespoke DPs – change sponsors can still add bespoke DPs of their own choice or change the Discretionary DPs.

Modifications - permanent airspace change process

Stage 2 – Develop and Assess – development of design options and initial options appraisal

- **Options development, including baseline scenarios:**
 - To address confusion related to the environmental assessment and options appraisal requirements, we've clarified our expectations in terms of the development of baseline scenarios and design options.
 - To make the engagement more meaningful, there is a focus on developing realistic and viable design options which address the statement of need.
 - Baseline scenarios and design options are developed for two future points – year of implementation (year 1) and 10-years after implementation (year 10).
- **Engagement requirements:**
 - To address uncertainty regarding the Stage 2 engagement requirements, we've clarified our expectations by making it clear the outputs on which the change sponsor must seek feedback and when they should do this, while explaining how stakeholder feedback should be used.

Modifications - permanent airspace change process

Stage 3 – Consult/Engage – further development of design options, full options appraisal and consultation

- **Consultation vs engagement:**
 - Clarity provided that consultation can be scaled and for smaller scale changes engagement may be appropriate.
- **Moderation of consultation responses:**
 - The responsibility for moderating consultation responses has been transferred to the change sponsor
 - CAP1619 which provided guidance on moderation has been incorporated. Expectation of sponsors is to publish responses regularly during the consultation period or as soon as possible after it has concluded.
- **Consultation response document:**
 - The requirement to publish a consultation response document has been brought forward from Stage 4 to Stage 3
 - The requirement to collate and review responses remains for Level 1 and 2 changes, and this is now incorporated into a consultation response document which is produced (and reviewed by the CAA) at the end of Stage 3.

Modifications - permanent airspace change process

Gateways – Define, Develop and Assess, and Consult/Engage

Stage 1-3 Gateways

- Gateways have been retained throughout the airspace change process
- To enhance understanding of the Gateway process, we have provided an explanation of the four possible 'Gateway Outcomes'
- To support change sponsors in preparing their submissions and improve the efficiency of the assessment process, we have developed checklists for each Gateway
- We have also developed templates to support change sponsors in preparing their Gateway submissions and/or specific related outputs

CAP 1616 – Stage 1 'DEFINE' Gateway

Checklist of Requirements

ACP Reference Number	
ACP Title	
Change Sponsor	
Consultancy (if applicable)	
Approved Procedure Design Organisation (if applicable)	
Gateway Date	

This checklist has been developed to ensure that Change Sponsors address relevant regulatory requirements when compiling their submissions to the CAA. Completion of this form does not in itself guarantee CAA approval. The CAA will review and assess the actual content of the Change Sponsor's submission, before making a regulatory decision on whether the relevant regulatory requirements have been addressed satisfactorily. Change Sponsors should refer to the contents of CAP 1616 and CAP 1616f for further guidance on the requirements listed below.

Gateway Outcomes

- 2.22 Aligned with our regulatory principles of transparency and proportionality there are four possible outcomes to each of the Stage 1-3 gateways:
- **Passed.** The CAA has concluded that the change sponsor has met the requirements of the airspace change process and can therefore proceed to the next stage.
 - **Decision pending.** The CAA has concluded that minor action(s) are required by the change sponsor to enable the CAA to conclude that the requirements of the airspace change process have been met. These actions are generally either for clarification purposes and/or where information has been omitted from the submission. Actions attached to a decision pending will not normally include changes to the methodology adopted, requiring further engagement activities, or where a substantial number of airspace change process issues have been identified.



Sponsor is
: the CAA's

1

Modifications - permanent airspace change process

Stage 4 – Update and Submit and Stage 5 – Decide

Submission/decision templates and checklists, and Change Request Authority:

- No material changes, although requirements and expectations have been clarified
- A checklist has been developed to support change sponsors in preparing the submission of their final airspace change proposal
- We have also provided a template for the final airspace change proposal that includes drafting notes
- The suite of regulatory assessment and decision documents have also been enhanced during the review

Modifications - permanent airspace change process

Stage 6 – Implement

Change Management Plan

- No material changes, although requirements and expectations have been clarified
- Change sponsors should submit a change management plan that covers:
 - updates to local operational documentation such as the MATS Part 2
 - updates to other local material such as radar displays/overlays and controller information displays
 - coordination with other ANSPs including updates to relevant letters of agreement
 - training plans and methods of assessment for affected personnel
 - considerations for trial or evaluation period prior to implementation
 - updates to equipment and systems such as CNS and related IT systems
 - instrument flight procedure validation timelines
 - changes to infrastructure, including requirements for flight inspection

What we seek to improve:

- Ensure we are informed on **all airspace related changes** before promulgation.
- Improve and **streamline notification processes** in conjunction with NATS AIS
- Improve our own **internal processes**

How:

- **Stronger guidance** to sponsors
- Applicability and Policy Alignment Check (**APAC**)
- Introduction of a **'CR Authority'** email
- **Enhance** regulatory oversight

Stronger guidance to sponsors

We cannot produce a definitive list of what is and what isn't an airspace change as the combination of change scenarios is infinite. We therefore strengthen our generic guidance in CAP 1616 and CAP 1054 and introduce **a link on the front page of the AIP Change Request Portal:**

NATS

Public

- > AIP Products
- > PAMS List
- > FAQs



User Name

Password

[Forgot Password ?](#)

UK AIP Change Request Portal

Welcome

This portal allows authorised users to raise proposals to change data and information in the UK AIP for which they are responsible.

Once logged in guidance for use of the portal can be found in the left hand panel under "Help".

Please review the help pages prior to submitting your change proposal

[Important information](#) regarding any changes to airspace!

CURRENT OPEN AIRAC CYCLES

Cycle Number	Effective date	Submission Cut-Off date
01/2024	25 Jan 2024	27 Oct 2023
02/2024	22 Feb 2024	24 Nov 2023

[More Schedules](#)

Stronger guidance to sponsors (cont..)

*“The Airspace Change Process as described in CAP 1616 shall be followed when making **amendment to the existing airspace design or existing traffic patterns** in the UK. The data elements making up the airspace design and traffic patterns are found in **CAP 1054, Annex A** where Airspace Regulation (AR, IFP or ENV) is marked as the party approving the data item”.*

*“Airspace changes that are **purely administrative** may however be submitted directly to the AIP Change Request Portal. If in any doubt as to the full impact of the change, it is strongly advised to complete **a DAP 1916 form**. The Airspace Regulation team will then undertake an **‘Applicability and Policy Alignment Check’ (APAC)** before offering guidance on how best to proceed. Failure to complete a DAP 1916 form for anything other than a purely administrative change may result in non-publication of the change”.*

See Next slide

Outcome:

More sponsors complete a DAP 1916 - **we know about more changes**

Applicability and Policy Alignment Check (APAC)

- This is nothing new, it is just a formal process name given to the action of evaluating a DAP 1916 Statement of Need.



New 'CR Authority' email

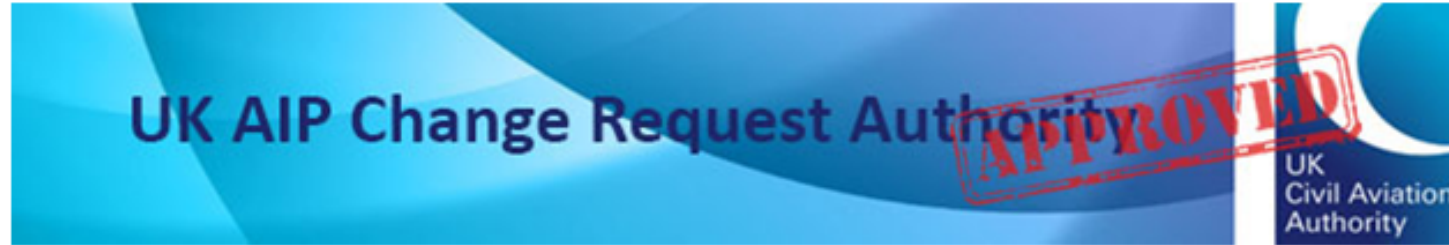


WHAT? A formal email from the regulator to the sponsor giving authority to submit the change request to NATS AIS. The sponsor subsequently attaches to their change request as evidence.

- **WHEN?** After the 'APAC' if no ACP is required (Stage 1), or after ACP approval (Stage 5).
- **WHO?** The AR Tech Reg, after liaison and agreement from any SMEs involved.
- **WHY?** Ensures multiple people at multiple organisations (Sponsor, Regulator and NATS AIS) have the same understanding of the change scope, approval status, Ref No. expected attachments and any other details. **Moving away from individual responsibility.**

Dear XXXXXX,

Please see the below authorisation, which should be attached to your AIP change request.



On (see date of email) CAA authorise submission of this change into the UK AIP Change Request Portal:

1. **Summary of change:** Add summary of the change you are authorising
2. **Individual sponsoring the change:** Add change sponsor name
3. **Organisation sponsoring the change:** Add organisation name
4. **CAA authorisation given by:** Add regulator name
5. **Effective date:** AIRAC ##/20## or N/A
6. **ACP reference:** ACP-20##-### or OTH-20## ###
7. **ACP level allocation** 1, 2, 3 or Temporary/Trial or N/A
8. ***Is an approval of the draft AIP pages required?** Yes/No
9. **Expected ACR attachments:** Add names/versions of documents or N/A
10. **Additional notes for change sponsor:** Add any specific notes or N/A
11. **Additional notes for NATS AIS:** Add any specific notes or N/A

ACP ref always allocated.

*This shall be 'Yes' if IFP charts or IFP coding tables are in scope.



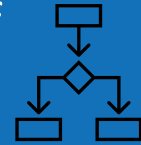
'CR Authority'

Email (Cont...)

A Simple Email Signature Block

Enhanced regulatory oversight



- When approved ACPs are submitted to the AIP portal > All regulators involved in the ACP will be notified and check the submitted content proportionally.
- If airspace related changes are submitted to the AIP portal without our knowledge > x2
Technical regulators will be notified and double check the content - should it be an ACP? 
- All these notifications will be **sent automatically** when any AIP section that contains airspace related data is amended. Previously this was a manual task. 
- **Processes in AR aligned**, move away from approval within the AIP portal, with exception of draft pages for IFP and any unusual content. 



Benefits

- ✓ We know about more airspace changes up front
- ✓ Our processes in AR are aligned
- ✓ No ambiguity between organisations on submitted changes (via new CR Authority)
- ✓ Enhanced oversight as our ACPs progress through to publication
- ✓ Enhanced oversight of any airspace related changes not notified to us
- ✓ No cracks for airspace changes to slip through to publication without our knowledge

Modifications - permanent airspace change process

Stage 7 – Post Implementation Review

Data Request Forms

- No material changes, although requirements and expectations have been clarified
- To clearly set out the CAA’s expectations, two data request forms (full and scaled) have been developed to ensure the change sponsor collates relevant data for the post implementation review

Safety and Airspace Regulation Group

Airspace Change Process Post Implementation Review Data Request



Safety and Airspace Regulation Group

Airspace Change Process Post Implementation Review Data Request (Scaled)

ACP Project Reference:			
Title of Airspace Change:			
Change Sponsor:			
CAA Decision Document:	<i>[Insert Link of Airspace Portal page or CAA website]</i>		
CAA Decision Date:		AIRAC Date(s):	
PIR Data Submission Requested:		PIR Data Submission Required by:	

YYY-###	
<i>Link of Airspace Portal page or CAA website]</i>	
	AIRAC Date(s):
	PIR Data Submission Required by ¹ :

Modifications – temporary/trial airspace change process

Summary of the temporary / airspace trials airspace change process and modifications made

- CAP 1616g will provide guidance on temporary and trial airspace change proposals
- Guidance is in the final stages of drafting and internal review
- No material changes, although requirements and expectations have been clarified
- Once published, it may seem as though there are more requirements listed within CAP 1616g. We have simply made sure that every requirement that applies to a temporary and trial airspace change proposal is clearly presented in a standalone document without having to refer to the permanent guidance

Transition arrangements

Transition arrangements for in progress airspace change proposals

- CAP 1616 v5 will come into force on 2 January 2024.
- Any airspace change proposals commenced on or after that date will be assessed against the requirements of the process (v5).
- All change sponsors with airspace change proposals in process under CAP 1616 (i.e., where an Assessment Meeting has already taken place) and in Stages 1-4, will be informed of the requirements that apply to their submissions.
- Bespoke emails have been/will be sent informing change sponsors of such requirements by 30 November 2023.
- Airspace change proposals in Stages 5-6 will continue as planned and will not be affected by the publication of CAP 1616 v5.
- For all airspace change proposals following CAP 725, the proposal will continue to be assessed against the requirements of CAP 725.
- All Post Implementation Reviews will be conducted in accordance with CAP 1616 v5, the requirements of which have not materially changed.
- All temporary airspace change proposals and airspace trials will be conducted in accordance with CAP 1616 v5, the requirements of which have not materially changed.

Separate but related work strands

Separate but related work strands

- **CAA Website:** we intend to create a more holistic and coherent view of airspace, with clear links to relevant legislation and policy. This project will also explore the possibility of developing educational videos related to the airspace change process, as well as other key airspace related topics.
- **Airspace Change Portal:** we will ensure that the Airspace Change Portal reflects the modifications made to the airspace change process, while also considering opportunities to enhance its functionality
- **Training course:** we have started developing a two-day course on the airspace change process to help stakeholders gain a deeper understanding of the airspace change process, why it exists and what is required from it
- **Annual 'show and tell' events:** we will explore the possibility of facilitating annual 'show and tell' events to share updates and information related to the airspace change process with relevant stakeholders
- **CAA resource:** we are increasing our resources and will be looking at the structure of the Airspace Regulation team
- **CAA Point of Contact:** we are currently reviewing the way in which we manage enquiries concerning the use of UK airspace and the airspace change process

Questions

Email: airspace.policy@caa.co.uk

Use of UK Airspace Report form: www.caa.co.uk/fcs1521

Q&A during the webinar

There were several themes which arose during Q&A. These are detailed with a summary on the following slides

Baseline/options appraisal process

As part of the review, we have updated and clarified what we expect sponsors to take into account when they are developing their baseline scenarios, and this is detailed in paragraphs 3.11 to 3.14 of [CAP 1616f, Guidance on Airspace Change Process for Permanent Airspace Change Proposals](#). Paragraph 3.14 is intended to prevent change sponsors from making pre-emptive assumptions about the outcome of other airspace change proposals where the CAA has not yet made a decision whether or not to approval the proposal at Stage 5.

For the full options appraisal in Stage 3, the relevant guidance is provided in paragraphs 4.12 to 4.15 of [CAP 1616f, Guidance on Airspace Change Process for Permanent Airspace Change Proposals](#). Change sponsors are able to rationalise and refine their design options at the beginning of Stage 3, before completing the full options appraisal, but the intent of the full options appraisal is to develop more rigorous evidence for the options that the sponsor intends to consult/engage on. This is why the full options appraisal is assessed by the CAA at the Stage 3 gateway and is part of the evidence that must be provided to stakeholders during the consultation process.

Q&A during the webinar

Transition arrangements

The transition arrangements to CAP 1616 version 5 can be found on our [CAP1616 review webpage](#). As detailed on this webpage, all change sponsors with airspace change proposals in process under CAP 1616 (i.e., where an assessment meeting has already taken place) and in Stages 1-4, will be informed of the requirements that apply to their submissions and this will be published on the portal.

Any airspace change proposals commenced on or after 2 January 2024 will be assessed against the requirements of the process as described in [CAP 1616 version 5](#). Airspace change proposals that have already progressed through a gateway under CAP 1616 version 4 will not be required to revisit a stage/gateway in light of the updates to CAP 1616 under version 5.

Q&A during the webinar

Checklists, templates and outputs from the process

Where submission checklists have been developed, these will be issued to change sponsors by the CAA Account Manager at the start of the relevant stage. The checklists are standardised and won't be tailored to specific ACPs.

The requirement to publish a consultation response document has been brought forward from Stage 4 to Stage 3. Further details about these requirements can be found in paragraphs 4.104 to 4.107 of [CAP 1616f, Guidance on Airspace Change Process for Permanent Airspace Change Proposals](#). The requirements are very similar to those in Step 3D of CAP1616 version 4.

Level 3

The Level 3 process is applicable to a range of airspace change proposals which will be assessed on a case-by-case basis. Level 3 airspace change proposals are not subject to the pre-determined Gateways which Level 1 and 2 airspace change proposals must progress through. Instead, reviews at each relevant stage may be made by the CAA when deemed necessary. This increases the flexibility when planning timelines for Level 3 airspace change proposals. For further information, please see [CAP 1616h, Guidance on Airspace Change Process for Level 3 and Pre-Scaled Airspace Change Proposals](#).