

Free Route Airspace Deployment 3

Airspace Change Proposal (ACP)
ACP-2021-071

Gateway documentation:
Stage 3 Consult

Step 3A Consultation Strategy



NATS

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Roles

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1.0	April 2023	Submitted to CAA

References

Ref No	Description	Hyperlinks
1	Airspace Modernisation Strategy AMS - CAP1711	CAA AMS webpage
2	Commission Implementing Regulation (EU) No 716/2014	Link to document
3	FRA D3 CAA ACP web page – progress through CAP1616	Link to portal
4	FRA D1 CAA ACP web page – progress through CAP1616	Link to portal
5	FRA D2 CAA ACP web page – progress through CAP1616	Link to portal
6	FRA D3 Stage 1B Design Principles	Link to document
7	FRA D3 Stage 2 Develop & Assess	Link to portal

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1. Introduction and Overview – What is this consultation strategy document for?

- 1.1 Consultation is an essential part of the airspace change process, defined in CAP1616 and regulated by the Civil Aviation Authority (CAA).
- 1.2 Consultation is our opportunity to formally engage a wide variety of stakeholders, inform them of the benefits and impacts of our proposal in a transparent and accessible way, and acquire valuable feedback to inform our final proposal.
- 1.3 The foundation of a good consultation is adherence to the 'Gunning Principles'. These four principles set out the legal expectations for what constitutes an appropriate consultation, which:
 - Should occur when proposals are at a formative stage
 - Should give sufficient reasons for any proposal to permit intelligent consideration
 - Should allow adequate time for consideration and response
 - The product of consultation must be conscientiously taken into account
- 1.4 This document sets out our consultation strategy in accordance with these Principles to ensure the consultation is effective and productive.
- 1.5 This consultation strategy covers the Free Route Airspace Deployment 3 Airspace Change Proposal (ACP) (airspace from 25,500ft – 66,000ft).
- 1.6 This change is categorised under CAP1616 as a Level 2B change due to the altitude of all proposed changes being above 20,000ft (FL 200).

2. How to read this document

- 2.1 This document provides information about how we will undertake this consultation. We want to provide relevant and appropriate information to the right people, in the right way, and enable them to provide informed responses to the proposed changes in a suitable timeframe.
- 2.2 We explain **where** we are in the airspace change process, and the objectives of this proposal.
- 2.3 We consider **who** may be affected by the proposed changes. The audience comprises a number of different types of stakeholder; we will describe who they are and how we have classified them.
- 2.4 We describe **how** we plan to reach all the stakeholders to ensure they can respond effectively, including through engagement exercises.
- 2.5 We describe **what** we will use to inform stakeholders of the proposed plans. Materials will be as concise and accessible as possible to those without aviation or technical knowledge. We will provide sufficient detail to ensure respondents understand the issues. However, we will also be clear that airspace change is complex and that a time investment is necessary to understand the subject, and that some parts of the material are written for a technical aviation audience.
- 2.6 We consider **when** consultation should start and finish, and a planned timetable of activity. This will be a general overview to illustrate our intent, but specific dates have not been agreed at this time.
- 2.7 We briefly describe what happens when the consultation ends. There will be a period of analysis, and from that analysis we will understand any changes to the airspace design required in light of the feedback.

3. Objectives of this proposal

- 3.1 This ACP is sponsored by NATS and proposes the third deployment of FRA in UK airspace.
- 3.2 The concept of Free Route Airspace (FRA) where aircraft can fly between points and are not constrained to follow a network of routes is a key deliverable (UK-ABN/1) of the CAA's [Airspace Modernisation Strategy \(AMS\)](#) (Ref 1). It was mandated in European Law¹, and encompassed in UK domestic law under the European Union (Withdrawal) Act 2018 following the withdrawal from the European Union (Ref 2).
- 3.3 The FRA project is split into individual geographical deployments which introduce FRA throughout UK airspace in several phases, each with an individual Airspace Change Proposal (ACP). A single ACP for FRA across all UK airspace would not be appropriate or easily align with the engagement and consultation requirements of CAP1616, due to the planned phased introduction of FRA, and its interdependencies with other airspace change proposals.
- 3.4 This proposed change has the following objectives:
- deliver UK-ABN/1 of the AMS
 - meet the legal requirements
 - reduce CO2 emissions per flight
 - deliver benefit in fuel savings for customers
 - further NATS' commitment to Borealis Alliance FRA
- 3.5 Due to the altitude of the proposed changes, assessment of environmental impacts is limited to CO₂ emissions.
- 3.6 Previous CAP1616 stages have summarised the design option development (see the ACP portal page [here](#) (Ref 3)). This change is limited to a single design option, aligning with current FRA, to ensure optimised safety and reduced complexity for controllers and airlines.
- FRA Option 1. In which all ATS routes are removed
- 3.7 The "do nothing" option has been discounted as it does not meet the Priority A design principle 'fulfil the requirements of the AMS', nor does it meet the legal mandate.
- 3.8 We want to ensure that stakeholders who could be affected negatively or positively by these changes, are made aware of this airspace change proposal and given the opportunity to submit feedback about the design.
- 3.9 Through our engagement activities undertaken so far, we have sought to ensure that:
- the correct audience is targeted in an appropriate manner and given the opportunity to respond.
 - the consultation materials we produce provide stakeholders with enough detail to make an informed response.
 - the duration of the consultation is appropriate.
- 3.10 All FRA D3 changes are above 25,500ft (FL255).

4. Summary of Engagement Activity Undertaken to Date

- 4.1 NATS has engaged significantly on the implementation of FRA within UK airspace for several years. This is fully described in the ACPs for Deployments 1 and 2 (Ref 4 & 5) and forms the basis for this ACP. This is the 3rd deployment of FRA within UK airspace, with largely the same stakeholders and no impact to those on the ground, given the altitude of the proposed changes.

¹ EU Implementing Regulation EU716/2014, superseded in the EU after the UK left the EU. However, the UK has retained the requirements under UK (EU) 716/2014.

- 4.2 For this deployment, we have scaled the engagement activity on proposed design options to targeted emails to stakeholders. We believe this is proportional given the extensive prior engagement, previous deployments and the changes all being above FL255.
- 4.3 For full details of the engagement undertaken to date for this ACP, see the Stage 1B Design Principles & Stakeholder Engagement (Ref 6) and Stage 2 Develop and Assess (Ref 7) .
- 4.4 The stakeholder engagement summarised in the documents above, shows that appropriate 2-way engagement has occurred via appropriate mechanisms, and the relevant stakeholders are fully aware of the proposed changes and have had an opportunity to influence the design principles and design option development.

5. Consultation Audience

- 5.1 As this ACP is proposing changes within controlled Class C airspace above FL255, affected stakeholders are limited to an identified audience within the aviation industry.
- 5.2 NATS will proactively seek to consult with all the stakeholders listed in Appendix A, who will be invited to respond to the consultation. This includes members of the NATMAC (National Air Traffic Management Advisory Committee).
- 5.3 The targeted consultation audience does not comprise any seldom heard groups.
- 5.4 Any individual or organisation may submit a response to the consultation but our targeted communications to inform organisations and individuals will be limited to those stakeholders listed in Appendix A.

6. Approach: How will we consult?

- 6.1 The consultation will be hosted on the CAA Consultation Portal 'Citizen Space', which is an online consultation platform for sharing information about Airspace Change Proposals. This holds relevant information for interested parties and stakeholders, including the Consultation Document which outlines the detail of the proposed changes and potential impacts. We believe all stakeholders likely to be interested in responding to this consultation will have internet access.
- 6.2 The portal contains a link to the online response questionnaire, which will capture participants' responses. The link to the portal is here: <https://consultations.airspacechange.co.uk/nats/fra-d3>
- 6.3 Stakeholders will be informed via email when the consultation is launched. They will be sent a link to the consultation portal, which will enable them to view and download the consultation document, access links to supporting documentation and submit a response.
- 6.4 A link to the consultation will be provided on the NATS Customer Affairs website, one of the information transfer mechanisms between NATS and our customer airlines. We will also add a link to the NATS.aero website, which is available to the public.
- 6.5 We believe this is proportional given the extensive prior engagement, previous deployments and the changes all being above FL255.
- 6.6 As consultation material is available online only, respondents will not be able to submit a postal response to the consultation.
- 6.7 We will send a reminder of the closing date one week before the consultation concludes and request a response from stakeholders who have still not submitted a response. This is to achieve maximum participation.
- 6.8 Responses will be uploaded direct to the portal by the respondent. Any additional responses or documentation received by NATS will be uploaded to the portal. Responses will be moderated by the CAA.

- 6.9 At the end of consultation, the responses will be analysed and themed; any late responses may not be included in the subsequent analysis.
- 6.10 The online survey will automatically acknowledge responses by sending a completion message to the contact email address provided by the respondent. Relevant GDPR statements will be included in areas of data capture such as consultation response submission.
- 6.11 In the event of any unexpected challenges or events, we will directly communicate with stakeholders in order to resolve them. We will also include a list of FAQs on the consultation portal should responses require clarification or frequent queries arise.
- 6.12 We plan to conduct the consultation via the internet (including email and the online consultation portal) only. For Level 2 ACPs which focus on aviation industry stakeholders, web-based consultation is appropriate and proportionate. All industry stakeholders have internet access, and this is unanimously their preferred channel for consultation and engagement. It is also the CAA's normal practice for its own consultations with industry stakeholders.
- 6.13 We will provide information in English on the basis that stakeholders whose first language is not English (fewer than 5% of the catchment population) can translate these using software such as Google translate. According to Google's tests, the accuracy of the translation depends on the languages translated. The test required mother-tongue language speakers to rate Google Translate with a scale between 0 and 6. The average rating² achieved was 5.43. We believe this to be sufficient for the purpose intended.

7. Consultation Materials

- 7.1 Our primary stakeholders are an aviation expert audience; therefore, we plan to use aviation technical language in the consultation material, in English only.
- 7.2 The online consultation portal (see para 6.1) will include an overview of the proposed changes and the consultation materials. The primary materials will be the Consultation Document (which will be available for download from the portal) and a Response Questionnaire.
- 7.3 **Consultation Document:** This will contain information which will enable stakeholders to make an informed response to the proposed changes, including:
 - aims and objectives of the change
 - description of the current relevant airspace
 - overview of the FRA concept
 - proposed changes and design option
 - potential impacts of the proposal – aimed at aviation stakeholders
 - information on the consultation process - how to respond; what happens next
 - references to further sources of information
 - a reversion statement outlining what could happen if issues happen post-implementation
- 7.4 **Response Questionnaire:** The Response Questionnaire seeks to capture feedback on the proposed option. Stakeholders will be asked to indicate to whether they support the proposed change, and to what extent. Questions will focus on specific aspects of the change proposal, with the following options available: Strongly Support, Support, Ambivalent, Object, Strongly Object, No Comment for stakeholders to indicate their response.
- 7.5 Stakeholders will also have a free text box to ensure we capture any additional feedback which they may provide as rationale for their response or in relation to design aspects.
- 7.6 It will also capture information on the respondent. Some of this will be mandatory (such as organisation being represented) and others optional (such as a postcode).

² Google translation rating ([link](#))

- 7.7 We will also use the online consultation portal to include any FAQs we receive during the consultation to ensure all stakeholders have sight of these.
- 7.8 The Consultation Document uses data drawn from the Full Options Appraisal document. A standard environmental analysis focusing on the enabled CO₂ impacts has been completed for the proposed change. No analysis relating to noise or local air quality has been completed because of the altitude of the proposed changes.
- 7.9 For all analyses the most up-to-date, credible information and appropriate forecasts are used.
- 7.10 After the consultation, a consultation feedback document will summarise the themes and NATS' response to issues raised – this may involve making changes to the design. The feedback document will be available for download via the CAA portal, and the ACP will be written based on the final design described in the feedback report.

8. Consultation Length

- 8.1 The proposed consultation launch date is 5 June 2023 at 0000. The closing date is 16 July 2023 at 2359, this is a duration of six weeks.
- 8.2 During all stages of the CAP1616 process to date, the majority of stakeholders in Appendix A have been engaged and they are familiar with the ACP and the FRA programme. Since the stakeholders are predominantly aviation representatives, the six-week consultation is considered sufficient, proportionate and is in accordance with the Gunning Principles for consultation.

9. Reversion Statement

- 9.1 Due to the removal of ATS Routes the changes proposed would permanently and significantly change the airspace structure, hence making reversion complex and very difficult.
- 9.2 In the unlikely event that there are unexpected issues caused by this proposal, then short notice changes could be made via NOTAM or by adding Route Availability Document (RAD) restrictions. For a permanent reversion, the changes would have to be reversed by incorporating this into an appropriate future AIRAC date. Due to the limitations of NATS Area System (NAS - flight and radar data processing) large scale airspace changes are only implemented four times a year.

10. Conclusion and Next Steps

- 10.1 The design option being proposed for this airspace design is limited to a single option: Option 1 FRA in which all ATS routes are removed in the defined volume.
- 10.2 A full description of how this has developed as the only viable option is in Stage 2 Develop and Assess. (Ref 7) published on the FRA pages of the CAA airspace change portal (Ref 3). Analysis of the design option proposed during consultation are given in the Full Options Appraisal.
- 10.3 We consider this consultation strategy to be reasonable and proportionate. We have identified the relevant stakeholders; engaged with those most likely to be affected; we will give advance notice that the consultation will last 6 weeks subject to CAA approval; and prime them for that turnaround. We have made it clear that there is scope to change the proposal based on their feedback.
- 10.4 Subject to passing the Stage 3 Gateway Assessment, we will finalise the consultation material; set up the appropriate material on the CAA Citizen Space consultation portal and launch the consultation with stakeholders via email on the dates set out above.

11. Appendix A: List of Stakeholders

11.1 Links to the consultation will be placed on the NATS Customer Website and also on the NATS public website. Any individual or organisation may submit a response; however, we are only specifically targeting the organisations listed. The consultation is most relevant to the stakeholders listed below – who will all be emailed PDF copies of the consultation material and sent links to the consultation feedback website - but consultation is not exclusive to this list

Airlines	Etihad	Ryanair
Aer Lingus	FedEx	Scandinavian Airlines – SAS
Air Canada	FinnAir	Scandinavian Airlines Ireland
Air France	Gama Aviation	Saudi Arabian Airlines
Air Transat	Iberia Airlines	Singapore Airlines
AirTanker Services Ltd	Iceland Air	Swiss
American Airlines	Jet2.com	TAG Aviation (UK) Ltd
Austrian Airlines	JetBlue	TAP Air Portugal
Azerbaijan Airlines	KLM	Titan Airways
BA Cityflyer	Loganair Ltd	TUI
British Airways	Lufthansa	Turkish Airlines
Cargolux Airlines	Lufthansa Cargo	United Airlines
Cityjet	Malaysia Airlines	UPS Europe
Delta Airways	NetJets	Virgin Atlantic Airlines
DHL Air Limited	Norwegian Air	West Jet
Eastern Airways	Novair	WizzAir Hungary Ltd
EasyJet	Qantas	Wizz Air UK
Emirates Airlines	Qatar Airways	
Air Navigation Service Providers (ANSPs)		
Eurocontrol Maastricht Upper Area Control Centre (MUAC)	NAVIAIR (Denmark)	
Eurocontrol Central Flow Management Unit (CFMU)	Borealis Alliance Executive	
	LVNL (Netherlands)	
Data Houses/ Flight-planning providers	Jeppesen	
Air Support	Lido / Lufthansa Systems	
Aviation Cloud	NavBlue	
Flight Keys	Sabre	
National Air Traffic Management Advisory Committee (NATMAC) Members		
Airlines UK	British Helicopter Association (BHA)	
Airspace4All (formerly FASVIG)	European UAV Systems Centre Ltd	
Aviation Environment Federation (AEF)	General Aviation Safety Council (GASCo)	
Airport Operators Association (AOA)	General Aviation Alliance (GAA)	
Aircraft Owners & Pilots Association (AOPA UK)	Guild of Air Traffic Control Officers (GATCO)	
Association of Remotely Piloted Aircraft Systems (ARPAS UK)	Helicopter Club of Great Britain (HCGB)	
British Aerospace Systems (BAE Systems)	Heavy Airlines	
British Airline Pilots Association (BALPA)	Honourable Company of Air Pilots	
British Balloon & Airship Club (BBAC)	Light Aircraft Association (LAA)	
British Business & General Aviation Assoc (BBGA)	Low Fares Airlines (LFA)	
British Gliding Association (BGA)	Ministry of Defence (MoD) via the Defence Airspace	
British Hang Gliding & Paragliding Assoc (BHPA)	and Air Traffic Management (DAATM)	
British Microlight Aircraft Association (BMAA)	PPL/IR	
British Parachute Association (BPA)		
Airports³		
Edinburgh	Prestwick	
Liverpool	Birmingham	
Coventry	Teesside International	
Hawarden	Humberside	
Glasgow	Manchester	

³ MoD Airfields are not included since consideration of these is incorporated in the DAATM joint response.

Newcastle	East Midlands Leeds Bradford
Other Airlines for America AIRE (Airlines International Representation in Europe) Airline Operators Committee Heathrow (AOC Heathrow)	United Kingdom Space Agency (UKSA) Black Arrow Space Tech Board of Airline Representatives (BAR)

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