



Rod Gander  
Consumer and Markets Group  
Civil Aviation Authority  
CAA House  
45-59 Kingsway  
London WC2B 6TE

**Virgin Atlantic Response to CAA Consultation Proposal to Modify NATS (En Route) Plc Licence in Respect of Certain Planning and Reporting Requirements Under Conditions 10 and 10a: Notice Under Section 11(2) of the Transport Act 2000**

Dear Rod,

Virgin Atlantic (VS) welcomes this opportunity to respond to the consultation on proposals to modify NATS (En Route) Plc (NERL) licence in respect of certain planning and reporting requirements. Overall we welcome the approach being adopted by the CAA to ensure that there is a stronger onus on NERL to be transparent and provide an enhanced understanding of its capital investment plans going forward.

Whilst we remain frustrated at the decision to delay certain modernisation programmes originally planned for delivery during RP2, VS would like to reiterate that the achievement of the Future Airspace Strategy (FAS) and programmes such as Transition Altitude (TA) and the London Airspace Management Programme (LAMP) are vitally important to our business. This is due both to the potential to enhance the efficiency of our operations and in achieving our wider sustainability goals. We emphasise that the implementation of all phases of the FAS at the earliest opportunity is of utmost importance for us and the wider industry going forward.

With regards to this consultation, we agree that there is a need for greater transparency on NERL's airspace and technology programmes and monitoring of the progress against their delivery with clear targets in place.

We also welcome the maintained scrutiny of the cost of NERL's programme delivery through the introduction of a new Condition 10(12) setting out the appointment of an Independent Reviewer (IR) in this process. Whilst we note that the funding for this component may be via the FAS Facilitation Fund (FFF), it is important that the IR chosen delivers true value for money within their remit. We would also welcome some transparency on the proposed candidates, along with reasoning for the final chosen IR to ensure that an efficient and robust choice has been made.

Virgin Atlantic Airways Limited

The Office  
Manor Royal  
Crawley RH10 9NU  
United Kingdom

T +44 (0)844 811 0000  
F +44 (0)844 811 0747  
[www.virginatlantic.com](http://www.virginatlantic.com)

Registered Office Company Secretariat,  
The Office, Manor Royal, Crawley RH10 9NU  
United Kingdom  
Registered in England 1600117  
VAT Number GB425 2161 84



In this consultation, it is noted that the implementation of an IR will occur on a one year contract initially. We see merit in the on-going participation of such an assurance role once an assessment of the initial year has been conducted and deemed effective. In addition, we assume that the CAA will undertake a review of arrangements, prior to the commencement of RP3, to confirm how this will be dealt with for this next Review Period.

VS has no specific questions to raise with regards to the wording of the suggested amendments to Condition 10 and the deletion of Condition 10a.

Please do let me know if you require any further details with regards to the comments made in this response.

Kind regards,  
David Joseph  
Specialist, Regulatory Affairs

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Manor Royal  
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United Kingdom

T +44 (0)844 811 0000  
F +44 (0)844 811 0747  
[www.virginatlantic.com](http://www.virginatlantic.com)

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