



3rd June 2016

Prospect ATCOs' Branch response to consultation on CAP1405 – Proposal to Modify NATS (En Route) Licence.

Dear Rod / Matt

This letter sets out our response to the above consultation document.

Prospect supports the proposal of the CAA to review and modify condition 10 and 10a of NERL's licence, with the following comments.

The NATS Trade Union Side (NTUS) made a significant intervention during the RP2 consultation process advising against incentivising TA and has subsequently been proved right by events. The micro managing that the CAA attempted in its regulatory approach with respect to this element of the RP2 performance plan is far too detailed and its refusal to listen to the staff that work in NERL, as the true experts, we hope is a mistake that will not be repeated moving forward.

We welcome the principle to require NERL to outline its technology and airspace programs, but we note that again the CAA is being very specific in suggesting areas that should be included in that work program. In particular, lower level airspace changes in the London terminal area. In our view the CAA should concentrate on a supporting framework for NERL which allows NERL to progress projects without the stalling seen as a result of a competitive airports market and a noise sensitive public. Until these two areas are addressed significant issues will continue to arise in airspace design improvements.

Rather than requiring specific proposals on areas such as the London Terminal Airspace redesign, we would suggest that a higher level approach, e.g. requiring NERL to comply with the requirements of the PCP, (accepting that this is part of the proposal) will allow NERL freedom to identify how it will comply with the EU legislation, and that will produce the necessary benefits that the CAA seeks. Indeed, there is a risk that specific requirements set by the CAA could become incompatible with other areas of the PCP due to resource, cost or time issues. The ongoing cost pressure on NERL is making resource more scarce and finding operational staff to contribute to airspace re design and SESAR initiatives is becoming a particular problem.

Prospect supports the appointment of an Independent Reviewer, but would suggest that there is the inclusion of a requirement to consult all

stakeholders including staff. Our members working in NERL have the 'real' picture and experience to help the independent reviewer, are free from the business and target culture, and therefore are able to provide a more objective assessment of a particular project's progress.

Kind Regards

Aaron Curtis

Chair International and Governmental Affairs

Prospect ATCOs' Branch

international@atcos.co.uk