



CAP3063: Licence modification proposals for UKADS

Submission by Prospect to the Civil Aviation Authority

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This document outlines our response to CAP3063, on behalf of Prospect's Air Traffic Control Officers (ATCOs') and Air Traffic System Specialists (ATSS) Branches. With 2000 members in the Air Traffic Control Officers' Branch, 800 members in the Air Traffic System Specialists Branch, and over 250 ATC workers in other branches – including the CAA - we effectively represent the entire workforce of professionals involved in UK ATM.

Paragraph 3.18

Prospect welcomes this proposal as it will ensure that the accountabilities for this new entity are clear and well defined. It would also ensure that in the case that any findings against NERL as a result of failing to meet targets and potentially any penalties are apportioned, that they are kept separately from the functioning of the En Route services provided by NERL. However, the reality will almost certainly be that there will be personnel that may provide services to both the En Route part of NERL as part of their role, as well as the UKADS part of NATS as a whole - this is a simple fact given the availability of expertise in the UK currently. What cannot be allowed to happen under any circumstances, is for a diversion or syphoning of personnel from NERL (currently), to UKADS1 which could have the potential to result in a lack of operational staffing subject to the regulatory mechanisms of NR23, NR28 etc. Both the operational entity of NERL, and the entity providing the UKADS service must be properly funded which must allow for proper and realistic resourcing of each.

Paragraph 4.19

Provided that there is no duplication of workload between NERL (En Route) and the entity providing UKADS, an avoidance of duplication of funding is fair. The CAA should of course consider if this is the right way to handle the demarcation of tasks considering that wholesale changes at lower levels being administered by UKADS will impact those in upper airspace (NERL).

Paragraph 5.3

Although it's an industry standard at this stage to refer to "efficient" costs (for example the cost recovery for period 2020-2022 under the NERL regulation), more clarity around what might be defined as efficient costs for the UKADS provider is required with some immediacy.

Paragraph 5.17

As this program is so ambitious and entirely novel, a cost-recovery model is the one that makes most sense. Consideration should be given to the points made in response to paragraph 5.3.



Paragraph 5.22

Should this proposal be the one taken forward, it will mean that the costs will be higher upfront for the airlines. It is incumbent upon the CAA (and NERL) when engaging with airline customers to clarify the approach, including the fact that the costs being paid for the operational service (through en route charges) and the costs going towards the UKADS provision are entirely separate. When the time comes for consultation on the economic regulation of NERL, airlines must not campaign for the lowering of en route charges as a result of the separate charges going to UKADS provision – both these charges and the services they will go on to provide, will be independent of each other.

Paragraph 5.28

Prospect supports the view of a short initial control charge aligned with the current NR23 period, but consideration must be given to the points made in response to paragraph 5.22.

Paragraph 5.41

It may indeed be prudent for clarity and accountability purposes to the airlines to keep the charging mechanisms separate. How they are collected in any eventuality, is not of material concern to Prospect at this early stage.

Paragraphs 5.48 and 5.49

Whilst the proposed charge is minimal in comparison to the current unit rate, it will undoubtedly result in push-back from the airlines towards the overall funding contribution towards NERL. See also response to paragraphs 5.22 in particular, as well as 5.41. We implore the CAA to be mindful of this when we approach the consultations (and negotiations) for the next and future reference periods as whilst some airline customers may group the two charges as being one cost going towards NERL, the reality is that two very different and entirely separate functions or services are being provided.