



5th Floor South
Brettenham House
Lancaster Place
London, WC2E 7EN

By email: Abigail.Grenfell@caa.co.uk

22 July 2020

Dear Abigail,

NERL Response to Resilience Plan Assessment Summary Report

1. Thank you for the opportunity to provide comments on the Resilience Plan Assessment Summary Report produced by the Independent Reviewer.
2. We have reviewed the document and can confirm we support much of the information it contains, including the recognition that, based on the assessment against the CAA's Guidance set out in Appendix B of CAP 1682, the Resilience Plan is fit for purpose and meets the NERL Licence obligations under Condition 2. This is in line with CAA's letter from Paul Smith to Martin Rolfe on 21 May 2020 in which the CAA approved the form, scope and level of detail of the Resilience Plan in accordance with Licence Condition 2.12. We are happy for the Resilience Plan Assessment Summary Report to be published as it is currently written.
3. However, we would like to provide clarifications with respect to the two bullet points of paragraph 6.6. Bullet point 1 recommends that NERL assesses a wider range of disruption impacts, including partial failures. Please note that partial failures are already embedded in the processes we use to develop proactive barriers. Partial failures are a key component of the formal techniques we use for proactive barriers, which are summarised by the Independent Reviewer in paragraphs 3.6 and 3.7 (e.g. Failure Modes Effects Analysis, Functional Failure Analysis, Fault Tree Analysis). Bullet point 2 suggests the assumptions used for Safety Cases should be consistent with normal levels of service. We consider this is already embedded in our practices. Please note that Safety Cases cannot always allow normal levels of service because in order to ensure safety we might need to reduce capacity.
4. We look forward to updating the Resilience Plan (due in March 2021) in a way that meets all your expectations and the recommendations of the Independent Reviewer, taking into account our comments above. To prepare for this, we would welcome a conversation with you in early September 2020. One of the topics we would like to discuss is traffic prioritisation and the 'first-come-first-served' basis you mentioned in previous correspondence, including in CAA's approval letter of 21 May 2020.

Yours sincerely,



Mihai Lulea
Economic Regulation Manager