

HELICOPTER CLUB OF GREAT BRITAIN



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Michael Richardson Esq.
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Dear Mr. Richardson,

Applying Spectrum Pricing to the Maritime and Aeronautical Sectors

We refer to the above named consultation setting out your proposals for Spectrum Pricing.

The Helicopter Club of Great Britain represents the owners of approximately 33% of UK registered helicopters, as well as several hundred UK helicopter pilots. We are also members of the GA Alliance, GACC, GAAC, GASCO and the NATMAC.

We support, and reiterate the comments of the Light Aircraft Association and the General Aviation Alliance, and also wish to add the following comments.

Summary

We are fiercely opposed to your spectrum pricing plan, which is really just a tax. A tax on aviation safety. It is a tax because there is no 'incentive' element to it. The aviation band is protected by international treaty, and there is no 'opportunity cost' of denying other users. The aviation band cannot legally be used by anyone other than aviation users and is thus not available for 'sale.' UK aviation would be less safe under your charging proposals.

The Cave report agrees with this fact by saying

Cave para 6.4 –

If there is judged to be no prospect of alternative use due to international restrictions and since the UK is unable to act unilaterally in spectrum that is internationally harmonised for on-board use, then the opportunity cost of the spectrum for alternative use should be judged to be zero.

Thus clearly the AIP charge should be zero

Safety

The aviation world goes to great lengths to enhance safety at reasonable cost. Your proposal has very serious, negative safety implications. Flight safety would be reduced, both by a disincentive to communicate, and by a reduction in navigational and landing aids. Make no mistake; **people will die** in preventable aircraft accidents if these charges are implemented.

Use of the Aviation VHF Band

Even if, heaven forbid, you were able to ‘sell off’ some of the aviation band, consider the consequences of having a proliferation of transmitting equipment, available for use by anyone, which could transmit on aviation frequencies. It would only take one or two malicious instructions to aircraft, purporting to be from Air Traffic Control, to cause an accident.

To answer the questions detailed in the consultation document:

Question 1:

You should listen to the Aviation regulators, service users and providers, realise that there is no opportunity cost, and judge it to be zero as recommended by the Cave report

Question 2:

Charging airfields for a radio frequency used for flight safety is the height of ignorance and stupidity.

A small airfield – let’s call it “Morton Snoring”, decides it cannot justify paying you £5000 for a frequency, and gives up their Air Ground radio Service. Sooner or later there are two aircraft arriving at the airfield at similar times. They can’t be told of each others presence, because of Ofcom charges, they collide and perhaps 8 people die.

Question 3:

Business aircraft would be less likely to fly in UK airspace if it was considered to be less safe, because of the reduction of radio services and navigational and landing aids that would be caused by charging. UK airfields with radio service would have to increase charges, creating further disincentives.

Question 4:

Your charging proposals are, frankly, preposterous. Radios are used in aviation for safety. Your charges would lead to small airfields giving up their radio safety service, and reverting to the visual systems that existed before 1940. Small airfields are not giant profit generators; they mostly limp (financially) along for the most part thanks to dedicated owners. They cannot afford your charges. Some would simply become non radio airfields, some would close down, and others would reduce services, and thus safety. The proposals would seriously harm the UK network or airfields.

Question 5:

Yes

Question 6:

We know of no airfields operated by charities, although no doubt many airfield owners would think of themselves as charitable for running them.

Question 7:

No. Absolutely not. There is no 'cost of denying access to the aviation spectrum'. It is not available for any other use under the UK's international obligations. There is no congestion, in the sense you mean, on the frequencies used, as they are carefully and effectively managed in allocated areas by the Civil Aviation Authority.

Question 8:

No. Absolutely not. The aeronautical VHF channels are only available for aviation use under international obligations. Therefore you could not sell them for 'business' uses. It would be illegal. You should follow the Cave report and set a charge of zero.

Question 9:

These charges have the potential to wreck the UK's delicate aviation infrastructure, and imposing them with almost no notice would be a near criminal act of vandalism.

Question 13:

Yes, with no change expected. However if the spectrum the UK now uses were to become unused due to Ofcom charging, it would be snapped up by near European states, to the permanent detriment of the UK.

Question 14:

No. Charging for such safety critical aids is madness.

For example, at our example airfield of Morton Snoring there might be an ILS landing aid system. But at an Ofcom cost of £114,000pa it would simply not be viable, so it would be switched off. Sooner or later an aircraft that could have landed in bad weather at Morton Snoring is unable to land there or anywhere else, and crashes. More dead bodies. Charging for critical aids, such as ILS, will result in far fewer of them, to the great detriment of aviation safety and utility.

As you can tell, we feel very strongly about this issue, and about UK aviation safety. We have an excellent and safe aviation sector here in the UK, but your proposals would damage it greatly.

We urge you to abide by the Cave report

If there is judged to be no prospect of alternative use due to international restrictions and since the UK is unable to act unilaterally in spectrum that is internationally harmonised for on-board use, then the opportunity cost of the spectrum for alternative use should be judged to be zero.

Yours sincerely

J.F.H. James
Hon. Secretary
Helicopter Club of Great Britain