

**Title:**

Ms

**Forename:**

Carolyn

**Surname:**

Evans

**Representing:**

Organisation

**Organisation (if applicable):**

BALPA

**Email:**

**What do you want Ofcom to keep confidential?:**

Keep nothing confidential

**If you want part of your response kept confidential, which parts?:**

**Ofcom may publish a response summary:**

Yes

**I confirm that I have read the declaration:**

Yes

**Ofcom should only publish this response after the consultation has ended:**

You may publish my response on receipt

**Additional comments:**

BALPA believes that insufficient account has been taken of the detrimental effects that the suggested charges could have on the continued provision of VHF communications whose sole purpose is to enable the safety, regularity and efficiency of air navigation. We note that navigational frequencies, ie those alligned purely to navigational aids are exempt from charging

but we would point out that all frequencies in the aviation band 118.00 - 136 MhZ are principally for navigational use. Any removal on cost grounds of aeronautical channels including those used to broadcast VOLMET and ATIS will be detrimental to all from general aviation through to commercial air transport in removing the essential safety back ups that are in place to avoid incidents and accidents.

**Question 1: Do you consider that our proposed fee rates for licences in the aeronautical VHF frequencies are appropriate?:**

No BALPA does not believe that charges in the aeronautical bandwidth should be applied to any station. Their function is to facilitate aviation safety and navigation, whether in the air or on the ground.

**Question 2: In devising our revised proposals, have we identified all of the aeronautical uses of VHF communications frequencies which require a distinct approach to fee setting, as set out in tables 5 and 6?:**

BALPA does not believe that proper consideration has been taken of the safety impact that charging the aviation spectrum could have on aviation.

**Question 3: Do you agree with our proposal not to charge any fees for Fire assignments?:**

Yes

**Question 4: Do you agree with our proposal to set a £75 fee for licences in any of the sporting frequencies?:**

No - charging a fee for the provision of safety essential services is not acceptable. By doing so small airfields and strips which are traditionally the home of recreational and sport flying may be encouraged to do away with such safety provisions.

**Question 5: Do you agree with our proposal to set an annual fee of £19,800 per ACARS or VDL assignment, with no variation related to the number of transmitters?:**

BALPA does not support charging for stations whose function is to facilitate safety and air navigation, therefore no variation should be applied related to the number of transmitters.

**Question 6: Do you consider that our proposed approach to phasing in fees for use of the aeronautical VHF communications channels are appropriate? If there are particular reasons why you consider that any user or group of users would need longer phasing-in periods, please provide any supporting evidence for us to consider. Specifically, do you have any evidence for us to consider that would support either of Options 1 and 2 for the highest proposed fee in this sector?:**

BALPA does not support charging for stations whose function is to facilitate safety and therefore the charging of fees and the phasing in of fees is inappropriate.

**Question 7: Do you have any further quantified information to contribute to the analysis of financial impacts of the proposed fees on particular spectrum users, as set out in Annex 5? We would like to publish all responses, but will respect the confidentiality of any material which is clearly marked as such.:**

No

**Question 8: Do you consider that our assessment of the impacts of our proposals has taken full account of relevant factors? If you consider that there is additional evidence that would indicate particular impacts we should take into account, we would be grateful if you could provide this.:**

BALPA consider that the UK should maintain safety margins above the legal minimums and the imposition of charges could cause these safety margins to be reduced in certain areas leading to a reduction in flight safety. Efficient use of the aeronautical bandwidth should be managed by the CAA.