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Mr. M. Richardson,  
Ofcom.

Response to the latest Ofcom consultation document on the  
Application of AIP to the Maritime and Aeronautical Sectors

Dear Sir,

My first reading of the AIP proposal did not impress me as I view with great suspicion any document that begins by listing those who won't be affected by it!

In-depth analysis of your document served to reinforce my premise, in that the document appears to be an ill-disguised attempt to create tax revenue for the Government.

I will not reply to your questions requesting agreement with your proposals to exclude or reduce costs to certain sections of the aviation community, because the whole argument is flawed and hence such questions have no credence.

Similarly the ameliorating effect of phasing-in of annual payments does not impress at anything other than the superficial level. The underlying logic is still unsound and the need for such payment increases is unproven.

Your attempt to apply AIP to the aviation section of the VHF spectrum cannot improve safety and is much more likely to reduce the current high levels of safety if (by whatever means) operators are forced to relinquish any or all of their radio frequencies.

You propose that, if safety was impaired as a result of an operator relinquishing a frequency, the CAA would legislate to force them to re-acquire it. Whilst such costly legislation was being enacted, the impaired safety levels would continue. This is a state of affairs that is untenable to those intimately involved in aviation and the general public at large.

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AIP may be a useful statistical method for some purposes, but the aeronautical VHF spectrum is inappropriate for application of this tool. This is because there is no proven need to change and no benefit to the UK public. Indeed your proposal could well provide a disbenefit to this country's citizens as frequencies will be returned to Europe. The UK may bid for their return, but only as one of the 27 EU Members.

Relinquished frequencies cannot be reallocated arbitrarily in the UK, as their original allocation was decided to avoid confliction, so they must be re-used locally. Where is the local market for such frequencies?

The repeated argument that congestion is present never seems to be substantiated by current statistics, only by referring to an old report which is selectively quoted to enhance your argument. This presumably is on the basis that if you say something often enough, eventually everyone will believe it!

The concept of confliction is also flawed. You assume that the aeronautical frequencies are used in the same way as normal broadcast radio stations, i.e. a continuous broadcast. This is not the case as aircraft broadcasts are intermittent, with many periods of silence on the vast majority of frequencies.

I was surprised to find that Helios, your data provider, was not impartial and has connections to Ofcom. Reliance on such data must weaken your already shaky case and leave a question-mark over your motives.

On the subject of motives, the proposed re-definition of the CAA's rôle as a champion of the consumer, rather than a body regulating Aviation Safety in the UK, can only be seen as an attempt to emasculate that Authority. Despite its limitations, the CAA is rightly regarded as a world leader in safety management. Simply expecting the industry to self-regulate its safety is an unacceptable and unworkable system.

For the above reasons, I am opposed to Ofcom's latest proposal to impose taxation, especially when Ofcom has no accountability for the safety and commercial detriments that may accrue from its action.

Yours sincerely,



***Captain John W. F. Russell,***

**Managing Director,  
Euro Seaplane Services Limited.**