

**Title:**

Mr

**Forename:**

Adrian

**Surname:**

Beney

**Representing:**

Self

**Organisation (if applicable):**

Iain More Associates Ltd

**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:**

I am amazed that in asking for replies to this consultation you do not ask explicitly for the resposdee's connection to aviation. How can you possibly calibrate responses if you do not have a way of understanding who is responding and from which viewpoint and interest the response is being made. To me this calls into question the whole consultation process, and in publishing its response I shall be looking to see if

OFCOM has attempted to do this.

In the answers to Q7 I have pointed out a number of errors and mis-assumptions in the Helios report.

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

No, I do not. Neither is the model appropriate.

There are several reasons for this, but the most fundamental lies in the inequity with which the "market model" will apply to pricing. Of course there is more demand for frequencies where population, and hence air traffic density is greatest. But the data on which you base your proposed charged is clearly errant. How can you propose charging Northolt, an RAF base with considerable number of private jet movements each year all bound for London, £350 per annum, while you will charge a small grass airfield on the Isle of Mull nearly six times as much. This makes no sense whatsoever.

Helios quotes £365 as the minimum landing fee for Farnborough. I would be amazed if this is correct. My flight guide quotes £50, not £365. I have not enquired recently, but this seems extraordinarily high.

Further, in their albeit flawed analysis of the non-reporting aerodromes, Helios concludes that "A brief review of the allocations held by the non-reporting aerodromes and a sample of the small reporting aerodromes has concluded that the vast majority of airfields hold appropriate licences for the operations that they conduct." Thus the entire AIP exercise is pointless in respect of these airfields, since there are no frequencies which need giving up.

**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?:**

No response

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

Of course

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

No response

**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?:**

No response

**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?:**

Phasing in fees does not alter the fact that the fees will be charged - while one would prefer phasing to no phasing, the fact is the charges are unjustifiable.

**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.:**

Yes, the analysis carried out by Helios is fundamentally flawed. It makes several assumptions concerning the cost of private light aviation and about the income streams for airports which are simply wrong. To claim that (page 27 of their report) airports of the type referred to on that page make most of their income from landing charges is misleading. It may or may not be the case that overall income is largely from landing charges (although this is very unlikely - at the airport at which my shared plane is based most of the income is coming from property development) - many of these airports are operating at the very margins of viability. Anything which adds to the cost - and which will be passed on to the customer - pushes this viability further into the margins. Yet airfields are an important piece of national infrastructure. We should be very wary of driving them out of business. Hugely added security costs and the eye-watering price of fuel mean that many planes have left the field where I am based. This reduces both landing fee and hangarage income for the airfield.

This aside, the central assertion in the Helios report that these airfields derive most of their income from landing fees is so suspect that it calls into question the entire report.

Further, the report states on p.28 that "The impact at airports specialising in general aviation (such as Gloucestershire or Shoreham) appears to be small. Charges for spectrum use for VHF licences amount to no more than 85p a movement." While 85p might be described as small, it nevertheless represents an potential increase in advertised landing fee of between 5% and 8%. In a deflationary environment this is not acceptable.

Further, since most based aircraft will have landing contracts which attract significant

discounts, but whose movements are included in the overall total figures, the real average cost of a landing for the 1-tonne aircraft is likely to be no more than half the cost quoted in the Helios report. My aircraft group pays approximately £5 per landing, so an 85p increase would be the equivalent of 17%. This is hardly insignificant.

The Helios report compares (p36) the proposed overall charges aeroclubs etc at 13% of the total, with the contribution by GA to the UK economy. This is a completely fallacious comparison, on two counts. Firstly while an aeroplane may be based at an aeroclub it will fly through other providers' airspace, and land at other non aeroclub fields. Thus the GA pilot will be affected by the whole increase in charges, not just the charges on small aerodromes. Secondly, the Loder report to which Helios refers looks at the whole economic impact of GA in the UK, not the direct costs to the users who create the economic impact. (For example, part of the impact is that by flying my plane I can work more productively, generating more tax revenue etc. This has nothing to do with the cost of flying the plane.)

Finally, on Helios, they state on p 31 "A large number of airports and aerodromes are not required to report traffic to the CAA, as they serve no commercial air transport. We have no information therefore on the traffic that they serve. At the margin, these aerodromes are difficult to distinguish from flying clubs and training schools, who often have exclusive use of an aerodrome." Again, this is verging on rubbish. There are almost no airfields with radio frequencies allocated which do not accept visiting traffic and therefore although they may be owned by a club they form part of the national airfield infrastructure. Leicester and Sherburn-in-Elmet are good examples, each of which I have used for business and pleasure. Thus the assertion that they have "exclusive use" is simply not true if this was intended to imply that they are only used by their members.

**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.:**

No, I do not believe safety considerations are adequately explored. For example, you propose charging for VOLMET: this is safety critical information. I would not blame an airfield if it decided to impose additional charges for using its instrument approach frequencies (e.g. Director approach frequencies). This would materially dissuade pilots from conducting practice instrument approaches - acknowledged good practice to keeping current on IFR approaches.