

Prospect ATCOs' Branch and ATSS Branch response to CAP 1634:

*Consultation on Draft Advice on Market Conditions for
Terminal Air Navigation Services in the UK*



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In the first instance, Prospect¹ wishes to take the opportunity to acknowledge the information as detailed in footnote 21 regarding our disappointment at not being considered a stakeholder for targeted consultation. Notwithstanding the CAA's response that Prospect is not seen as a stakeholder that it is required to consult, Prospect is indeed encouraged by the recognition of the CAA of our valued input to CAP 1634, and in other areas of RP3 work where we continue to engage with them to provide expert input that represents the staff component of the ATM system. Prospect will continue to challenge any view that we are not stakeholders that the CAA is required to, or should directly consult as evidenced in Appendix E to CAP 1634.

With regards to the purpose of the consultation and specifically the criterion used for this assessment, Prospect responded to CAP 1605 that its opinion is broadly in-line with that which had been previously produced as part of CAP 1293 (giving due consideration to advances in the market since then, and considering that the assessment criteria had apparently not changed for RP3). Therefore we agree with the results of the assessment criteria per se.

More specifically, Prospect made several points in relation to this assessment that are not necessarily covered in the criterion, yet are equally important to note.

We question whether or not the CAA sees their regulatory approach in the years 2020-2024 as one of agreement or alignment with the European Commission and this is still somewhat unanswered.

Prospect also questions whether or not the CAA will increase its capabilities in terms of oversight of both market conditions, and TANS transitional periods. We feel that the recommendations from SDG made to the CAA to assist ANSPs overcome the staffing aspects of transition are being placed in the 'too difficult' pile and being ignored once again².

Prospect reads with interest the response provided by IATA, BA and Virgin in CAP 1635 that echo a statement Prospect made in its response to CAP 1605. IATA states that it:

'[...] agreed that there has been some maturing of market conditions with UK TANS, with some encouraging changes in service providers. However, IATA did not consider this to be a fully functioning market that demonstrably delivers

¹ Prospect represents almost 2000 ATCOs and 1000 air traffic systems specialists within UK ATM.

² CAP 1633, Annex 1, 'Staff transfer', 'CAA guidance on secondments'

benefits to airspace users as there is no evidence showing that efficiencies have been achieved and passed on to airport users in the form of lower charges.'

Prospect requested the CAA to go one step further and conduct a cost-benefit analysis (a request that is similarly made by IATA, BA & Virgin³) and our reasons for doing so are detailed in our response, but as a summary include the impact of the market on ATC resilience, investment and there being sufficient numbers of appropriately trained staff. Prospect again takes this opportunity to ask the CAA whether or not it intends to respond to the specific request made by Prospect ATCOs' Branch, Prospect ATSS Branch, IATA, British Airways and Virgin Atlantic.

Finally, it is important that the CAA takes a closer look at the impact on staff of the pursuit of open market conditions for TANS. Indeed in chapter 4, the CAA has the opportunity to engage with staff issues, itself entitled '*contracting and staff issues*'. Here, potential problems raised by other stakeholders are provided with a response from the CAA, yet many raised by Prospect are left unanswered.

In terms of remote tower technology and the apparent cost benefit this might bring⁴, it is again important that the CAA takes cognisance of the impact of this on staff. Not dissimilar to the effect that liberalisation and commercialisation of TANS provision has had on staff, the introduction to the market of remote towers has brought a new problem for our members to face. In paragraph 5.15, the CAA references '*an already successful project in Sweden*', but it is unlikely that this was assessed against the parameters of the impact staff. In fact, the issue that we face is echoed quite appropriately by ANSL in paragraph 5.11; indeed the call we made for the CAA to address these issues in our own submission has been ignored in CAP 1634.

People who work within the ATM system are not a commodity to be lifted and shifted at the whim of the airport or ANSPs in the pursuit of an open market. The CAA publishes CAPs looking at the effectiveness of the market it has sought to create, yet pays no heed to how this market affects the human dimension. We hereby ask the CAA to look at this emerging problem together with us as the representatives of ATM workers in the UK so that the very real issues may be addressed.

**Prospect ATCOs' Branch and ATSS Branch
March 2018**

³ CAP 1634, 3.13, 3.14, 5.30; CAP 1635

⁴ CAP 1634, paragraph 5.34 notes the apparent success of the contract between London City Airport and NSL to provide remote tower technology as seen from a cost benefit perspective. However, this is not necessarily as a result of a reduction in the cost of the service using remote tower technology, rather that the current tower (or a new one) did not fit in with the future aspirations for the airport expansion.

Aberdeen Aberporth Alderney Ashford Ashford Barkston Heath Battersea Belfast City Belfast International Biggin Hill Birmingham Blackpool Bournemouth Bristol Cambridge Cardiff Carlisle Coventry Doncaster Durham East Midlands Edinburgh Exeter Farnborough Gatwick Gibraltar Glasgow Gloucester Guernsey Heathrow Humberside Isle of Man Jersey Lands End Leeds Liverpool London Area Control Centre London City London Terminal Control Centre Luton Lydd Manchester Middle Wallop NATS Corporate & Technical Centre NATS Training Netheravon Newcastle Newquay Norwich Oxford Prestwick Centre Scilly Isles Shoreham Southampton Southend St Athan Stansted Warton Wattisham Wittering Aberdeen Aberporth Alderney Ashford Ashford Barkston Heath Battersea Belfast City Belfast International Biggin Hill Birmingham Blackpool Bournemouth Bristol Cambridge Cardiff Carlisle Coventry Doncaster Durham East Midlands Edin Farnborough Gatwick Gibraltar Glasgow Gloucester Guernsey Heathro y Lands End Leeds Liverpool London Area Control C trol Centre Luton Lydd Manchester Middle W Training Netheravon Newcastle Newqua ham Southampton Southend St A rport Alderney Ashford Ashf al Biggin Hill Birmingham by Doncaster Gloucester ndon Area er Middle ew Quay t Athan Ashford ackpool idlands eathrow l Centre lop NATS ich Oxford sted Warton kston Heath Bournemouth dlands Edinburgh eatthrow Humberside ol Centre n City Wallop NATS Corporate & Technical Centre NATS Training Ne newquay Norwich Oxford Prestwick Centre Scilly Isles Shoreham Southampton Southend St Athan Stansted Warton Wattisham Wittering Aberdeen Aberporth Alderney Ashford Ashford Barkston Heath Battersea Belfast City Belfast International Biggin Hill Birmingham Blackpool Bournemouth Bristol Cambridge Cardiff Carlisle Coventry Doncaster Durham East Midlands Edinburgh Exeter Farnborough Gatwick Gibraltar Glasgow Gloucester Guernsey Heathrow Humberside Isle of Man Jersey Lan s Control Centre London City London Terminal Control Centre Luton Lydd Manchester Middle Wallop NATS Corporate & Technical Centre NATS Training Netheravon Newcastle Newquay Norwich Oxford Prestwick Centre Scilly Isles Shoreham Southampton Southend St Athan Stansted Warton Wattisham Wittering Aberdeen Aberporth Alderney Ashford Ashford Barkston Heath Battersea Belfast City Belfast