

**Proposal to modify NATS (En Route) plc licence : Planning and reporting requirements under Conditions 10 and 10a**

I write, as an overflowed resident, in relation to the proposal at

<http://publicapps.caa.co.uk/docs/33/CAP%201405%20MAY16.pdf>

I agree that the current licence conditions are unrealistic but would have preferred the document to have explained more clearly why they had been "overtaken by events". This is particularly so in the absence of any proper reporting from the Senior Delivery Group which was set up following the Airports Commission recommendation for a coordinating body to oversee FAS and to report on progress every six months.

My principal concern is the minimum criteria that the CAA chooses to set out to NERL for the airspace programmes to address in condition 10(9).

In particular the condition requires consideration of

*b. how the programme furthers airspace and ATM modernisation in respect of the key performance areas of safety, capacity (as measured by ATFM delay), the environment (as measured by flight efficiency and enabled fuel saving) and cost efficiency;*

I strongly believe that to restrict environmental aspects to measurements of flight efficiency and enabled fuel saving is contrary to the current Department for Transport Guidance to the Civil Aviation Authority on Environmental Objectives Relating to the Exercise of its Air Navigation Functions January 2014. To get a balanced picture, other environmental impacts, particularly noise effects and possibly air quality factors should be taken into account.

I note that the shopping list of items is preceded by

*The programmes shall include (but may not be limited to):*

but I would argue that the Guidance is phrased to explicitly include noise effects and this should be explicitly transferred into the NERL licence rather than just hoping that it will be considered.

I would expect that this evident oversight and deficiency is corrected in the final CAA decision to take effect on 29th June 2016.

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