

## Directorate of Airspace Policy

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Dear Jim

### **CONSULTATION ON UK DEFENCE SPECTRUM MANAGEMENT: AN IMPLEMENTATION PLAN FOR REFORM**

The CAA welcomes the opportunity to comment on the subject consultation. We are grateful to MOD for coordinating the work conducted in preparation of this document with CAA. As a result of this and the nature of the proposals contained within the consultation, the CAA is generally content. However, given the potential long-term impact of the topic, it is important to reinforce certain principles in addition to the specific questions posed by the document.

As you are aware, the historical relationships between MOD and CAA in respect of spectrum are strong and need to be continued in an informed and constructive way. This is essential to enable CAA to discharge its statutory duties and meet international obligations in the interests of global safety and interoperability requirements. Furthermore, MOD and CAA have a common interest in the joint and integrated airspace arrangements, which are a unique feature of the UK. Whilst the CAA fully recognises the drivers for MOD and has been a full participant in the work to implement the Government's programme following the publication of the Cave Report, the CAA has a duty to ensure that in respect of aeronautical spectrum, the issues of safety and international obligations are not jeopardised by any proposed spectrum reform arrangements. The aviation sector, both from a national and international perspective, is quite naturally very interested in how the UK initiatives in spectrum reform will be implemented and will be seeking the reassurances that these issues are not undermined.

The aviation industry has been well aware of the acute pressures on spectrum for a significant period of time and is actively engaged in ensuring that future demand can be met through improved efficiency. Whilst trading is not considered appropriate to a global sector where safety and interoperability are fundamental requirements, the CAA recognises that there are other major users for whom this is likely to become a key element. Although this specific consultation does not make proposals concerning shared bands, it is recognised that there is significant work necessary to address the issues associated with these, particularly in respect of RSA arrangements. The CAA is committed to working with MOD,

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DfT, MCA and others to progress these aspects as detailed in the Government Response and the Forward Look.

One aspect of the MODs planned reforms that will require significant further debate is the role of the Third Party Band Manager. Civil aviation will, because of the issues of safety and global interoperability, continue to seek and manage spectrum requirements through the formal ITU process. In addition, should aeronautical spectrum become surplus within the UK it will be returned to the international aviation process for reallocation. Therefore the use of the Third Party Band Manager does not appear to be appropriate for aviation. That said, we recognise that for organisations such as MOD, the use of such an organisation may be a practical proposition. Through the UKSSC SSIG working groups addressing these issues, we will need to ensure that the appropriate working arrangements can be put in place which allow MOD the freedom to exploit such proposals effectively whilst ensuring that safety of life, international obligations and the CAA's statutory obligations can continue to be discharged.

Yours sincerely

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Head Surveillance and Spectrum Management

## **SPECIFIC ANSWERS IN RELATION TO THE MOD CONSULTATION ON AN IMPLEMENTATION PLAN FOR REFORM**

### Questions 1 and 2

We are content with the options and factors and consider the pertinent issues have been highlighted. In respect of audit priorities, MOD will want to focus on those where it can make unfettered progress in implementing its reforms whilst achieving the best economic return. It will inevitably take time to address the complex issues concerning shared bands and this will dictate timescales and priorities. The approach proposed is reasonable and pragmatic. It identifies initially the sub-bands that should create very little objection, from which much can be learned about the mechanisms of exploitation.

### Question 3

A phased approach for RSA is essential as this recognises the necessary work to resolve the RSA for shared bands. A key factor will be ensuring safety, statutory obligations and the international perspective are satisfactorily resolved in this work.

### P32 Fig 5

It is understood that the spectrum arrangements for the British transport Police are covered by NPIA – if this is correct the block diagram needs to be amended to reflect this.

### Question 4

Yes but subject to the respect and considerations covered in the covering letter of this response.

### Questions 5, 6, 7 & 8

Yes

### Question 10, 11 & 12

Whilst it is for MOD to decide these issues, the CAA is concerned that whatever arrangements are put in place, the key principles that have been highlighted in the covering letter together with the formal submissions made to the SSIG and its associated working groups, are respected. In addition, and as already highlighted, the detail of the working practises and arrangements, together with a clearly defined scope of responsibility, will be essential to ensure that the work of a third party does not undermine or impinge on the work of the CAA as the specialist aviation regulator.