

Finance and Corporate Services
Information Management

14 May 2013
FOIA reference: F0001541

Dear XXXX

I am writing in respect of your recent application received 13 May 2013, for the release of information held by the Civil Aviation Authority (CAA).

Your request:

"I am writing to seek any information you hold on a helicopter near-miss which occurred over Shropshire in June 2001. The incident occurred on Tuesday 5th June 2001 and was reported to the UK Airprox Board for investigation. I was one of those on board the helicopter, hence my personal interest in seeing any paperwork relating to any investigation that took place.

Our response:

We have assessed your request in line with the provisions of the Freedom of Information Act 2000 (FOIA).

The incident was assessed by the UK Airprox Board (UKAB) and a copy of their assessment is attached.

Please note however that this is the only information held relating to this incident. Due to the time that has elapsed since this incident all other paperwork has been destroyed in line with the UKAB's retention schedule.

If you are not satisfied with how we have dealt with your request in the first instance you should approach the CAA in writing at:-

Mark Stevens
External Response Manager
Civil Aviation Authority
Aviation House
Gatwick Airport South
West Sussex
RH6 0YR

mark.stevens@caa.co.uk

Civil Aviation Authority

Aviation House GW Gatwick Airport South Crawley West Sussex England RH6 0YR www.caa.co.uk
Telephone 01293 768512 rick.chatfield@caa.co.uk

The CAA has a formal internal review process for dealing with appeals or complaints in connection with Freedom of Information requests. The key steps in this process are set in the attachment.

Should you remain dissatisfied with the outcome you have a right under Section 50 of the Freedom of Information Act to appeal against the decision by contacting the Information Commissioner at:-

Information Commissioner's Office
FOI/EIR Complaints Resolution
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
www.ico.gov.uk/complaints.aspx

Should you wish to make further Freedom of Information requests, please use the e-form at <http://www.caa.co.uk/foi>.

Yours sincerely

Rick Chatfield
Information Rights and Enquiries Officer

CAA INTERNAL REVIEW & COMPLAINTS PROCEDURE

- The original case to which the appeal or complaint relates is identified and the case file is made available;
- The appeal or complaint is allocated to an Appeal Manager, the appeal is acknowledged and the details of the Appeal Manager are provided to the applicant;
- The Appeal Manager reviews the case to understand the nature of the appeal or complaint, reviews the actions and decisions taken in connection with the original case and takes account of any new information that may have been received. This will typically require contact with those persons involved in the original case and consultation with the CAA Legal Department;
- The Appeal Manager concludes the review and, after consultation with those involved with the case, and with the CAA Legal Department, agrees on the course of action to be taken;
- The Appeal Manager prepares the necessary response and collates any information to be provided to the applicant;
- The response and any necessary information is sent to the applicant, together with information about further rights of appeal to the Information Commissioners Office, including full contact details.

AIRPROX REPORT No 86/01

Date/Time: 5 Jun 1444

Position: 5232 N 0230 W (3 NM W of
Bridgnorth)

Airspace: FIR (Class: G)

Reporting Aircraft Reported Aircraft

Type: S76 Squirrel

Operator: Civ Comm HQ PTC

Alt/FL: 2000 ft 3000 ft ↓
(QNH) (RPS 1009 mb)

Weather VMC CLBC VMC CLBC

Visibility: 25 km 20 km

Reported 300 ft H

Separation: /NK

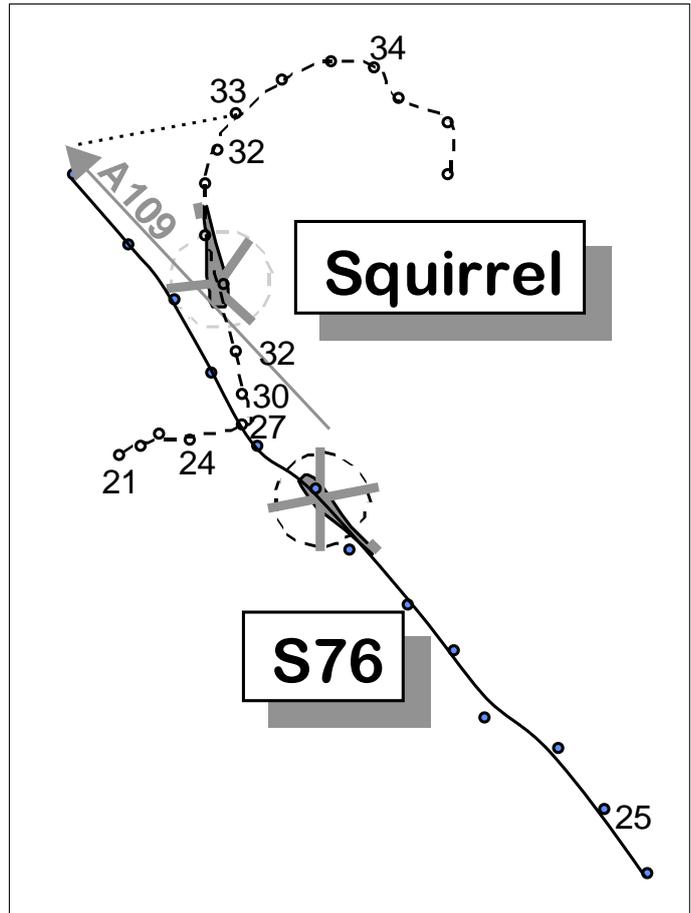
Recorded Separation: NK

**PART A: SUMMARY OF INFORMATION
REPORTED TO UKAB**

THE S76 PILOT reports heading 305° at 135 kt in transit at 2000 ft and receiving a RIS from Shawbury on 120·77. Shawbury passed traffic information on an ac 5 NM away at 400 ft in his 1 o'clock which he saw but then lost sight of as it turned. The next traffic information gave it as 800 ft above in his 1 o'clock; he saw it and advised ATC. It was a black and yellow Squirrel which descended across his flightpath from R to L, passing through his level about 300 ft to his left as he turned right to avoid it; it would have been extremely close if he had not turned. There was an A109 about 4 NM ahead of him on a similar track which the Squirrel pilot, if passed traffic information, may have mistaken for him.

THE SQUIRREL PILOT reports heading 185° at 90 kt on an IF instructional sortie and receiving a FIS from Shawbury on 315·4. While at 3000 ft he was passed traffic information on a helicopter SE of him, tracking NW and 700 ft below. Looking, he picked up one about 500 ft below passing through his 12 o'clock about 1 NM away, and reported that it was in sight. His next exercise was a PFL so he completed the pre PFL checks which included a comprehensive lookout around and below. Seeing no other ac he simulated engine failure and the student reacted correctly, lowering the lever (inducing a RoD of about 2000 ft/min) and turning onto 250°, into wind. Once the exercise was complete the ac was recovered to normal flight. The helicopter filing the Airprox was not seen at all.

MIL ATC OPS reports that the pilot of the S76 was in receipt of a FIS from Shawbury Zone (ZONE) whilst transiting at 2500 ft 1019 mb (Barnsley RPS) squawking 0223 in the vicinity of Evesham en-route from Abingdon to Shrewsbury. Although the S76 pilot had originally requested a RIS on initial contact, ZONE had been unable to identify the ac – probably because the helicopter was below radar coverage – and had therefore only been able to provide a FIS. At 1434:59, whilst attempting to identify the S76, ZONE saw a 7000 squawk with a position and heading that matched the S76's profile; however, when questioned by ZONE, the S76 pilot stated *"Er no, that's probably an ac ahead of me, he's got Mode C at two thousand feet, an Agusta 109, I'm about 3 miles behind him"*. At 1437:12, the Agusta pilot freecalled ZONE stating *"C/S, is an Agusta 109 from Abingdon to Shrewsbury, just passing Kidderminster, two thousand five hundred feet, one zero one four,*



requesting FIS, and we're about four miles ahead of (S76's C/S)". ZONE acknowledged the transmission, provided the Barnsley RPS, confirmed that a FIS was being provided and instructed the Agusta pilot to squawk 0230. Around the same time, transmissions to both helicopters were interspersed with calls to 3 other pilots on frequency who were all receiving a service from ZONE. At 1441:05, ZONE instructed the S76 pilot to squawk ident and, shortly afterwards, the S76 was identified, placed under RIS at 2500 ft (RPS) and updated on the position of the Agusta, which was in the S76's 12 o'clock at 4 NM. At 1441:55, ZONE provided TI to the Agusta pilot regarding a Cessna 172 and the subject Squirrel, both manoeuvring at 4000 ft in the local vicinity; the Agusta pilot reported visual with both ac. After making several transmissions to other ac on the frequency, ZONE provided TI about the Squirrel to the S76 pilot stating *"C/S, traffic twelve o'clock, two miles, manoeuvring, Shawbury helicopter about eight hundred feet above"*. The pilot of the S76 stated *"C/S, visual with that traffic"* then 15 seconds later *"Is he aware of us?"*; ZONE confirmed that TI had been passed to the Squirrel. The S76 pilot transmitted *"It would be nice if he stayed away from us rather than, er, descending across my nose at two hundred yards"*; ZONE replied *"(S76) C/S, the Squirrel did call visual with you"*. The S76 pilot reiterated his previous comments regarding the proximity of the Shawbury helicopter (Squirrel) and ZONE repeated that the Squirrel pilot had called visual with the S76. After landing, the S76 pilot reported an Airprox to Shawbury ATC.

The Squirrel pilot was in receipt of a RIS from Shawbury Radar (RADAR) whilst conducting an instrument flying training sortie SE of Shawbury up to 4000 ft RPS and squawking 0243. RADAR was manned by a mentor and trainee whose workload was assessed as medium to high. At 1441:08, RADAR provided TI to the Squirrel pilot regarding the Agusta 109 stating *"C/S, traffic south-east, five miles, tracking north-west, no height information"*, which was acknowledged *"looking"*. Later, at 1443:27, a second TI call was made: *"C/S, traffic south-east, three miles, tracking north-west, indicating seven hundred feet below"*; this referred to the S76. The transmission was, at first, acknowledged by the trainee pilot before the instructor pilot reported visual with the traffic. Some 10 seconds later, the squirrel pilot reported *"C/S, fanstop in Bravo (a local flying area) will report climbing away"*; RADAR acknowledged the call and placed the ac under FIS in accordance with local orders. At 1446:18, the Squirrel pilot reported climbing away and was placed under RIS by RADAR.

The Clee Hill radar recording shows the Agusta 109, squawking 0230 without Mode C, and the S76, squawking 0223 indicating 2500 ft, about 4 NM in trail to NE of Clee Hill on a NW track. The Squirrel is SW of Cosford on a southerly track squawking 0243 indicating 4200 ft. At 1441:53, the time of RADAR's first TI call to the Squirrel pilot, the Squirrel is in a left turn passing through 150° indicating 3900 ft, with the Agusta 3 NM SE maintaining track. Slightly afterwards at 1442:05, the time of ZONE's TI to the Agusta pilot, the Squirrel is between the Agusta's 1 and 2 o'clock tracking E and indicating 3800 ft; the S76 is still in 4 NM trail to the Agusta maintaining track indicating 2500 ft. Both the Agusta and the S76 maintain their tracks and spacing whilst the Squirrel continues its descending left turn. At 1443:27, the time of RADAR's second TI call, the Squirrel is maintaining its left turn passing through 230° and indicating 3300 ft; the Agusta is about 1 NM W tracking NW away from the Squirrel (A109 in the diagram), whilst the S76 is 3.5 NM SSE, tracking 315° and indicating 2500 ft. At 1443:40, the time of ZONE's TI to the S76 pilot, the Squirrel is passing through 195° indicating 3200 ft, about 5° R of the S76's track at a range of 2.5 NM. The Squirrel then steadies on a track of 170° between the S76 pilot's 12 and 1 o'clock whilst the S76 maintains a track of 315°. At 1444:07, the 2 helicopters have maintained their respective tracks and are about 0.5 NM apart, although the Squirrel is now indicating passing 3000 ft in a gentle descent. The radar responses of both tracks merge at 1444:15 with the Squirrel crossing the S76 from right to left by the shallowest of angles. As the returns diverge, the Squirrel begins a descending right turn passing 2400 ft.

The radar evidence indicates that the traffic information provided by both controllers was accurate and 'seemingly' effective enough for each pilot to have made a visual acquisition of the other ac without chance of a misunderstanding. Therefore, given that both the Squirrel pilot and S76 pilot appeared to call visual with each other, both ZONE and RADAR reasonably assumed that no threat existed to the ac under their control.

HQ PTC comments that despite accurate TI from Shawbury Zone, the Squirrel crew apparently did not register the fact that there was more than one civilian helicopter passing through their operating area. With 20/20 hindsight, the addition of one or 2 words to the second TI call to the Squirrel, such as 'further traffic...', might have been helpful. However, even without such TI, the pre-PFL lookout should have alerted the crew to the proximity of the second ac.

PART B: SUMMARY OF THE BOARD'S DISCUSSIONS

Information available to the UKAB included reports from the pilots of both ac, transcripts of the relevant RT frequencies, radar video recordings and reports from the appropriate ATC and operating authorities.

This incident generated a lengthy discussion about the completeness of the traffic information to the Squirrel pilot for whom the Board had some sympathy. In the end members agreed that the cause of the incident was that the Squirrel pilot's clearing lookout did not disclose the S76 and consequently he descended into conflict with it. It had been below and to his left and would not have been in view after he rolled out of his clearing turn (his student was 'under the hood'). However, members agreed that a contributory cause was that the Squirrel pilot was unaware that there were 2 helicopters approaching on a NW track and he misidentified the one he saw for the subject of the second TI from RADAR.

It was argued that if he had listened carefully to the second TI he could have deduced that there was another helicopter. However, the pilot made this mistake, and both pilot and civil controller members agreed that in the circumstances, RADAR could have prevented it by using the phrase 'further traffic' or, as some ATCOs suggested, including the ac types in the TI. When members were asked 'under what circumstances should a controller be expected to know when to provide this information?' there was a chorus of 'always!' from the Board. There was a strong feeling that a phrase such as 'last reported traffic' or 'further traffic' should always be used (as appropriate) in such circumstances. While the TI as issued should in theory have been adequate, in the event it proved not to have been, but could have been with 2 more words added. It was observed that everyone knew there were 2 helicopters approaching the Squirrel, except its pilot, and this information could have been imparted. As to the accuracy of traffic information, most pilots could remember when bearing and range information as seen from the cockpit differed from what was reported by ATC, who were always looking at information at least a few seconds old, and the Squirrel pilot might have thought this was one such occasion. Controller members also offered for consideration whether the controller should have provided further traffic information, or a warning, when the Squirrel pilot called 'Fanstop'. The close proximity of the Squirrel to the S76 at that juncture should have been clear on the radar display.

In considering the risk level members noted that the S76 pilot had the Squirrel in sight and was able to take effective avoiding action, but because the Squirrel crew were unaware of the S76 and might have turned in any direction, the Board concluded that the safety of the ac had not been assured.

PART C: ASSESSMENT OF CAUSE AND RISK

<u>Cause:</u>	The Squirrel pilot descended into conflict with the S76, which he did not see.
<u>Contributory factor</u>	The Squirrel pilot was unaware of the second ac and misidentified the TI passed by the Shawbury Radar controller.
<u>Degree of Risk:</u>	B