

LIGHT AVIATION AIRPORTS STUDY GROUP (LAASG)

Meeting at Aviation House, Gatwick

Tuesday 9 August 2005

Present:

Graham Forbes (GF), CAA (PLD)
Gary Beaton (GB), CAA (ATSD)
David Corbett (DC), GASCo
Paul Fleming (PF), CAA (ASD)
Mike Grierson (MG), CAA (PLD)
John Haffenden (JHaf), AOA
Janet Hoare (JH), BBGA/BHAB
Martin Marsh (MM), CAA (PLD)
Dorothy Pooley (DP), GAPAN
Kirsten Riensema (KR), CAA (ASD)
Mark Smailes (MS), CAA (DAP)
Barry Tempest (BT), PFA
John Walker (JW), AOPA
Inez Bartolo (IB), CAA (ASD)

Apologies:

David Beaven, CAA (GAD)
Maria Boyle, CAA (ATSD)
Chris Finnigan, BMAA
Geoff Parker, CAA (Flt Ops)
Gary Phillips, CAA (RFFS)
Terry Slater, BGA

1. APOLOGIES

Apologies were received from Messrs. Beaven, Parker, Finnigan, Slater and Miss Boyle.

The Group welcomed Kirsten Riensema, a new member of staff working within Aerodrome Standards Department, who attended the meeting as an observer.

2. NOTES OF PREVIOUS MEETING

Three points were raised by DP:

- (1) It was noted that 'draft' still appeared as a heading in the final notes.
- (2) DP also asked for confirmation that although the aerodrome in question was Islay (page 4 of notes 5/7/05), the notes stated Isla (Glen Isla) which is a different place.
- (3) "DP raised concern over flying training instructions" should have read 'DP raised concern over training of flying instructors. (page 5).

IB confirmed the notes would be altered to reflect these comments.

3. ACTIONS FROM PREVIOUS MEETING

- Action 21: Completed as post-meeting to previous notes.
- Action 22: PF advised that the time constraints on the LAASG meetings may mean valuable time would be consumed by representative(s) discussing potential impact on premiums; however, it had been suggested in an e-mail (IB to JHaf) that if the external members considered it beneficial in seeking the comment of an insurance underwriter, then a sub-group could be formed to discuss this issue and report back at a future meeting. JH did not consider any regulatory changes would impact on insurance premiums. BT added that he felt this subject was outwith the scope of the LAASG.
- Action 23: Completed as post-meeting note to previous notes.
- Action 24: Completed as post-meeting note to previous notes. Additional comment will be included (see item 2 above).
- Action 25: Covered under agenda item 5.
- Action 26: Discussed at agenda item 4.
- Action 27: 33 'special' category aerodromes approached. All responses suggested that RFF should be abolished, quoting too much regulation, perceived as too expensive. Aerodromes did not support the amount of fire cover they have to maintain. JH agreed to forward comments to IB, once de-personalised, so that further consideration could be afforded to the issues raised. JH highlighted the plight of one aerodrome, whose costs on 'uniforms' (which PF remarked was not a specific CAA requirement) alone amounted to £8,000. JW offered a possible reasoning behind this, advising that uniforms used to be provided by others who no longer required them, but when the fire service found out, this opportunity was closed down. Discussion followed regarding the need to have PPE, with the external members advising that PPE must be used, regardless of whether it is a 'CAA requirement' or not. In addition to this, quality control is becoming more of an issue, with costs escalating. It was noted that GP has not been present at previous meetings, although RFFS is a major issue of the Group. PF advised that the CAA will always consider ICAO as the 'bottom line' when regulating, and this should be borne in mind.
- JH also took the opportunity of raising concern regarding CAP699 and its burden on the lighter end of aviation. Several members support this issue and would like the CAA to revisit this document and consult the 'small aerodromes' on the appropriateness of this document.

Action item 29: JH to provide summary of responses

- Action 28: Completed

Health & Safety Issues:

Following a request from JH, H&S issues were discussed amongst the group, namely the MoU between HSE and CAA and the relationship between the two. GB offered to respond on behalf of the CAA, as he had been part of the working group responsible for producing the MoU. GB advised there are no dividing lines between where HSE stops and CAA begins, although it was generally agreed that the likely time an HSE representative would visit an aerodrome is following a serious injury or fatality. The key issue the MoU is trying to achieve is to prevent a duplication of work between the two organisations, although over-riding this is the legislation of Government, which places some responsibilities on the HSE in areas where the CAA also have responsibility. The MoU has achieved some clarity regarding this issue.

4. **ARTICLE 101 – ACTIVITIES REQUIRING THE USE OF A LICENSED AERODROME**

This agenda item resulted from the previous meeting, where industry members were asked to put forward their opinion on what activities need a licensed aerodrome. Four responses were received from AOPA, PFA, BBGA/BHAB and AOA:

PFA: Anything greater than 2730kg¹ for public transport and flying training, removing gliders and helicopters/gyros on scheduled public transport.

**AOPA,
BBGA/BHAB:** Anything greater than 5700kg for public transport and aerial work, and scheduled public transport on helicopters.

AOA: Anything greater than two seats.

PF commented that PFA's proposal would remove an anomaly of Article 101, although the scheduled public transport would be an issue that would need further discussion. Weight category would be a defining issue. GB reminded the group that there are other issues that should be remembered, including the number of crew, seats and length. In addition, GB said that although they use the term 'scheduled', discussions with Flight Operations Department confirmed that 'scheduled' is not a distinction that has any validity now, and that a public transport operation is public transport, regardless of 'scheduled'.

PF believes that AOPA and BBGA/BHAB's proposal is more in line with European requirements.

AOA: JHaf reported that their proposal is the result of discussions within the AOA, although it is open for further debate. PF felt that it was interesting that the AOA had opted for 'seat numbers' as opposed to 'weight' and in this

¹ Although 2730kg is the proposed figure, JW quoted that 5700kg would be an equally acceptable figure.

respect had some merit. JHaf emphasised to the group that it is the 'scale of risk' that is important, rather than weight. JH stated that the risk is minimal, proven over many years; therefore the 'scale of risk' is not relevant.

DP put forward some comments received from her constituency.

- Rather than concentrate on researching the reasons for introducing flying training to the ANO, emphasis should be placed on the existing improved aircraft performance and reliability and the continued flying instruction expertise.
- An additional comment regarded the historical aspect; originally students were considered to be passengers and that passenger aircraft were required to use licensed airfields from the 1930's. Under Article 101, 'passengers' under aviation insurance (AVN1C) - a student is considered as a passenger and is therefore covered under the third party liability insurance policy, whereas the flying instructor is excluded.
- A further comment received from one of GAPAN's constituents stated that it would be foolhardy to abandon the several protections offered to students under the current Article 101 without being certain of the protection that replaces it to those to whom it matters, namely the student pilot, and there should be a list produced of the benefits and disbenefits of retaining the current Article 101 along with a list of benefits and disbenefits of whatever replaces it.

One of GAPAN's correspondent's stated that the Group should not underestimate the affect of reducing the safety standards, as perceived by the public, at currently licensed aerodromes. Locals may see it as a reduction in safety, and a potential increase in danger to them; creating a possible adverse reaction.

Action 30: DP to provide a resume of comments to IB for distribution to Group

5 ARTICLE 101 – PROPOSAL TO REMOVE REQUIREMENTS FOR LICENSED AERODROMES FOR THE PURPOSES OF FLYING TRAINING

As a result of a suggestion in a previous LAASG meeting, GF produced a Paper to look at the proposal for Personnel Licensing Department to adopt the 'oversight' of flying training operations from unlicensed aerodromes, via flying training organisations.

GF consulted MG and MM initially, followed by consultations with MG's colleagues and Flight Examiners, to seek their views. This resulted in a discussion paper, which attempted to encapsulate all questions arising from the concept of unlicensed aerodromes for flying training. Consultation with all internal LAASG members followed; Robin Allan and David Beaven were two main respondents. MG and MM offered consensus to the proposals in general, although there were many issues that needed discussing, in addition to establishing further what our continental neighbours do.

MG stated that PLD don't have any great issues with this proposal. The only risk appears to be with the solo student who, on average, flies solo for 10

hours before he gains his licence. There is no conceived risk for the dual student who is with an instructor who is fully qualified. Statistics show that in general RFFS has not been deployed during the period where the solo student is operating. The disbenefit may be how to define an unlicensed aerodrome. DP advised that an enormous number of incidents involve nose wheel collapses with student pilots, and not always with the instructor on board. DP conducted an investigation which appeared to show that not all instructors are experienced enough to anticipate when a student is about to land too heavily etc. This should be remembered when discussing any 'dangerous' period for a student, not just the 10-hour solo flying.

MM concurred with MG's comments.

JH reiterated the need to benchmark against Europe to see whether there is a consensus of operating standards; if there is, then we should follow suit, especially with regard to EASA. GF agreed with this sentiment, suggesting that one or two countries should be chosen to investigate how they operate flying training.

Open discussion followed regarding this proposal.

1. **Quotes Article 101.**
2. **The need for a licensed aerodrome?** Comment from DB and RA, who felt the Group should not raise the historical reasons for the requirement. However, there was general agreement that this item was beneficial for background justification for any public consultation.
3. **Distinction between commercial and recreational flight training?** General opinion was that commercial flight training requirements are very different from the private pilot's licence, including the need for instrument training. JW felt it is important not to go down the route of looking at the difference between the two, as this may create even more anomalies to address.
4. **Distinction between aeroplanes above and below 2730kg?** This particular section looked purely at flying training, and not public transport, which is an issue for Flight Operations Department and will be dealt with by GP at a future meeting. It was felt that 5700kg should be the key figure, or alternatively number of seats.
5. **Facilities required for instruction in flying if the need for a Licensed Aerodrome is removed?** JH believes this issue was addressed in the Code of Practice she produced for the Group, adding that a more in depth Code of Practice could be written if this route were proposed. JHaf reminded the Group that notwithstanding the comments made round the table regarding flying training from unlicensed airfields, planning law must be considered, as it may affect the ability to get planning permission for operations exceeding 28 days per year at farm airstrips. JW raised the point that JH's Code of Practice does not cover physical characteristics, and the new CAP 428 (Safety Standards at Unlicensed Airfields) pays little attention to

physical characteristics, whereas the old version did. JW would like to see characteristics covered in any Code.

Air Traffic Services and Air Ground: GB advised the Group that the wide interpretation of A/G communication service is that it is an air traffic service, incorporates A/G, FISO, ATC; it is up to the aerodrome operator to decide what level of ATS is provided. JH believes A/G is an important service to have. GB advised the Group that as a result of SES, A/G might not be appropriate in the future.

6. **Distinction between Flight Training Organisations (FTOs) and Registered Facilities (RFs)?**

Concern exists as to how to address a Code of Practice involving FTOs. General discussion followed, with MG advising that FTOs are 'approved' and RFs are not. GF clarified the concern, stating that if there are 550 registered facilities, how can we be sure they are not operating from inappropriate places? MG advised that PLD published an information document when JAR-FCL first came in, in addition to issuing them with a licence, under JAR-FCL. PLD can rescind this licence if they can prove the registration is not operating safely. JW proposed that all RFs should be invited to 're-register' their facility under any new regime, at which time the question can be asked as to where they are operating from, seeking confirmation they will comply with Code of Practice. This process would involve a charging fee, although this is considered acceptable, especially if it means they can operate from an unlicensed aerodrome. In addition, JW proposed that the airfield in question should be responsible for adhering to the Code of Practice. GB believes it may be more appropriate to require that the aerodrome operator 'self-declares' that they meet the Code to enable certain types of operation to take place, with a mechanism for 'sampling' those aerodromes; this would appear to be a less onerous system.

7. **The RFFS Issue?**

It was generally agreed that it is possible to have a level of RFF cover at a Code of Practice aerodrome.

8. **Health & Safety Angle?** JW asked whether it is normal for PLD to look at insurance when issuing a FTO? MG advised that they have done so in the past, although it is not normal. GB advised that the SES requires that an National Supervisory Authority (NSA) investigates the financial viability of their service providers, and this may extend into some parts of the aerodrome operation. JH reminded the Group that the aerodromes already undertake risk assessments and this should be built into any future Code.. GB advised that if this Group have any questions they wish to be answered regarding H&S, they can be put forward via GB.

9. **Microlight Aircraft and Self-Launching Motor Gliders (SLMGs)?**
Due to the unfortunate circumstances surrounding the absence of the

BMAA member (CF), in addition to the BGA absence, it was decided to postpone this issue until a future meeting.

10. **The European dimension?** It has already been established, through GAD, that there is little support for licensed aerodromes regarding flying training. JH advised that her Group would like to establish what 'best practice' is in Europe. It was thought that AOPA might be able to assist, through Martin Robinson (Vice President – European sector) to approach his opposite numbers within the EU, to report back on. JW will approach Martin to establish the likelihood of this proposal. GF will consider sending nominated personnel over to Europe on a fact-finding mission.

Action 31: JW to approach Martin Robinson

11. **Other Anomalies?** It is hoped that some anomalies, currently existing in the ANO, could be swept up in the review of the Group.

In summary, there were no objections from PLD to the proposal for flying training to be conducted from unlicensed aerodromes and the Group have addressed some of the questions raised in this agenda item. GF said that the CAA Legal Department's advice is that the Group ought to stipulate the levels of protection offered. It was agreed that one of the key ways of achieving this is through the Code of Practice.

With regard to a Code of Practice, it was agreed that JH would enhance her previous document with the assistance of other members of the Group, highlighting the need to mention windsock, physical characteristics, certain level of fire cover, symbol on map and radio cover, and circulate ahead of the next meeting by e-mail. GF will approach RA (Legal) to clarify the requirement for a 'base level of protection'.

Action 32: JH to coordinate enhanced Code of Practice

Action 33: GF to seek comment of Legal Department

6. ANY OTHER BUSINESS

- PF raised some important points the Group should be aware of if flying training were to operate from unlicensed airfields:

- No entry in AIP (*set by ICAO*)
- Declared distances may be a factor
- No requirement to safeguard the facility
- Introduction of GPS approaches
- Lack of an ATZ
- Adequacy of A/G

- BT raised concern regarding ATZs; if a Code of Practice exists, then DAP may wish to alter its stance on whether to issue an ATZ. MS stated that it was not simply a case of DAP altering its stance; Rule 39 indicated the level of service support required for ATZs at licensed and unlicensed aerodromes. An ATZ can be established at a licensed aerodrome supported by a means of 2-way communications and be active during published hours of the A/G radio station. However, unlicensed aerodromes must have AFISO or ATC unit to qualify for

consideration of an ATZ. If the result of this Group is that flying training can take place from an unlicensed aerodrome, then one of the recommendations must be to look at the feasibility and justification of amending this Rule 39 'qualification' requirement. JH advised that gliders often train from unlicensed aerodromes without an ATZ, although they have a symbol on a map. Perhaps consideration could be given to placing a symbol on a map to indicate an unlicensed airfield conducting flying training operations.

Action 34: MS to look into possibility of introducing unlicensed aerodrome/flying training symbology

- DP felt it is important to mention that some licensed aerodromes may choose to become 'de-licensed' and this should be remembered.
- Public Transport: this item will be discussed at a future meeting, as both DB and GP were unable to attend this meeting.
- It was further agreed that IB would produce a table showing aircraft falling between 2730kg and 5700kg to present ahead of discussion on public transport, highlighting seat numbers and category of aerodrome currently required.

Action 35: IB to produce table

- BT produced a document received from a recent trip to FAA (Oshkosh) entitled "Guide for Preparing FAA Form 7480-1 "Notice of Landing Area Proposal". It was agreed that IB would distribute this document to members of the Group electronically.

Action 35: IB to distribute to Group

7. DATE OF NEXT MEETING

Thursday 8th September 2005

**ACTIONS ARISING:
(Action items 1-28 allocated to previous meetings)**

- Action Item 29: JH to provide summary of responses received from 'small aerodromes' to IB/PF**
- Action Item 30: DP to provide a resume of comments to IB for distribution to Group**
- Action Item 31: JW to approach Martin Robinson regarding European regulations**
- Action Item 32: JH to coordinate enhanced Code of Practice with external SG members**

Action Item 33: GF to seek comment of Legal Department regarding base level of protection

Action Item 34: MS to look into possibility of 'symbol on map'

Action Item 35: IB to produce table of aircraft 2730kg-5700kg