

## NOTES OF MEETING

### LIGHT AVIATION AIRPORTS STUDY GROUP Aviation House, Gatwick 12 May 2005

Attending:	Graham Forbes	CAA PLD	Chairman
	Gary Beaton	CAA ATS	
	Maria Boyle	CAA ATS	
	David Beaven	CAA GAD	
	Paul Fleming	CAA ASD	
	Geoff Parker	CAA FOD	
	Mark Smailes	CAA DAP	
	Chris Finnigan	BMAA	
	John Haffenden	AOA/BBAC	
	Janet Hoare	BBGA/BHAB	
	Dorothy Pooley	GAPAN	
	Terry Slater	BGA	
	Barry Tempest	PFA	
	John Walker	AOPA	
	Inez Bartolo	CAA ASD	Secretary
Apologies:	David Corbett	GASCo	
	Gary Phillips	CAA ASD	
	Tim Scorer	GA Airfields	
	Ben Alcott	CAA SIDD	

#### 1 APOLOGIES

Apologies were received from Messrs Corbett, Phillips, Scorer and Alcott.

#### 2 NOTES OF PREVIOUS MEETING

The minutes of the previous meeting were agreed without change.

#### 3 BENCHMARK ARRANGEMENTS IN OTHER STATES

DB's Paper, the result of a questionnaire circulated to all JAA States represented on the JAR-FCL sub-committee, was presented. DB said caution should be applied to the tables contained with the Paper as some interpretation was necessary to extrapolate the information. It should also be noted that some States did not respond to the questionnaire. Landing sites in Italy are registered as avio superfici, which resulted from deregulation of their landing sites several years ago. However, there is indication that they are now reviewing this and may decide to bring their deregulated sites back into the fold. Following general discussion it was agreed that there might be benefit in enhancing the data already collected through the Licensing Sectorial Team and it was agreed that DB would approach Mike Dobson to investigate this possibility.

**Action 13:  
DB to approach MD**

Some Industry members sought comment from CAA on EASA's position in 5 years time; their remark being that EASA's approach may be to divide into commercial and non-commercial, and flying training may fall into the remit of 'commercial' or 'club-activity' and therefore not commercial. However, it was agreed that it is too soon to establish the rules of EASA. CF believes we should not wait for EASA to see what is going to happen, we should be putting in place what we believe to be appropriate, and then they would take it.

#### **4 ACTION ITEMS FROM PREVIOUS MEETING**

##### Action Item 11: Presentation of Code of Practice

The guidance contained within JH's Code of Practice Paper was gathered from microlights, gliders and CAP 428. Unfortunately JH did not receive JAR-FCL in time to include in her Paper, although she is happy to take account of it later, if appropriate. JW believes that physical characteristics at aerodromes are very important and the Code of Practice does not cover this subject enough. He voiced concern that if commercial pressures result in an aerodrome flooding the airfield with aircraft, there could be a serious accident if someone gets their approach or take off wrong and there is no margin of safety. JW felt that a Code of Practice is a step too far but that CAP 168 has overstepped the mark concerning the smaller airfields. JW added that CAP 168 is a very useful document but would like to see appropriate data from that document and included in a new one for 'lighter aviation' airports; also, consideration should be changing the audit cycle, perhaps every 3 or 5 years.

CF believes a Code of Practice, instead of going too far, is too heavy, especially with regard to physical characteristics and obstacles. CF proposed to differentiate by weight or nature of operations. Discussion followed involving risk assessments, and CF believes that risk assessments should not be appropriate, rather it is the pilot's responsibility to be aware of the risk he/she is taking.

TS likes the JAR-FCL for training aerodromes, believing it to be straight-forward and simple, adaptable to any sort of operation. Agrees that lots of things have built up over the years that are unnecessary requirements that have been spread across Industry. TS also felt we should go through all our rules with a risk assessment hat on and ask what this rule achieves. I.e, does it do anything to enhance safety or is it there for commercial reasons? A simple Code of Practice approach where responsibility should be put back on the operators and pilots rather than regulators.

BT in favour of minimalist approach, and supports JAR-FCL.

##### Action Item 9: RFF Risk Assessment

JH's Paper on RFFS was offered for discussion, stating that there was no proposal to 'get rid' of all RFF equipment, but more that the CAA has gone too far in regulation. JH Thanked Joji Waites (SIDD – CAA) for his investigative work on the accident statistics and was interested to learn that the data showed that in the last 10 years people either escaped unaided or were rescued by passers by. There was only 1 fatality during this period. Very few accidents on training, mostly private, no public transport flights. JH felt the costs associated with RFF were very high given the opportunity to actually use the facilities to save people (based on the accident statistics). Costings in JH's Paper include the very cheapest fire vehicle they could consider.

JH considers that first aid is almost more important than fire training because you do get injuries, and this should be considered. JW believes there must be some form of vehicle to get you to the site of an accident, but believes a fire vehicle is over-the-top. There were some queries regarding other accidents that had not been included in JW's statistics and it was agreed that IB would investigate and report her findings. (Post meeting note: Please see footer on page 7 for update on accident statistics)

**Action 14:  
IB query additional accidents**

BT supported JH's Paper, in particular the issue regarding cost –v- lives saved. There is, importantly, a vital need to make contact with local fire services, increasing awareness with local emergency services is very important. It was agreed that if any external members of the Group come up with different costs to those in JH's Paper, they would send differences to JH to be included in updated version.

**Action 15:  
Industry Members to notify JH of their differences**

**Additional Note:**

JH raised the issue of 'remission' during the general discussions. AOA have been advised that the existing remission factor affecting cat 1 and 2 runs out at the end of this year. CAA, Fire Inspectorate, believe it is the LAASG that will be making a report about remission factor. However, the LAASG are not due to report their findings until the end of 2005, which is the same time that remission date runs out. It was agreed that PF would produce a NOTAL on this subject advising of CAA's intentions.

**Action 16:  
PF to write NOTAL**

## **5 REGULATORY FEEDBACK**

PF advised that Article 103 of the ANO deals with the licensing aspects and it is incumbent on the CAA to give a licence if it meets the required standards. If there is a flying training airport only, and flying training is taken out of the requirements, they can still ask for a licence. PF would like to make this clear to the Group.

PF also advised that the Group should be looking at A101 and anomalies. Determine the anomalies of A101, inappropriate regulatory arrangements, focus on them, and then offer alternatives. It is important to provide justification primarily on safety grounds. Costs can be considered, but primary is safety. Recommendations have to be feasible, and have to be supportable by the CAA. So far proposals put forward, discussions about issues; safety has not been mentioned very often, but cost is. In order to get CAA support, changes must be justified. Group are reminded to look at external drivers (international scene); this must be considered when proposing any regulatory change. Fundamental to aerodrome licensing is ICAO's Annex 14, covering international flights, public use airports. It should be remembered that ICAO does not define public use, so there is some flexibility in that we can define it. PF reminded the Group that the CAA are here to offer advice and will consult with our departments as necessary – please use this.

DB felt there is a tendency to focus on alternatives to certification or licence. The concern about safety is to do with operation. The runway strip is but one aspect, and urged people to think about 'all encompassing code of practice', ie must not lose sight of the bigger picture. One suggestion put forward by DB was an alternative status of flying training, perhaps in the form of a 'permitted activity'. General discussion followed regarding permitted activities. DB added that the CAA gives the permission to the Organisation when it is satisfied the club has in place the manual, key personnel etc. It is then for the club to

decide whether they are safe to take off and land. As an example, the BPA audit (a devolved audit) each club operating parachuting under 'permitted activity' and the CAA audit the BPA to ensure it does what they say it does. This example is offered to highlight a 'different approach' to licensing an aerodrome. MM believes there are approximately 170 FTOs and in excess of 500 registered facilities. DB believes this route will bring the responsibility where he believes it belongs, ie with the operator and the aerodrome, not the CAA.

GF sought the opinions of all external members to this proposal:

- GB:** Believes DB's proposal seems to be an eminently suitable way to go, although it leaves much debate over what becomes the criteria, and focuses the aerodrome facilities on the needs for flying training.
- MM:** Confirmed there is no regulatory requirement to keep tabs on registered facilities.
- DP:** Believes that if this option were pursued, FTO must be audited, and has concern because a registered facility is not audited, but merely fills in a piece of paper, sends it in, then operates from anywhere they choose, even the back of a car, completing the briefing in a café. DP recognises that FTOs are regulated through JAR-FCL but would also like to see registered facilities audited. In addition, DP felt a FIE could take on the role of auditing the rest of the facilities on the aerodrome, for a small fee.
- GF:** If this were a possible way forward then we in PLD would have to take an action to look into this option.
- DB:** The legal link is that the provision in the ANO enabling the authority to approve acceptance of reports.<sup>1</sup>
- JH:** Supports this proposal, but wishes to consult both of her Organisations before committing.
- CF:** BMAA would have to be convinced there was a real safety case for introducing FTO 'auditing'.
- BGA:** FEI is affectively what we do in the gliding association. Not shy of taking action is things are amiss and it has worked very well in the past. Fully in agreement with proposal.
- GF:** Believes this proposal has pointed the Group in another direction, which has not been explored to date.
- CF:** SSC has seen and approved Code of Practice for recreational aviation activities (?) and CF has got agreement from his Organisation to accept this. Document is releasable.
- DB:** Suggests circulation of document and at next meeting he will attempt to come to the meeting with the idea of extrapolating relevant parts from the document to take ideas of approving FIEs, for example, and perhaps enhancing the registration facilities. Suggests looking at the work in the RAA Code of Practice

**Action 17:**

**DB: Distribute RAA to members**

**Action 18:**

**CF: Relevant material from BMAA**

**DP:** The GASRWG (General Aviation Safety Review Working Group) Committee have been looking at accidents and training and GAPAN have analysed accidents over last 10 years, providing guidance to the CAA on whether there should be any changes in the syllabus of instructor training. This information should be already within the CAA.

**Action 19:**

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<sup>1</sup> ANO Article 133: Approval of persons to furnish reports. 'In relation to any of its functions pursuant to any of the provisions of this Order the CAA may, either absolutely or subject to such conditions as it thinks fit, approve a person as qualified to furnish reports to it and may accept such reports.'

## **IB to liaise with SIDD and get data from GASRWG**

PF advised members to remain focussed on flying training, as this is the main issue under discussion. Also, the Group are advised to look at the 'general' implications of JAR-FCL requirements. The questions that need to be asked are (1) does flying training require a licensed aerodrome or not? (2) Is it safe to take flying training out of the regulatory regime. Refocus back on flying training schemes, not private flying.

GB supported PF on issues regarding flying training. More focus should be placed on what we can do, what is possible, in terms of regulation of small airports. GB believes that there has been a whole range of different views brought to the table, with very little by way of consensus. The Group are reminded to concentrate on a common line as much as possible.

One of DP's constituents suggested that where an aerodrome 'approved' flying training, the local environment should allow standard circuits to be flown without deviation for environmental (Noise abatement etc) procedures. DP accepts this is a deviation from the subject matter but would like to bring it to the table. In addition, would like to offer the suggestion of a cut off weight of 1400kg for flying training aerodromes (not sure where figure came from) as max weight for flying training.

## **6 FEEDBACK FROM INDUSTRY REPRESENTATIVES**

### JH's Code of Practice:

- BGA/BHAB:** See Code of Practice as a way forward. Believes that if JAR-FCL standards are enough for Europe, they do not understand why CAA want to stick with CAP 168, believing somewhere in the middle with less regulation and cheaper. Reduction in costs is a key driver.
- AOA:** Existing CAP 168 is over-the-top, but generally wouldn't want to see 'no' licensing or regulation. AOA have a diverse range of different airports.
- PFA:** Would like to see 'losing' the necessity for licensed aerodromes, on cost grounds and bureaucracy. JAR-FCL requirements have acceptance across the States and see little reason from moving away from that.
- BGA:** Want to go to a Code of Practice with minimum requirements but acknowledge there are some necessary requirements. Should look at proposed Code of Practice and see exactly what is necessary.
- BMAA:** BMAA are in the process of creating a Code of Practice. This he believes is the way forward.
- AOPA:** CAP 168 is not commensurate with the nature of operation associated with flying training. An alternative has to be written, but must have approval from 'an appropriate authority'. JW believes self-regulation in flying training is not appropriate and urges everyone to remember corporate manslaughter legislation, believing the aerodrome has a liability in law and this must not be forgotten.
- GAPAN:** No mandate from the Guild as such, but the instructors' sub-committee have concerns that they do not want to see a dilution of safety standards, but nobody wants to see an increase in the cost of training. DP considers that EASA may not embrace all of flying-training and recreational training may be outside the remit of EASA. Recreational training may be separated out from professional training, which currently requires FTOs.

JH was thanked for her hard work on the Code of Practice, which enabled to Group to hold this discussion.

#### Code of Practice at FTO operations

**DP:** Feel an explanation of current rules with details of proposed changes would be welcome. In addition, if aerial work (ie crop spraying/banner towing) were only to take place from a licensed airfield, this may cause problems. These groups, between flying training and public transport, sits between and mustn't be overlooked.

**JW:** The 'FTO Proposal' is an excellent way of proceeding and meets everyone's aspirations. Code of Practice still needs to be pursued because this can also be used whichever route it goes down. JW will pursue a way ahead with public transport aerial work. GF is happy for JW to look at this issue but may not be able to present it at the next meeting.

**Action 20:  
JW Public Transport Aerial Work Paper**

**CF:** Good meeting, positive outcomes.

**TS:** Heartened by progress – very pleased with way things are going.

**BT:** Pleased by progress today. Code of Practice welcome

**JH:** Sees great merit going down the route of Code of Practice and FTOs. However, consider there are some challenges down this route.

GF reiterated what is written in the terms of reference, ie consult. JH reminded the Group that she would still like to address public transport at some stage.

## **7 ANY OTHER BUSINESS**

The Group are reminded that it will come out with some recommendations at the end of the year, and may develop a Regulatory Impact Assessment (RIA). The CAA may, or may not, develop those recommendations; it is a decision for the CAA. This Group's work should be seen as essential pre-consultation. Any safety data available would become an annex to the RIA. At this stage we do not have to get the final solution. If the preliminary view of data supports what is being proposed, then that should be sufficient for now.

BT would like to propose an additional item to be placed on the 'Issues List': If the Group propose that flying training no longer needs to operate from a licensed aerodrome, certain aspects of Rule 5 need addressing relating to the 500' rule, which may have to be changed to allow practice approaches. In addition, if a decision is made to go down unlicensed provision, they cannot have ATZs. The protection afforded by an ATZ, albeit it outside the cross-country circuits, these points need addressing any FT facility having the possibility of obtaining an ATZ. BT believes this is an action that should be placed on DAP or ATSD to at least look into this issue.

MS responded to BT's comments by reminding him that this point was raised at the last meeting. ATZ is an issue and MS believes there is currently only one unlicensed aerodrome with an ATZ; Rule 39 says an aerodrome, unless licensed or a Government aerodrome, must be supported by an FISO service as a minimum before ATZ

establishment can be considered. If flying training units want an ATZ, are unlicensed and are not going to have a FISO/ATC, and if the CAA thinks that this is the way to go then it would mean a change of the ANO (Rule 39). However, MS added that Rule 39 is not about the establishments of ATZ, but more the flight within an ATZ.

GB confirmed that ATS and DAP have started dialogue regarding ATZ, although believes that discussion is outside this Group's remit.

## 8 DATE OF NEXT MEETING

Tuesday 5th July 2005, Aviation House Gatwick. 10.30am start

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### ACTIONS FROM MEETING: *(Actions 1-12 allocated to previous meeting)*

- Action Item 13:** David Beaven to approach Mike Dobson in order to obtain more data through the Licensing Sectorial Team [Done 12.05.05]
- Action Item 14:** Inez Bartolo to investigate additional accidents that were excluded from SIDD's report<sup>2</sup>
- Action Item 15:** Industry members to report any differences in costs between their organisation and that reported in JH's RFF Risk Assessment
- Action Item 16:** Paul Fleming to liaise with RFF Inspectorate to produce NOTAL on remission
- Action Item 17:** David Beaven to distribute RAA Code of Practice [Done 12.05.05]
- Action Item 18:** CF to provide relevant material on Code of Practice
- Action Item 19:** Inez Bartolo to liaise with SIDD and obtain data from GASRWG
- Action Item 20:** John Walker to produce a Paper on Public Transport and Aerial Work.

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<sup>2</sup>

28 July 1997	Gamston	Confirmed as private Flight
7 May 2000	Deanland	Aircraft failed to accelerate on take off – aircraft destroyed
4 July 2004	Lundy Island	Aircraft stalled on take off – aircraft destroyed
		No accident reported at Southampton