

**REGULATORY REVIEW OF GENERAL AVIATION IN THE UNITED KINGDOM  
MEETING 5, 12 JANUARY 2006  
CONF RMS 1 AND 2, AVIATION HOUSE, GATWICK**

<b>Present:</b>	Capt David Chapman	CAA	Chairman
	Mr David Beaven	CAA	
	Mr Jim McKenna	CAA	
	Mr Martin Frogbrook	CAA	Representing Mr Simon Baker
	Mr Joji Waites	CAA	
	Mr Graham Forbes	CAA	
	Mrs Sonya Dench	CAA	Secretariat
	Mr Martin Robinson		Aircraft Owners and Pilots Association (AOPA)
	Mr Tom Hardie		British Hang Gliding & Paragliding Association (BHPA)
	Mr Peter Norton		British Helicopter Advisory Board (BHAB)
	Mr John Thorpe		Representing Professor Balthazor
	Mr Chris Finnigan		British Microlight Aircraft Association (BMAA)
	Mr Chris Hodgkinson		Guild of Air Pilots & Navigators (GAPAN) (for part of the meeting)
<b>Apologies:</b>	Mr Paul Mulcahy	CAA	
	Mr Simon Baker	CAA	
	Mr Robin Allan	CAA	
	Professor Lee Balthazor		Royal Aeronautical Society (RAeS)
	Mr David Roberts		British Gliding Association (BGA)
	Captain Alan Robinson		Guild of Air Pilots & Navigators (GAPAN)

**1. Confirmation of Agenda**

- 1.1 The proposed agenda for the meeting was agreed with the additional items under Any Other Business of the Hampton Report and Arculus.
- 1.2 Mr Hardie said that his presentation (agenda item 8) would now be given on 9 February 2006 and at this meeting he would give a brief update on the progress so far.

**2. Introduction**

- 2.1 Capt Chapman said that the aim of this meeting would be to hear from Industry how they wished to be regulated in the future within their sectors. The CAA members would be meeting at the end of January to discuss their response to Industry's proposals and these will be presented at Meeting 6, 9 February 2006. A joint way forward would then be agreed including compromises and a note of any disagreements.

**3. Apologies**

- 3.1 Apologies had been received from Messrs Roberts and Allan, Professor Balthazor and Captain A Robinson.
- 3.2 Mr Hills had retired from the Authority at the end of December 2005 and was therefore no longer a member of the Review.
- 3.3 Mr Thomas had resigned from the Authority with effect from 10 January 2006. His

replacement will be Mr Paul Mulcahy who was unable to attend this meeting.

#### **4. Matters Arising**

- 4.1 Mr Thorpe asked who would pick up the Permit to Fly issue from Carl Thomas (partial deregulation of single-seat microlight aeroplanes). Mr McKenna replied that Mr Derek Blackall would be looking after this issue in the interim period until Carl's work had been distributed to other members within the Design & Production Standards Division.

#### **5. Approval of Notes of Previous Meeting - 20 December 2005**

- 5.1 Mr Waites asked that Item 7.4 be amended to read "Mr Waites said that the team had most of the available data for the UK Industry and was now working on determining the causes of the accidents".

***Post-Meeting Note: After the meeting Mr Waites asked that Item 7.4.2 be amended to read "Mr M Robinson asked what the CAA's Target Rate was? This is contained in the CAA Corporate Plan 2005/2006 <http://www.caa.co.uk/default.aspx?categoryid=286&pagetype=90&pageid=795>). The target fatal accident rate for UK fixed-wing and rotorcraft general aviation below 5700kg MTWA for 2009 is 10.8 per million flight hours, with an upper limit of 17.2 and a lower limit of 6.4".***

- 5.2 The notes from Meeting 4 held on 20 December 2005 were then approved.

#### **6. Action Log Updated 21 December 2005**

- 6.1 The action log was reviewed by all the members and updated.

***Secretarial Note: Action Log Updated 26 January 2006 is attached to the minutes.***

- 6.2 Action 02/17 - Mr Beaven said that he would contact Mr Roberts regarding this Action.

***Post-Meeting Note: Mr Beaven contacted Mr Roberts on 16 January 2006.***

- 6.3 Action 02/20 - Capt Chapman re-stated that Members should make use of the Issues Log as so far no items had been formally received. The interpretation therefore was that regulation was not adversely affecting the Industry. It was agreed that the form would be re-issued to the Members and it was noted that Industry did have issues which they would be raising.

***Secretarial Note: The Issues Log form was emailed to the Members and placed on the Forum site on 13 January 2006.***

- 6.3.1 Mr M Robinson stated that an article had been placed in Pilot magazine seeking issues to be raised.
- 6.3.2 Mr Norton said that he had received a disappointing response from his members with no items being raised.
- 6.4 Action 04/10 - Mr M Robinson stated that he was still awaiting the letter from the Cabinet Office and he hoped to receive this shortly.

- 6.5 Action 04/11 - Capt Chapman said that he had raised the expenses issue again with Ms Chris Jesnick and only reasonable travel expenses would be paid unless there is a case from Industry for the payment of other elements. Capt Chapman had discussed this with Mr Hardie and, although various emails from the Industry Members had been received, the CAA wished to see one proposal, signed and agreed by all the Industry Members, for the Authority to consider. This proposal would also need the agreement of the Strategic Review members. Mr Hardie agreed to be the lead on this subject for the Industry Members.

***Action 05/01: Mr Hardie to be the lead for the Industry Members.***

## **7. Workstreams/Work Plan**

- 7.1 The Workstreams' Planning Chart and Terms of Reference were reviewed by all the members and updated.

***Secretarial Note: Workstreams' Planning Chart and Terms of Reference Version 7 is attached to the minutes.***

- 7.2 Workstream 1: Capt Chapman said that the definition of GA still had to be agreed for the Strategic Review and he hoped that this matter would be concluded at the next Strategic Review meeting on 26 January.

- 7.2.1 Mr Forbes stated that the Strategic Review was looking at wider issues eg employment than the Regulatory Review therefore the definition would have to take account of these factors.

- 7.2.2 Capt Chapman said that he was reviewing the definition with Mr Mark Wilson, BBGA, and asked that Messrs M Robinson and Forbes give some thought to the issue. He added that he would email Mark Wilson week commencing 16 January and would keep the members informed.

***Action 05/02a: Messrs M Robinson and Forbes to consider the definition of GA to be used by the Strategic Review.***

***Action 05/02b: Capt Chapman to email Mark Wilson, BBGA, concerning the definition and to keep the members informed.***

- 7.3 Workstream 2: Mr Beaven said that the papers from this Workstream were almost complete and he just awaited some further text from Mr Roberts.

- 7.3.1 Capt Chapman asked that the Workstream report be reviewed at the next meeting, Meeting 6, 9 February 2006.

- 7.4 Workstream 3.1: Mr M Robinson said that he had to further discuss the Workstream with Mr Roberts and that he hoped that Mr Lober would be able to release some of his statistics for use within the report. This Workstream report will be discussed at the March meeting.

- 7.4.1 Capt Chapman said that at a briefing for the CAA Chairman earlier in the week the Chairman had been very interested in the sectoral trends work presented so far.

- 7.5 Capt Chapman asked Mr Forbes where the Light Aviation Airports Study Group (LAASG) was with its report. Mr Forbes said that the report would be presented to SRG's Executive Committee (EC) on 16 January and there were 3 outputs: to review and, if appropriate, revise Article 126, to develop detailed proposals to remove the requirement for flying training to be conducted at licensed aerodromes and accept alternative arrangements and to conduct a review of the licensing criteria for rescue and fire fighting services.
- 7.5.1 Capt Chapman asked Mr Forbes to review the report to consider which elements should be included in the Regulatory Review report and that this be discussed at Meeting 6, 9 February 2006.
- Action 05/03: Mr Forbes to review the LAASG report to see which elements should be included in the Regulatory Review report and for this to be discussed at Meeting 6, 9 February 2006.**
- 7.5.2 Capt Chapman also requested that Mr Forbes consider the report to see which items should be included in the Strategic Review report.
- Action: 05/04: Mr Forbes to review the LAASG report to see which items should be included in the Strategic Review report.**
- 7.5.3 Mr M Robinson asked what the consultation process would be and Mr Forbes replied that there would be a Regulatory Impact Assessment (RIA) for the Article 126 revision. The paper to the EC included an Annex which listed questions to be considered in the development of the RIA.
- 7.6 Workstream 3.2: This subject was discussed at item 9.
- 7.7 Workstream 4: Mr Waites said that the Workstream was progressing well and a report on items 1, 2 and 3 would be produced by 14 February. Mr Waites added that item 4 would require a discussion at the Group level.
- 7.7.1 Capt Chapman asked the Industry Members to consider as a starting point if the current accident targets were acceptable. Mr Waites said that he would send the Members the current GA safety targets and how these are generated for their comment.
- Action 05/05a: Mr Waites to send the Members the current GA safety targets with information on how these are generated.**
- Action 05/05b: Industry Members to consider if the current accident targets are acceptable and to pass any comments to Mr Waites.**
- 7.7.2 Mr Finnigan said that he had reviewed the data for microlights European-wide but this was inconsistent. He had contacted his French counterparts and had received data from them for the last 10 years which he would pass to Messrs Waites and Thorpe.
- Action 05/06: Mr Finnigan to pass microlight data to Mr Waites and Mr Thorpe.**
- 7.7.3 Mr Thorpe said that he only had data for the UK.

7.7.4 Mr M Robinson said that AOPA may have some data from a presentation given in May 2005 and he would pass this to Mr Waites.

**Action: 05/07: Mr M Robinson to provide Mr Waites with the May 2005 presentation data.**

7.8 Workstream 5: Mr Thorpe said that to date Professor Balthazor had received no more responses. Capt Chapman asked Mr Thorpe to discuss this with Professor Balthazor and for Professor Balthazor to come up with a proposal for Meeting 6, 9 February 2006, as to how this Workstream should be taken forward.

**Action 05/08: Professor Balthazor to present at Meeting 6, 9 February 2006, a way forward.**

7.8.1 It was agreed that Messrs Thorpe, M Robinson and Roberts and Professor Balthazor would collaborate on the data held.

**Action 05/09: Messrs Thorpe, M Robinson and Roberts and Professor Balthazor to collaborate on data held.**

7.9 Workstream 6: The visit to EASA had been arranged for 31 January 2006. The attendees will be Messrs McKenna, Beaven, Forbes, Roberts and M Robinson, Capt Chapman and Mrs Dench.

**Post-Meeting Note: After a discussion with his Chairman Mr Finnigan requested that he also attend the EASA meeting .**

7.9.1 The draft agenda would include the following items:

- Operations & Licensing - Proposal to Amend Regulation 1592/2002
  - What will the likely effects be?
    - For example, will commercial ballooning be classed as commercial air transport?
  - How will interpretation of the Regulation be handled?
    - Implementing Rules
    - Guidance Material
  - Annex 2 aircraft and extension of EC Regulation 1592 to production microlights
  - How will EASA intend to regulate?
  - Funding of the rulemaking
  - Standardisation
  - Qualified Entities
  - Assessment Bodies - pan-European or National
  - Role of AGNA and SSCC
- Maintenance
  - Part M. RIA output and the next moves to NPA
  - Treatment of Minor Modifications
- Licensing
  - Recreational Licence - aircraft weight limit, applicability to helicopters
  - How pilots obtain an Instructor Rating - commercial licence or private licence
  - The 'bridge' between a Recreational Licence, Private Pilot's Licence and a Commercial Licence.
  - Extension of Recreational Pilot's Licence - credits towards a Commercial Licence.
  - Flight Training - aerial work status.

- MDM.032 Non-Complex Aircraft Used in Non-Commercial Activities Group
  - What aspects of general aviation will be covered?

7.9.2 Due to the large proposed agenda Capt Chapman asked Mr M Robinson to contact Mr Probst to enquire if the meeting could commence earlier than 1400.

***Action 05/10: Mr M Robinson to contact Mr Probst to enquire if the EASA meeting can commence before 1400.***

7.9.3 It was agreed that notes of the meeting would be taken and distributed to all the Members.

***Action: 05/11: Mrs Dench to produce notes from the EASA meeting and to distribute to the Members.***

7.9.4 Mr M Robinson said that the impression he had received from various parties was that the UK CAA was seen as being antagonistic towards EASA with the view that the UK CAA was doing everything it could to undermine EASA and wished to see it fail. Mr M Robinson added that the UK CAA would need to be seen as trying to help EASA. Capt Chapman responded that the UK CAA was trying to assist EASA and wanted the Agency to be a world-class regulator but the UK CAA would be critical of EASA's failings where necessary. Capt Chapman added that EASA was now moving in a positive way forward.

7.9.5 Mr M Robinson said that EASA was an opportunity for GA with better integration of European GA. He also believed that the Department for Transport should have had a transition plan, together with appropriate funding, for the move to EASA regulation.

7.10 Workstream 7: Mr Hartland, a member of the Strategic Review, joined the meeting for this item. This Workstream is led by the Strategic Review.

7.10.1 The Industry Members' view was that responses back to Industry could take a long time and there was not always feedback on specific items as to where items were in the process. An example is that sometimes there can be two rounds of consultation which could take over a year to complete taking into account the comment periods and internal consultation.

7.10.2 It was proposed that focused sub-groups for specific items was a good way forward and that this already takes place within the General Aviation Consultative Committee (GACC). Industry said that they would like to see more time for debate at GACC meetings so that issues could be aired.

7.10.3 Mr M Robinson said that better dialogue with the owners of small businesses could help including explanations as to why new regulation was being made and also to have RIAs with small business impact tests. Capt Chapman said that over time the CAA had been building up its experience on RIAs and small business tests were included in RIAs.

7.10.4 Capt Chapman mentioned that sometimes there had been difficulty in receiving comments from Industry which were meaningful to the subject and some comments in the past had been abusive.

7.10.5 Mr Norton said that it may be down to the Trade Associations to make sure that their members' views were represented and fed back to the CAA.

7.10.6 Mr Hartland said that Mr Roger Hopkinson was leading the Workstream and so far

one meeting had been held at the DfT with another meeting planned for February. The scoping document was currently at draft 5. There had been debate within the Workstream as there was a difference of opinion as to what was meant by consultation; for the DfT this is seen as a gathering information exercise whereas the CAA uses consultation for decision-making. Mr Hartland added that the DfT would be conducting a stakeholders survey on consultation.

- 7.10.7 Mr Forbes asked if an RIA could be used as the only consultation for a topic and the Members' view was that this could be the case. The RIA was seen as the tool which formed the basis of consultation.
- 7.10.8 The way in which the Government consulted with the various GA organisations was discussed and whether there could only be one GA body which represented all aspects of GA. The Industry Members believed that this could not be the case due to the diverse nature of GA and added that even commercial aviation had more than one body/association responsible for its area.
- 7.10.9 Capt Chapman asked that this topic be discussed at Meeting 6, 9 February, and for Industry Members to give consideration as to how the CAA could improve its consultation with Industry.

***Action 05/12: All Industry Members to consider how the CAA's consultation with Industry can be improved ready for discussion on 9 February 2006.***

- 7.10.10 Capt Chapman asked Mr Hartland to attend the next meeting on 9 February to present a view on what the Regulatory Review needed to include in its report on this subject.

***Action 05/13: Mr Hartland to attend Meeting 6 and present a view on what the Regulatory Review needs to include in its report.***

- 7.11 Workstream 8: No issues raised.
- 7.12 Capt Chapman asked the Industry Members whether presentations to Industry bodies should be given at the end of the Review to publicise the work undertaken. During the discussion Mr Finnigan said that the December Sports and Aviation Leisure Show the BMAA was involved in may be an opportunity. Capt Chapman asked that this item be discussed at the next meeting on 9 February 2006.

## **8. Update on Strategic Review**

- 8.1 Capt Chapman said that the Strategic Review was working well and the Workstreams had now started although the scope for these was sizeable.
- 8.2 Capt Chapman said that on 10 January he and Mr Plant, Chairman of the Strategic Review, had briefed the CAA Chairman on the progress of the GA Reviews to date. The Chairman had asked to be briefed again in March.

- 8.3 Capt Chapman said that the Regulatory Review would need to finish its report by the end of April for presentation to the EC and SRG Policy Committee (SPC) in May before presentation to the CAA Board. The Strategic Review did not need to meet this timetable. It was agreed that Capt Chapman would revisit the dates to see if the presentations to the EC and SPC could be put back to late May/early June otherwise this would impact on Meeting 9 planned for 12 May 2006.

***Action 05/14: Capt Chapman to revisit the timetable of presentation of the Report to the SRG EC and SPC.***

## **9. Major and Future Developments Presentation (Workstream 3)**

- 9.1 Mr Hardie said that he would give the presentation at the next meeting on 9 February 2006. He said that so far the response had been disappointing with only 20 replies received.
- 9.2 Mr Hardie mentioned that there had been no response from the Workstream's Strategic Review members and Capt Chapman said that he would raise this at the next Strategic Review meeting on 26 January. Capt Chapman added that this had been an opportunity for Industry to tell the CAA what they believed the trends/developments to be.

***Action 05/15: Capt Chapman to raise this Workstream and lack of a response at the Strategic Review meeting on 26 January 2006.***

## **10. Accident Rate Presentation (Workstream 4.1)**

- 10.1 Mr Waites said that he had nothing further to add following the earlier discussion on this Workstream.
- 10.2 Mr Finnigan said that he would give a presentation at the next meeting on 9 February on the French data received.

***Action 05/16: Mr Finnigan to give a presentation at 9 February meeting on the French data received.***

## **11. Future Regulatory Regime Presentations**

- 11.1 Capt Chapman said that this item was for the Industry Members to present their views on what they would wish to see and the CAA Members would respond at the next meeting.
- 11.2 Mr Beaven agreed to update the table with the Industry Members' comments and this would be reissued for the next meeting. Another column would be added to the table to show the CAA's response. It was agreed that some comments would be better addressed as Issues Log items.

***Action 05/17: Mr Beaven to update the table with the Members' comments.***

- 11.3 Capt Chapman said that there would be some holes in the Industry's views as some bodies eg Flying Displays, Ballooning etc were not represented on the Review Group. Mr Roberts would be providing information on the gliding aspects. It was agreed that Capt Chapman should write to the organisations seeking their views on how they wished to be regulated in the future.

**Action 05/18: Mr Roberts to provide information on how gliding wished to be regulated.**

**Action 05/19: Capt Chapman to write to the organisations not represented seeking their views on how they wished to be regulated in the future.**

- 11.4 It was agreed that views on aerial work would be provided by Messrs Forbes, Norton and Finnigan.

**Action 05/20: Messrs Forbes, Norton and Finnigan to provide Mr Beaven with views on how aerial work should be regulated in the future.**

- 11.5 It was agreed that some of the items put forward by the Industry Members should be placed in the Issues Log instead and all Industry Members were asked to review their submissions.

**Action 05/21: All Industry Members to review their submissions to see which items should be placed instead in the Issues Log.**

## **12. Any Other Business**

- 12.1 Capt Chapman said that reference to Arculus and the Hampton Report would need to be made in the Review's report together with a statement that note had been taken of these.

- 12.1.1 Mr Beaven said that reference to Hampton had already been made in the history and overview text and Mr Allan's presentation on the options for aviation safety regulation.

- 12.1.2 Capt Chapman asked that towards the end of this process Mr Beaven write a summary sheet on Arculus' and Hampton's principles.

**Action 05/22: Mr Beaven to write a summary sheet for the Review's report on Arculus' and Hampton's principles.**

- 12.1.3 Capt Chapman added that one of the areas within SRG's Safety Plan was to devise a quantifiable risk assessment model for those SRG regulates.

- 12.2 Mr M Robinson said that the United States General Accounting Office's report on "General Aviation Status of the Industry, Related Infrastructure, and Safety Issues" could be of value to the group as this covered all the issues the Review was examining. Mr M Robinson agreed to circulate a copy to the Members.

**Secretarial Note: Mr M Robinson emailed a copy of the Report to the Members on 13 January 2006.**

- 12.3 Mr M Robinson said that there had been a Single European Sky meeting where charges for using airspace had been discussed. It appeared that the Austrians will not introduce VFR charges and other States had acted in an aggressive nature to keep the options open.

- 12.4 Capt Chapman mentioned that Mr Mike Smethers, DfT, would be joining the CAA on 30 January 2006 as Director, European and International Strategy.

**Sonya Dench**  
**Secretary to the GA Regulatory Review**  
**10 February 2006**