

**REGULATORY REVIEW OF GENERAL AVIATION IN THE UNITED KINGDOM
MEETING 6, 9 FEBRUARY 2006
CONF RMS 1 AND 2, AVIATION HOUSE, GATWICK**

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

1. Confirmation of Agenda

- 1.1 The proposed agenda, Version 2, was agreed with the additional item under Any Other Business of the Issues Log.

2. Introduction

- 2.1 Capt Chapman welcomed everyone to the meeting.

3. Apologies

- 3.1 Apologies had been received from Messrs Mulcahy, Waites, Baker, McKenna and Hardie.
- 3.2 Mr Hardie had sent an email giving his apologies and stating that the payment of expenses was still an issue which was costing him money due to his voluntary work on the group.
- 3.2.1 The Industry members expressed their concern. Mr M Robinson asked if this could be an agenda item for a future General Aviation Consultative Committee (GACC) meeting on the wider issue of funding Industry members' participation in CAA meetings.
- 3.2.2 Capt Chapman responded that this was an item which would have to be debated at a wider forum than the GACC but welcomed Industry raising this issue.

4. Approval of Notes of Previous Meeting - 12 January 2006

- 4.1 Mr Finnigan asked that Item 7.12 be amended to read, "During the discussion Mr Finnigan said that the December Sports and Aviation Leisure Show the BMAA was involved in may be an opportunity".

4.2 The notes from Meeting 5 held on 12 January 2006 were then approved.

5. Action Log Updated 25 January 2006

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

Secretarial Note: Action Log Updated 10 February 2006 is attached to the minutes.

5.2 Action 02/20 - Mr M Robinson said that he was working on a consolidated list for the Issues Log and had asked AOPA's members to think carefully about any issues they wished to raise including how they believed the issue could be resolved.

5.2.1 Capt Chapman stated that general issues would be welcomed as well as specific items, for example whether the CAA should be looking at the direction of safety education.

5.3 Action 05/02b - Capt Chapman said that the Strategic Review had agreed the definition of general aviation for its review and a copy would be sent to the Regulatory Review members.

Post-Meeting Note: The definition of general aviation for the Strategic Review was emailed to the members on 10 February 2006.

5.4 Action 05/03 - Mr Forbes said that the 3 recommendations from the Light Aviation Airports Study Group (LAASG) should be included in both the Strategic and Regulatory Reviews' reports. They were:

- CAA to review Article 126 with a view to addressing some of the anomalies.
- CAA to develop detailed proposals to remove the requirement for flying training to be conducted at licensed aerodromes. This will involve consultation and a Regulatory Impact Assessment (RIA).
- CAA to review rescue and fire fighting services (RFFS) requirements.

5.4.1 Mr Forbes added that Mr Elgy, Head of Aerodrome Standards Department, had started preliminary work on recommendations 1 and 3. Recommendation 2 would involve a 2-phase consultation process; the second consultation round would include the RIA. Mr Forbes said that a CAA/Industry Working Group would be formed to help write the RIA. Mr Allan added that the CAA, as a matter of course, liaised with the DfT's Better Regulation Unit when producing RIAs.

5.4.2 The LAASG Report should be published to its members within the next few working days as the CAA had been waiting for the sign-off on how the consultation process would be handled.

5.4.3 The consultation distribution list would be the same as used for the Rule 5 consultation and would probably include environmental groups.

5.4.4 Mr Forbes said that the AOPA representative on the LAASG had raised the issue of removing licensing from aerodromes and how this would affect RFFS. There was no evidence to suggest that RFFS had ever saved a life. Mr Forbes added that no one on the LAASG had raised the issue of the cost of an aerodrome licence but had queried the need to have an aerodrome licence.

- 5.4.5 Mr Forbes agreed to provide the necessary text from the LAASG report for both GA Reviews.

Post-Meeting Note: Mr Forbes provided the draft text from the LAASG report and this was placed on the Forum site, Draft Report, on 13 February 2006.

6. Workstreams/Work Plan

- 6.1 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 8 is attached to the minutes.

- 6.2 Workstream 4: Mr Finnigan said that he had passed his accident data to Messrs Waites and Thorpe.
- 6.2.1 Mr M Robinson stated that ECAC had a website containing accident data and this information had also been passed to Mr Waites.

7. Update on Strategic Review

- 7.1 Capt Chapman said that he still had concerns that the Strategic Review may not reach its deadlines and Mr Plant, Chairman of the Strategic Review, had contacted the members to this effect.
- 7.2 It had been agreed that the Strategic Review's meetings on 11 April and 23 May 2006 would now be all day meetings.
- 7.3 Mr M Robinson added that he believed some positive statements had come out from the Strategic Review with the focusing of minds on the role GA had to play in aviation, its value and the complexity of this activity.

8. Draft Report (Workstream 2)

- 8.1 David Beaven said that most of the text had already been viewed by the group and he had two points to make as follows:

- The footnote on page 1 referring to balloon rides would need to be amended following the meeting with EASA on 31 January. EASA's views was that where an activity was paid for by a customer then this was classed as Commercial Air Transport.

It was agreed that the second sentence of this footnote should be deleted.

- The Group was asked to be aware of the note for the first bullet point under, "The Hampton Principles of Inspection and Enforcement".
- 8.2 The Members were asked to send any comments to Mr Beaven by the end of February so that this report could be closed at Meeting 7, 2 March 2006.

Action 06/01: All Members to send any final comments to Mr Beaven by the end of February 2006.

- 8.3 The draft report had also been offered to the Strategic Review and it had been noted that Mr Hopkinson wished to add some text.

9. Major and Future Developments (Workstream 3.2)

- 9.1 Due to Mr Hardie's non-attendance it was agreed that Mr Finnigan would contact him to discuss and extract the data/comments received so far and would then circulate this to the Members.

Action 06/02: Mr Finnigan to contact Mr Hardie and to circulate the data/comments to the Members.

- 9.2 Capt Chapman asked that Messrs Finnigan, M Robinson and Roberts and Capt A Robinson work together on this Workstream and re-stated that this was an opportunity for Industry to tell the CAA what regulatory developments would need to be examined in the future.

- 9.3 Capt Chapman asked that the Workstream give a presentation at Meeting 7, 2 March 2006.

Action 06/03: Workstream 3.2 to give a presentation at Meeting 7, 2 March 2006.

- 9.4 Capt Chapman also asked that Messrs Roberts and M Robinson feedback to Mr Finnigan comments from the Strategic Review.

Action 06/04: Messrs Roberts and M Robinson to feedback comments from the Strategic Review to Mr Finnigan.

10. French Accident Data (Workstream 4)

- 10.1 Mr Finnigan said that he had passed the data received to Mr Thorpe and would be discussing this with him week commencing 13 February.

- 10.2 It was agreed that Mr Finnigan/Mr Thorpe would produce a summary and circulate it to the Members.

Action 06/05: Mr Finnigan/Mr Thorpe to produce a summary and circulate it to the Members.

- 10.3 Capt Chapman mentioned the UK/US data referred to in the AOPA magazine and said that it was hard to compare the rates due to the differences in the data. He also said that there were on-going discussions, in respect of the CAA's Corporate Plan 2006/07, as to whether to show separate targets for different classes of GA aircraft or whether targets should be shown at all and the Members' opinions on this were welcomed.

11. Progress Update Workstream 5

Secretarial Note: Prof Balthazor's update was handed out at the meeting and a copy emailed to all the Members on 10 February 2006.

- 11.1 It was noted that in Slide 3 the total number of private pilots in the US should read "320,000" and the light sport pilots should read "110,000".

- 11.2 A questionnaire response is outstanding from the UK CAA and Mr Beaven was asked to action this item with licensing input from Mr Forbes.

Action 06/06: Mr Beaven to produce a UK CAA response to the questionnaire, with input from Mr Forbes, for Prof Balthazor.

- 11.3 It was agreed that Captain Chapman would send out a chaser to those addressees who

had not responded.

Post-Meeting Note: An email chaser for the questionnaire was sent on 13 February 2006.

- 11.4 Prof Balthazor said that he would also produce some wording asking for respondee comments on the elements considered to be best GA regulatory practice.

Post-Meeting Note: Prof Balthazor provided the wording on 10 February 2006 and this was added to the email chaser.

- 11.5 Prof Balthazor was asked to consider the questionnaires States would fill in before an ICAO audit as these could also provide some data.

Action 06/07: Prof Balthazor to consider the data from questionnaires produced by States before an ICAO audit.

- 11.6 Prof Balthazor was asked to clarify whether 10,000 microlights in Italy was a true figure. It was believed that this included other types eg gyroplanes.

Action 06/08: Prof Balthazor to clarify the 10,000 microlights in Italy figure.

- 11.7 Mr Roberts send that he would send Prof Balthazor the Air Sports Survey data.

Action 06/09: Mr Roberts to give Prof Balthazor the Air Sports Survey data.

12. Briefing on Visit to EASA, 31 January 2006 (Workstream 6)

- 12.1 Mr M Robinson briefed the Members on this visit where the mood of the meeting was very good with an open and fair exchange of views.

Post-Meeting Note: A copy of the notes from the EASA meeting was emailed to the Members on 14 February 2006.

- 12.2 It was noted that the Members involved in the EASA visit had concerns on the following issues:

- How much Guidance Material EASA would provide.
- Flying Clubs and the boundary of commercial/non-commercial activity.
- Possibility of the NPPL/Recreational licence being below the ICAO standard.
- How fractional ownership would be defined and regulated and the difference between this and group ownership.
- How amendments to Part M would be implemented.

- 12.3 The CAA was asked if it could find out any information on the EASA Part M Workshops which were going to be held in 2006.

Post-Meeting Note: Correspondence from EASA to AGNA Members was emailed to the Members on 10 February 2006.

- 12.4 One item which EASA had stated on many occasions was that it would be for the courts to determine whether the interpretation of Regulation 1592/2002 was correct or not. Capt Chapman said that he had met with Mr Maxime Coffin, French DGAC, on 1 February 2006 and had asked how many times the French would go to court in a year. Maxime's response was that normally it would only be 4 or 5 occasions a year (about the same as for the UK). Also Maxime supported the opinion that EASA should provide guidance to Industry. Capt Chapman added that the UK CAA would want EASA to provide guidance material due to the time involved in getting a court decision on the Regulation.
- 12.5 Capt Chapman said that Mr Forbes' name had been put forward to EASA as a nomination for the MDM.032 Group.
- 12.6 It was stated that within Europe most Regulations had a period during which any rule had to be reviewed. EASA was due to have a 3-year review in September 2006.

13. Devolvement of Approvals for Non-EASA Aircraft Types

- 13.1 Capt Chapman had raised this issue, as he wanted to ask the Members whether a new, short Workstream should be established to develop this topic and produce recommendations.
- 13.2 It was agreed that a Workstream, a subset of Workstream 8, should be established with a proposal that Mr Kevin Russell, UK CAA, be the lead with Mr Barry Plum, PFA, Mr George Done, AOPA, and Mr Finnigan as the members. Capt Chapman said that he would discuss this proposal with Mr Russell.

Action 06/10: Capt Chapman to discuss the new Workstream 8.1 on "Devolvement of Approvals for Non-EASA Aircraft Types" with Mr Russell.

- 13.3 Mr Allan stated that where any public function was devolved to an organisation then the following areas would need to be considered:
- Appeals process.
 - Transparency of the organisation.
 - Human Rights Act.
 - Freedom of Information.
 - Enforcement process.
 - Confidentiality procedures.
 - Financial security of the organisation.
 - Insurance.
 - Liability
- 13.4 Prof Balthazor stated that the RAeS was putting a position paper together on introducing an experimental category. Capt Chapman asked that Prof Balthazor discuss this issue with Mr Russell, as he was the Chairman of the European Permit to Fly Group.

14. Future Regulatory Regime (Workstream 6)

- 14.1 All Members were asked to review Version 3c of the table and to respond with any comments by the end of February 2006.

Action 06/11: All Members to respond with any comments on Version 3c by 28 February 2006.

- 14.2 Capt Chapman agreed to chase a response from those GA associations which did not have representation on the Review. The Industry Members were also asked to chase organisations where applicable.

Post-Meeting Note: An email chaser was sent to those organisations which had not responded on 13 February 2006.

Action 06/12: Industry Members to chase the GA organisations where applicable.

- 14.3 It was stated that the finalised table would be inserted within the Review's report and Mr Beaven was asked to provide a covering note.

Action 06/13: Mr Beaven to provide a covering note on the table for the final report.

15. Consultation and Dialogue Between GA and CAA/Government/Regional Bodies (Workstream 7)

- 15.1 Mr Hartland from the Strategic Review attended for this item.

- 15.2 Mr Hartland handed out a briefing note on the progress so far and stated that a 50-page draft report had been produced.

Secretarial Note: A copy of the briefing note is attached to the notes.

- 15.3 Capt Chapman proposed that as far as the Regulatory Review was concerned it should concentrate on the second bullet point of the report which was, "Identification of current forums of consultation between CAA and GA". It was agreed that Mr Hartland would extract the text from the report for this item and a recommendation would be added that the membership and role of the GACC should be reviewed in detail.

Action 06/14a: Mr Hartland to extract the text from the report on, "Identification of current forums of consultation between CAA and GA".

Action 06/14b: Capt Chapman to add a recommendation that the membership and role of the GACC should be reviewed in detail.

- 15.4 Mr M Robinson said that the Workstream might wish to include how international bodies take part in consultation and how this worked. Mr Hartland agreed to take this point back to the Group.

- 15.5 Mr Hartland said that Ms Godfrey, DfT, had perceived a problem in that the DfT did not know whether trade associations/bodies really represented its members and carried out proper consultation

- 15.6 Mr Hartland said that he would find out when the DfT would be sending out the questionnaire and the timescale involved.

Action 06/15: Mr Hartland to inform the Members when the DfT would be sending out the questionnaire and the timescale involved.

16. Publication of Final Report

- 16.1 Mrs Dench said that the Review's Report would now be presented to the SRG Executive Committee on 22 May and the SRG Policy Committee on 14 June. The presentation to the CAA Board would stay as 21 June.

16.2 Capt Chapman added that he had put aside a week in late April to pull the elements of the Report together.

17. Any Other Business

17.1 Issues Log - Capt Chapman said that 3 Issues had been received from Peter Norton and the process would be to post the Issues and CAA response on the Forum site. Any dialogue from the Industry members should be through the sponsor of the Issue. If there was an impasse on an Issue then this would be resolved by Capt Chapman.

17.2 Martin Robinson read out the recent statement by Karen Buck to the Transport Select Committee. Extract is as follows:

“Q636 Mrs Ellman: Would you say that general aviation has been given a fair deal?

Ms Buck: I think that question is partly springing from the fact that they expressed a number of concerns about the safety charges review. General aviation I think is a very welcome and very important strand of the aviation sector and what I do think is very helpful is the fact that the CAA has decided to proceed with the regulatory review and also the general review of general aviation over the coming months. I think that is very helpful. It is a very good time to take stock. In the representations that have been made to me by general aviation there was a sense of, "We are making an important commitment here to the economic activities that we undertake through training and so forth but nobody really recognises and appreciates what it is that we do". That is anecdotal but it is important that that evidence is marshalled and put forward and I think that the review that the CAA will undertake will be very helpful in benchmarking that cost.”

**Sonya Dench
Secretary to the GA Regulatory Review
6 March 2006**