

Annex A

Comments and Responses

Item	Commenter	Comment	Response
1	Aeromega	<p>Rule 6 (aa) (iv)</p> <p>I believe that the exemption should apply to include continuation training and Licence Proficiency Checks.</p> <p>It is illogical for an approach to be legal if a PPL student is training but illegal if the candidate already holds a licence.</p> <p>I therefore believe that the text should specifically refer to the renewal or revalidation of a licence as well as variation,</p> <p>or</p> <p>that the definition of flying training is drawn more broadly to the effect that flying instruction is being given by a qualified instructor or a check or examination is being carried out by an authorised examiner</p>	<p>Noted. The Air Navigation Order 2009 (ANO) and consequentially the Rules of the Air Regulations 2007 (RoAR) were amended following previous consultation and work done by the Light Aviation Airports Study Group (LAASG) specifically to allow 'Flight Training' at Unlicensed Aerodromes. For the RoAR, the scope of that training and testing is covered within Rule 6 (aa) (iii) and (iv). The points made here go beyond the scope of that consultation and therefore this proposal. However, they may be taken into consideration in any broader review of the regulations and in the introduction of Standardised European Rules of the Air (SERA).</p>
2	AV8 Helicopters	AV8 Helicopters will be unaffected by the proposed change for so long as Rochester Airport remains licensed.	Noted
3	British Business and General Aviation Association	We would like to register that the proposed amendment does effectively limit training to licensed airfields, which is different from the original intent. If this proposal is the final version then we will need to approach those organisations directly affected by the change so you can get a full regulatory impact assessment.	<p>Disagree. The change to Article 208 of the ANO allows training to be conducted at unlicensed aerodromes in certain circumstances (Article 208A) and the changes to the RoAR were made to facilitate this. This proposal is designed to amend the resulting RoAR to reflect the intent of the previous consultation.</p> <p>Any further extension of the requirements will need to be subject to separate review and consultation.</p>

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4	Bill Fisher	<p>The revision, although assisting pilots undertaking training, does nothing to assist PPL holders wishing to practice forced landings.</p> <p>Because of the restrictions of the ANO few actual forced landing result in the safe arrival of the aircraft in a field, without any damage.</p> <p>Currently to remain legal a practice forced landing has to be undertaken at a licensed airfield and terminate in an actual landing. However the licensed airfield usually has a runway with a minimum landing distance of around 500 yards and clear approaches. Following an actual engine failure the pilot is usually faced with a smaller field, possibly with a more difficult approach.</p> <p>The result of having to practise at a licensed airfield is that when faced with reality the pilot is poorly prepared. Furthermore an actual engine failure results in a windmilling prop, increased drag and more rapidly decaying airspeed than when the throttle is closed for training. (see the recent CAA changes to published figures for the Piper Sports Cruiser due to the courser prop fitted on production aircraft causing an increased landing run)..</p> <p>The whole concept of practising forced landing needs to be rethought with training organizations being allowed to notify the CAA of designated training areas, agreed with local landowners, where the aircraft may descend to a height where the pilot can be confident that either the aircraft could land safely or it could not. The latter actually being what the pilot needs to know. At 500 ft the airspeed may not have started to rapidly decay and the rate of sink may still be manageable. It is in the last 100 ft. that the pilot actually realises the aircraft will undershoot or overshoot.</p>	Noted. Please see Response to Item 1.

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5	British Microlight Aircraft Association	<p><i>Embedded comments on proposed text</i></p> <p>(iii) An aeroplane or helicopter or gyroplane flies in the circumstances specified in this sub-paragraph if:</p> <p>(aa) it is flying for the purpose of taking off from, landing at or practising approaches to landing¹ at a training aerodrome; and</p> <p>(bb) the flight is one on which instruction in flying is being given to a person² or a flying test is being performed by a person for the purpose of becoming qualified for the grant of a pilot's licence or the inclusion or variation of an aircraft rating, a night rating or a night qualification in a licence³.</p> <p>Number: 1 Should this be "land" as in "approaches to land" ?</p> <p>Number: 2 I assume that this does not exclude solo flight training?</p> <p>Number: 3 This should include a person who is flying for the purposes of revalidation and / or renewal of an existing rating and perhaps to include pilots who are flying with an instructor for the purposes of currency / recency / conversion training.</p>	<p>Noted.</p> <p>1. "land" instead of 'landing' - note this is copied from the established text in Rule 6 (a) (i) (aa).</p> <p>2. The 'solo' aspect is part of the licensing provision contained in ANO Article 52 - 'Flight crew licence requirements - exception for solo flying training' sub-paragraph (2)(f).</p> <p>3. Please see Response to Item 1.</p>

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6	Cranfield University	<p>I am responding to your consultation on the proposed change to Rule 6.</p> <p>My first concern relates to the change at (aa) below:</p> <p>(aa) Landing and taking off Practicing approaches to landing at a training aerodrome</p> <p>I know the language has to be a bit cryptic at times but, 'Practicing approaches to a landing' seems to mean an approach to a landing which is being flown for practice – the implication that this is either flown by a student (unlicensed pilot) and instructor, or the student solo – and that the approach will result in a landing. I appreciate there is nothing there to prevent the landing becoming a touch and go but there is nothing there for practicing 'go-arounds'. You could argue that it is not necessary because the pilot may always elect to 'go-around' if he is dissatisfied with the approach, but what about when he is entirely satisfied with the approach but needs to practice a 'go-around'?</p> <p>How about something along the lines of 'Practicing take-offs, approaches, go-arounds, and landings at a training aerodrome'.</p> <p>I know nothing is ever straightforward but I can see folks interpreting the proposed wording as 'full stop landings only' and as such the new rule would be virtually useless to trainers.</p>	<p>Noted. The text reflects that already established at Rule 6 (a) (i) (aa) and so has the same meaning. The action here is practising the 'approach' to landing, without landing, rather than a 'landing'.</p>
7	Flight Experimentations	<p>I think the proposal is generally sound.</p> <p>However, I would like to be re-assured that the wording of the amended para 6(aa) makes it clear that all flights for the purpose of becoming qualified for a licence or rating, whether dual, solo, or under test or check, are covered. As I read the proposed rule at the moment, a student pilot could be taught circuits at an unlicensed aerodrome but could not practice them solo. Or Have I construed 'instruction in flying' too literally?</p> <p>Notwithstanding the ICAO/ANO definition of ' aerodrome', I would also like to see, for clarity, the definition of 'training aerodromes' include more explicitly heliports and helicopter landing sites.</p>	<p>Noted.</p> <p>a. The 'solo' aspect is part of the licensing provision contained in ANO Article 52 - 'Flight crew licence requirements - exception for solo flying training' sub-paragraph (2)(f).</p> <p>b. The interpretation of aerodrome in article 255 of the ANO is applicable and is considered broad enough to include the areas you mention.</p>

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8	G Knight	<p>I have just become aware of this consultation and would like to make a representation about it. I'm very sorry that I have missed the closing date of 14th January, however, I do request you to consider my comment.</p> <p>The exemption to the 500 foot rule in rule 6 (aa) only applies to flights is which [6 (aa) (iii) (bb)] <i>“the flight is one on which instruction in flying is being given to a person or a flying test is being performed by a person for the purpose of becoming qualified for the grant of a pilot’s licence or the inclusion or variation of an aircraft rating, a night rating or a night qualification in a licence.”</i></p> <p>Can I request that this exemption be extended to motor gliders (TMG or SLMG) being used to train glider pilots to achieve a gliding qualification by a BGA gliding instructor with a BGA Motor Glider Instructor Rating.</p>	Noted. Please see Response to Item 1.
9	Guild of Air Pilots and Air Navigators; Education and training Committee	<p>The Education and Training committee of the Guild of Air Pilots and Air Navigators has considered the Preliminary Consultation paper of the Flight Operations Policy division of the Safety Regulation Group at CAA, dated 18th November 2010 and has the following observations to make:</p> <ul style="list-style-type: none"> • The exemptions applying to licensed or Government aerodromes should also apply to “Training aerodromes”. • It is not agreed that the original intention was to limit rule 6(aa) to provide exemption from the 500 foot rule. • The intentions of the LAASG which developed the proposals for training from unlicensed airfields intended that there would be relief from the 1000 foot rule when flying in accordance with normal aviation practice. • Normal aviation practice must necessarily include practice approaches and practice take offs and also practice “go-arounds” or “missed approaches”. • It cannot have been intended that only training for the purposes of “becoming qualified for the grant of a pilot’s licence or the inclusion or variation of any rating or qualification” would be covered by the 	<p>Noted and partially disagree. The original consultation and Letter of Intent to change the ANO and RoAR did not propose to alleviate from all the Low Flying rules for training flights at unlicensed aerodromes. The purpose of this proposal is to correct the extended alleviations and to restrict this to the 500 feet rule alone. It is not considered appropriate nor was it intended to alleviate against the other rules, such as the Failure of Power Unit and 1000 feet rules, at ‘Training Aerodromes’.</p> <p>Please also see Response to Item 1.</p>

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		<p>exemption in rule 6(a) or the variation in rule 6(aa)? Surely, training for the purposes or revalidation or renewal of a licence or rating, or simply for recurrency purposes should also benefit from such alleviation?</p> <ul style="list-style-type: none"> • It does not make sense that an aerodrome which operates under licence for some of the time and therefore benefits from the exemptions to the low flying rules during that period of the day, but then becomes unlicensed for the last hour or two of each day, because the Air Traffic controllers go home, should suddenly lose that exemption. Nothing has changed physically at that airfield and the ability to operate without ATC is a considerable financial saving for the operators of the airfield, thus insisting on the airfield remaining licensed throughout all of its opening hours represents a financial burden on such operators. <p>We submit the following amended (and simplified) version of the proposed revision to rule 6:</p> <p>6. The exemptions from the low flying prohibitions are as follows:</p> <p>(a) Landing and taking off:</p> <p style="padding-left: 40px;">(i) Any aircraft shall be exempt from the low flying prohibitions in so far as it is flying in accordance with normal aviation practice for the purpose of:</p> <p style="padding-left: 80px;">(aa) taking off from, landing at or practising take offs and approaches to landing at; or</p> <p style="padding-left: 80px;">(bb) checking navigational aids or procedures at,</p> <p style="padding-left: 40px;">a Government, licensed or training aerodrome.</p> <p style="padding-left: 40px;">(ii) Any aircraft shall be exempt from the 500 feet rule when landing and taking-off in accordance with normal aviation practice or air-taxiing.</p>	<p>A Licensed Aerodrome remains licensed unless the licence is varied, suspended or revoked and this is separate to the hours of operation published in the Aeronautical Information Publication (AIP). Therefore, the exemptions detailed in Rule 6 do apply to a Licensed Aerodrome outside of the published hours.</p> <p>The Aerodrome Operator and/or Licence Holder publish hours of operation for facilities such as the aerodrome management, air traffic service, fuel, hangarage and maintenance.</p> <p>Flying conducted outside published hours of operations is usually referred to as 'out of hours flying'</p> <p>The Aerodrome Licence Holder's Safety Management System must take account of the safe integration of any activities not requiring the use of a licensed aerodrome irrespective of these flights taking place outside the published hours of operation.</p> <p>In many cases Aerodrome Licence Holders have established procedures documented within the Aerodrome Manual and the Flying Order book of the flying school to integrate such out of</p>

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		<p>(iii) For the purposes of sub-paragraph (i), a 'training aerodrome' means an aerodrome which the aerodrome operator and the commander of an aeroplane of which the maximum total weight authorised does not exceed 2730 kg, or a helicopter or gyroplane of which the maximum total weight authorised does not exceed 3175 kg, are satisfied on reasonable grounds has adequate facilities for the safe conduct of flights:</p> <p>(aa) on which instruction in flying, whether for ab initio or post licence issue purposes, is being given to a person; or</p> <p>(bb) on which any pilot under training is practising solo training exercises; or</p> <p>(cc) on which a flying test is being performed by a person for the purpose of becoming qualified for the grant or reissue of a pilot's licence or the inclusion, revalidation, renewal or variation of any rating or qualification in the licence.</p>	hours flying.

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10	Hull Aero Club	<p>We at Hull Aero Club do not think the changes will work as drafted.</p> <p>There needs to be a link to Registered Facilities, with a symbol on the charts showing a training airfield.</p> <p>That is, no Registered Facility at an airfield or chart symbol means that the existing low flying rules apply. At a training airfield it will not be possible to prevent or police pilots with a license who continue to fly as shown during their training and would therefore be breaking the rules. It can only work if airfield specific as the previous licensed airfield only method.</p> <p>Bring in a new chart symbol and only modify the Rule 5 to include all training airfield with a registered training facility and you will have a workable and enforceable system.</p>	<p>Disagree. As written at Rule 6 (aa) (iv):</p> <p><i>For the purposes of sub-paragraph (iii), a 'training aerodrome' means an aerodrome which the commander of the aircraft is satisfied on reasonable grounds has adequate facilities for the safe conduct of flights on which instruction in flying isor qualification in the licence.</i></p> <p>This means that an aerodrome is not specifically notified or recognised as a 'training aerodrome' in any way other than one considered by the Commander to be suitable to conduct the planned training and it does not necessarily need to have a training facility on site.</p> <p>Article 208A, also requires the Aerodrome Operator of an unlicensed aerodrome to be satisfied on reasonable grounds that the aerodrome has adequate facilities for the safe conduct of such flights. As such it is a joint decision to accept that an unlicensed aerodrome is suitable to conduct flight training from. The possibility of a new chart symbol to indicate aerodromes deemed suitable for training was considered during the LAASG, no agreement was reached and no formal case developed.</p>

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11	LD CAA	Does Rule 6 (aa) (iii) (bb) saying: "the flight is one on which instruction in flying is being given to a person" in legal terms include a student solo flight? If not it should do.	Noted. The 'solo' aspect is part of the licensing provision contained in ANO Article 52 - 'Flight crew licence requirements - exception for solo flying training' sub-paragraph (2)(f).
12	Light Aircraft Association	<p>You kindly agreed an extension of the deadline on this preliminary consultation so we could take opinion from a range of our members. This we have now done.</p> <p>The vast majority took the view that student pilots taking off or landing at unlicensed training airfields are exempt all the low flying rules because the risk to persons and property on the ground is no greater than it would be if they were constrained to licensed airfields only. If it was, the regulator would not have introduced the change to the ANO to permit that. From that our members consider that the same logic applies to qualified pilots and if they were exempt the low flying rules on the same basis, their operations would bring no increase in risk. The licensed status of the runway has no impact on the safety of flight nearby for all aircraft, training or otherwise and the safety of a flight by a qualified pilot should be at least as good as that by a trainee pilot.</p> <p>You note that the current regulations do not exempt qualified pilots and you propose to make this clear by removing the exemption from all flights (save the 500 ft rule applied to training flights). However, you could equally make it clear by allowing qualified pilots the same exemption as training flights on the basis that to do so would be at least as safe.</p> <p>It appears that when SERA comes in to force, there will be no particular distinction on low flying rules between training and other flights and between licensed and unlicensed airfields. Moreover, whilst states appear to be able to waive some rules in some circumstances there appears to be no provision for them to make additional rules. During our small survey it became apparent that there is considerable misunderstanding of our low flying rules and they do appear complex. In the light of that and the forthcoming SERA changes we wondered if it might be more appropriate to move towards a common standard on low flying rules.</p>	<p>Noted. Please see Response to Item 1.</p> <p>Although SERA currently makes no distinction between licensed and unlicensed aerodromes and reflects the ICAO Annex 2 rules, it provides for permissions to be issued by States, for instance to allow flight below 500 feet other than for take-off and landing, under prescribed conditions.</p>

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13	London Transport Flying Club	<p>In pursuit of greater freedoms in the operation of small aeroplanes and helicopters, I do not believe that there can be any case for continuing to restrict or prevent aircraft whose pilots and operators wish to take off, land or practice approaches to unlicensed aerodromes, or landing grounds.</p> <p>I also believe, that any original restrictions were put in place in order to guard against the failure of a power unit over a congested area, with the likely risks of injury or damage. However, history and accident statistics tell us that these risks are negligible in the operation of correctly maintained modern aircraft.</p> <p>As regards noise nuisance, this is the province of the local authority not the regulatory bodies.</p>	<p>Noted. The original consultation and Letter of Intent to change the ANO and RoAR did not propose to alleviate from all the Low Flying rules for training flights at unlicensed aerodromes. The purpose of this proposal is to correct the extended alleviations and to restrict this to the 500 feet rule alone. It is not considered appropriate nor was it intended to alleviate against the other rules, such as the Failure of Power Unit and 1000 feet rules, at 'Training Aerodromes'.</p>
14	Modern Air	<p>I welcome the introduction of this rule-it 'legitimises' procedures that I have had concerns over since I de licensed my base aerodrome. I have continued to conduct LPC /LST and 'Dual Checks' with clients but obviously not conducted ab-initio training since 2002. One question that arises is related to 'Night' operations-particularly conduct of Night Ratings which hitherto I have had to position to/from Cambridge or Southend - my students unable to 'log' the positioning at night as base aerodrome is not licensed. Is it now the case that I may conduct night training flights from/to my un licensed base aerodrome (Fowlmere). I have written confirmation that I no longer require 'authorisation to display lights'-I do not meet night licensing requirements by a significant margin (no papis ,taxiway or approach lighting and no aerodrome beacon) but have portable (Australian Flying Doctor!) runway lights. It would represent a significant commercial advantage if I were able to position with a student to/from base without incurring the not insignificant charges - even though I would not necessarily conduct training other than dual circuits due to the limited resources.</p>	<p>Noted. Article 208A of the ANO should be referred to with regards to use of the unlicensed aerodrome for the purposes of flying instruction and testing.</p> <p>Further reference should be made to CAP 793, Safe Operating Practices at unlicensed aerodromes.</p>

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15	Newcastle Jet Provost Group	Further to this consultation I would like clarification with regards to Ex military aircraft (i.e. Jet Provost) operating on a permit to fly. We could regularly use an unlicensed aerodrome for circuit training to keep costs down and to gain experience in landing on a shorter runway as per our training manual however this may have an effect on this safety issue. Please don't forget about us ex military guys operating out there!	Noted. This proposal is not aimed at this range of flying but your comments may be taken into consideration in any broader review of the regulations and in the introduction of Standardised European Rules of the Air (SERA).

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16	Old Buckenham Airfield	<p>Thank you for your email regarding the consultation on the low flying rules.</p> <p>I noticed that the term "training aerodrome" was introduced in CAP 793 - Appendix A.</p> <p>Do you have a definition of a "training aerodrome"?</p> <p>Is a "training aerodrome" always a "training aerodrome" or does it become a training aerodrome when it is being used for training?</p> <p>Also will training aerodromes be required to register with the CAA?</p> <p>Do you know if they will be marked on the charts as such?</p>	<p>Noted. The term 'Training Aerodrome' appears in CAP 793 at Appendix A in relation the to the problem that is being addressed here. As written at Rule 6 (aa) (iv) of the RoAR:</p> <p><i>For the purposes of sub-paragraph (iii), a 'training aerodrome' means an aerodrome which the commander of the aircraft is satisfied on reasonable grounds has adequate facilities for the safe conduct of flights on which instruction in flying isor qualification in the licence.</i></p> <p>This means that an aerodrome is not specifically notified or recognised as a 'training aerodrome' in any way other than one considered by the Commander to be suitable to conduct the planned training and it does not necessarily need to have a training facility on site.</p> <p>However, this must be read in conjunction with article 208A which also requires the Aerodrome Operator of an unlicensed aerodrome to be satisfied on reasonable grounds that the aerodrome has adequate facilities for the safe conduct of such flights. As such it is a joint decision to accept that an unlicensed aerodrome is suitable to conduct flight training from.</p> <p>The possibility of a new chart symbol to indicate aerodromes deemed suitable for training was considered during the LAASG, no agreement was reached.</p>

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17	Oxford Aviation Academy	<p>Thanks for sight of the consultation paper.</p> <p>OAA has no comment to make and the effect of the rule change will have little impact on us as a training organisation.</p>	Noted.
18	Ravenair	<p>In response to the proposal to amend the rules of the air regulations regarding the alleviation of the low flying rules at training aerodromes I have the following points/queries.</p> <p>1. As you are aware a PPL student is to carry out a minimum of 10 hours solo during the PPL course. As this is logged in their logbook as Pilot in Command would this therefore not be classed as a training flight and so practise approaches not allowed?</p> <p>2. In order for a pilot to carry passengers they have to abide by the 90 day rule. Under this proposal a pilot could not carry out the required 3 take off and landings in one session to then be able to take passengers. They would have to carry out stop and go instead of touch and go which seems rather unnecessary.</p> <p>3. A regular occurrence at flying clubs is for a member to go flying just in the circuit to keep those particular skills current. If an airfield decides under the new proposals to become an unlicensed training aerodrome this could not happen and so raises a flight safety and currency issue.</p> <p>I hope these comments are of some use and that I have understood the proposals correctly.</p>	<p>Noted.</p> <p>1. The 'solo' aspect is part of the licensing provision contained in ANO Article 52 - 'Flight crew licence requirements - exception for solo flying training' sub-paragraph (2)(f). Students flying under supervision are considered to be undertaking instruction in flying.</p> <p>2. No. What you describe is a landing followed by a take-off, which is covered by Rule 6 (a) (ii), and not 'practicing approaches to landing' as this would not consist of an actual landing.</p> <p>3. There is nothing to restrict the use of unlicensed aerodromes in the manner explained other than in compliance with the ANO and its Regulations.</p>
19	Sherburn Aero Club	<p>The debate as to whether training for light aircraft required a licensed aerodrome has raged for many years. The main resistance to operating at unlicensed airfields came from training organisations that operated as tenants at the larger ATC controlled aerodromes and some others. Those schools felt that they would be positioned unfairly. Some CAT aerodrome operators also felt that they would lose their training tenants and therefore that income.</p> <p>Very few genuine voices were raised with concerns that safety would be compromised. Indeed much was said with regard to the standards of licensing.</p>	Noted. The ANO and consequentially the RoAR were amended following previous consultation and work done by the LAASG specifically to allow 'Flight Training' at Unlicensed Aerodromes (Article 208A). For the RoAR, the scope of that training and testing at a 'Training Aerodrome' is covered within Rule 6 (aa) (iii) and (iv).

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		<p>It was generally felt that licensing standards were over the top particularly with RFFS and was best suited to CAT.</p> <p>I cannot see any connection with Rule 5 and the licensing of aerodromes. As the CFI of a Licensed Aerodrome which is likely to remain licensed I know that Rule 5 is not a factor in our licensing process. Anything relevant within the extended runway centre lines parameters are treated only as an obstacle. A 'congested area' as defined in the law is not a consideration when deciding whether a license may be issued. The only consideration is the angle of the glide path and the threshold position.</p> <p>The question, with regard to licensed/unlicensed aerodromes remains, what is different?</p> <p>Is it really acceptable to say at an unlicensed aerodrome?</p> <ol style="list-style-type: none"> 1) A student with 8 or 9 hours total experience IS safe to fly the approach 200-300 feet above a housing estate. 2) A PPL holder with 200-300 hours of experience is NOT safe to fly an approach 200-300 feet above a housing estate. <p>I know that I could not sell that to our neighbouring villages and wouldn't dare to.</p> <p>How will anyone know whether the aircraft on departure/approach is flown by a student or not a student? The proposal to bring into flight even more decision complexity on departure/approach goes against all Human Factors & Threat and Error Management logic.</p> <p>Either it is safe to operate from an aerodrome or it is not! A licence is only that.</p> <p>I am totally against any further changes to the law regarding unlicensed aerodromes until proven to be necessary.</p>	<p>The purpose of this proposal is to correct the extended alleviations and to restrict this to the 500 feet rule alone. It is not considered appropriate nor was it intended in the previous consultation to alleviate against the other rules, such as the Failure of Power Unit and 1000 feet rules, at a 'Training Aerodrome'.</p>

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20	S Copeland	So why should a licensed aerodrome be exempt the 1000ft and an unlicensed not be? Cynically one could argue that the CAA could be seen to be penalising aerodromes for becoming unlicensed?	Noted. The purpose of this proposal is to correct the extended alleviations and to restrict this to the 500 feet rule alone. It is not considered appropriate nor was it intended in the previous consultation to alleviate against the other rules, such as the Failure of Power Unit and 1000 feet rules, at a 'Training Aerodrome'.

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21	Swords Aviation	<p>When the ANO was changed to permit training approaches at unlicensed airfields it allowed training organizations a huge amount of additional flexibility.</p> <p>Unfortunately many operators of Ex Military permit to fly aircraft found themselves unable to take advantage of this increase in flexibility due to the weight restrictions imposed.</p> <p>Ex-Military aircraft operating under CAP 632 are frequently based at airfields where appropriate engineering facilities are located, whilst these are generally developed airfields they are not necessarily licensed.</p> <p>The conversion requirements for pilots new to CAP 632 aircraft are stringent and usually result in a large number of training approaches, some of these approaches will of course be with the intention of landing. Many however could be better conducted from a Go-Around and indeed the ability to satisfactorily complete a low go around is a syllabus requirement, in part to demonstrate the response time of a jet engine. At present this requires a licensed airfield.</p> <p>As you are proposing an amendment to the Air Regulations I believe it would be appropriate to extend the flexibility given in the previous change in so far as to permit operators of CAP 632 aircraft to take advantage of the ability to conduct training approaches at unlicensed airfields.</p> <p>I am not quite sure why 2730 Kg was chosen as a limit, but increasing this to 5700Kg (the old CAA PPL Weight limit!) would satisfy the majority of CAP 632 operators. Pilots converting to aircraft above this weight would in all probability have already completed a training package on a smaller CAP 632 aircraft.</p> <p>If carte blanche to conduct training approaches at unlicensed airfields is a concern and tighter regulation of training approaches in CAP 632 aircraft is thought to be necessary then a requirement to specify suitable training airfields in the operators OCM (of which the Authority has oversight) could be introduced to alleviate that concern.</p> <p>I realize that this proposal is not in directly applicable to your current consultation request but it is so closely related that I hope you will give it your consideration.</p>	<p>Noted. Thank you for your comment and as you say it does go beyond the scope of the current change proposal.</p> <p>However, if a comprehensive case was established and presented by the operators the matter might be considered as a separate proposal and may be taken into consideration in any broader review of the regulations and in the introduction of Standardised European Rules of the Air (SERA).</p>

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22	Ulster Flying Club	<p>The original objective of the LAASG was to reduce the costly burden of maintaining a licensed aerodrome for an operation solely involved in flying training for the grant or renewal of Private Pilot's licences. The UK regime imposed very significant costs which place UK training organisations at a disadvantage compared with our competitors both within the EU and overseas. These overseas operations are permitted to train for UK issued JAR/EASA licences from aerodromes that would not meet the UK CAA's requirements.</p> <p>During the original discussions I formally commented to the Study Group that the UK Rules of the Air would need to be amended to allow exemption from both the 500 foot and the 1000 foot rules as several of the aerodromes with ordinary licences had congested areas close to the aerodrome which would restrict or prohibit approaches unless an exemption to the 1000 foot rule were implemented.</p> <p>The 2010 revision to the ANO went some way towards addressing the problem but created a further anomaly in that an aircraft on a training flight was given exemption from the 1000 foot rule but the same aircraft flown by the same pilot after gaining his/her licence would not have the exemption. I commented on this anomaly in an email to Cliff Whittaker on March 12th 2010.</p> <p>I would propose that instead of removing the current exemption from the 1000 foot rule for "Training Aerodromes" that this should be extended to include all aircraft using the aerodrome in accordance with normal aviation practice.</p> <p>Otherwise a number of aerodromes hosting current training organisations may be forced to close with a further loss to the UK economy and job market.</p> <p>I look forward to a positive outcome to the consultation, it would be a great pity if the work of the study group were to be negated at this late stage. The definition in the ANO of a congested area is so vague that protesters could claim a group of 3 to 4 houses qualified as a settlement and therefore close an un-licensed aerodrome if the exemption to the 1000 foot rule were removed.</p> <p>A better solution could be to produce a more robust definition of an "un-licensed aerodrome used for training" and then allow such aerodromes the same exemptions to all the low flying rules as are enjoyed by licensed aerodromes. This definition might include some measure of safeguarding the</p>	<p>Noted. The ANO and consequentially the RoAR were amended following previous consultation and work done by the LAASG specifically to allow 'Flight Training' at Unlicensed Aerodromes (Article 208A). For the RoAR, the scope of that training and testing at a 'Training Aerodrome' is covered within Rule 6 (aa) (iii) and (iv).</p> <p>The purpose of this proposal is to correct the extended alleviations and to restrict this to the 500 feet rule alone. It is not considered appropriate nor was it intended in the previous consultation to alleviate against the other rules, such as the Failure of Power Unit and 1000 feet rules, at a 'Training Aerodrome'.</p> <p><i>For the purposes of sub-paragraph (iii), a 'training aerodrome' means an aerodrome which the commander of the aircraft is satisfied on reasonable grounds has adequate facilities for the safe conduct of flights on which instruction in flying isor qualification in the licence.</i></p> <p>This means that an aerodrome is not specifically notified or recognised as a 'training aerodrome' in any way other than one considered by the Commander to be suitable to conduct the planned training and does not necessarily need to have a training facility on site.</p> <p>'Training aerodrome' is not defined within</p>

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		<p>approach surfaces.</p>	<p>Article 255 and there is no linkage to a Registered Facility or Flight Training Organisation.</p> <p>However, this must be read in conjunction with article 208A which also requires the Aerodrome Operator of an unlicensed aerodrome to be satisfied on reasonable grounds that the aerodrome has adequate facilities for the safe conduct of such flights. As such it is a joint decision to accept that an unlicensed aerodrome is suitable to conduct flight training from.</p>
23	West London Aero Club	<p>The undersigned is currently the Airfield Manager at White Waltham airfield which is operated by the West London Aero Club, an FTO, and he was an industry representative on the LAASG. Under the current published criteria, White Waltham airfield is not within the scope of future EASA Aerodrome Certification and, consequently, could elect to give up its CAA Aerodrome Licence and become unlicensed whilst still being the operating base of an FTO.</p> <p>During the seven meetings of the LAASG held in 2005, there was naturally much debate about the need to amend the 500 ft low-flying rules in the Rules of the Air to accommodate flying training at an unlicensed aerodrome. However, there was no such debate about the 1,000 ft rule.</p> <p>Considering the range and rank of the representatives on the Group from both the CAA and industry, this lack of debate indicates that the Group did not believe that the issue was of fundamental importance. Indeed, in paragraph 2.6 of Appendix J, Questions to be Considered, of the LAASG Report to the CAA Executive Committee (EC Paper 02/06 dated 16 January 2006) there is specific reference as to the effect of the 500 ft rule on an unlicensed aerodrome but none on the 1,000 ft rule. It is difficult to believe that after all of the consultations following the LAASG proposals and the passage of five years that there have been any unintended consequences of the amendment in April 2010 to the low-flying rules.</p>	<p>Noted. The Air Navigation Order 2009 (ANO) and consequentially the Rules of the Air Regulations 2007 (RAR) were amended following previous consultation and work done by the Light Aviation Airports Study Group (LAASG) specifically to allow 'Flight Training' at Unlicensed Aerodromes. For the RoAR, the scope of that training and testing is covered within Rule 6 (aa) (iii) and (iv). The points made here go beyond the scope of that consultation and therefore this proposal. However, they may be taken into consideration in any broader review of the regulations and in the introduction of Standardised European Rules of the Air (SERA).</p>

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		<p>Whilst appreciating that the current consultation is a preliminary one, no valid case has been produced as to why the 1,000 ft rule should apply to a licensed as opposed to an unlicensed aerodrome. Presumably, the proposal is based on safety grounds in that a licensed aerodrome is in some unspecified way safer than an unlicensed one and is subject to a CAA regulatory regime rather than a Code of Practice for an unlicensed facility. By the same token, an FTO is subject to CAA regulation and, where the FTO is based at an unlicensed aerodrome, this regulation will be extended to include that aerodrome. Consequently, is there not a case for the 1,000 ft exemption to continue to apply at an unlicensed aerodrome having a based FTO?</p> <p>Whilst logic would dictate that circuits should be conducted at 1,000 ft, the circuit height at White Waltham is 800 ft which involves in some cases flight over congested areas. Part of the airfield ATZ is within the Class A airspace of the Heathrow CTR and under a Letter of Agreement (LoA) with NATS, flights to and from the airfield are permitted without compliance with IFR requirements within a designated Local Flying Area which has height limitations. These height restrictions dictate on safety grounds the 800 ft circuit height to ensure compliance with the LoA and safe separation from CAT. Similar restrictions are clearly in place at several other aerodromes situated within controlled airspace which aerodromes could also become unlicensed under the current arrangements. The removal of the low-flying alleviation would clearly have an effect on these aerodromes should they wish to go unlicensed and will inevitably result in discussions as to which safety criteria takes precedence - avoidance of flight over congested areas or providing adequate separation from CAT?</p> <p>During its deliberations, the LAASG was presented with information about the cost of licensing for a GA airfield. It terms of the provision of equipment and training for a fire and rescue service meeting current Aerodrome Licensing requirements alone an annual figure of £20,000 to £30,000 was given. However, this is only part of the licensing requirement to which must be added the costs of Aerodrome and AGA surveys as one example.</p> <p>Finally, in making the proposal it is assumed that the CAA have taken into account the possible effect of the future EASA Aerodrome Certification</p>	<p>The EASA rules for aerodromes are still being drafted. The CAA, in consultation with industry, will consider what regulation is appropriate for 'National Aerodromes' once the EASA rules are known.</p>

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		<p>process. The current Certification criteria make no reference to low-flying rules and it is understood that EASA criteria in general will become more restrictive allowing less leeway for National Aviation Authorities to file differences, to use an ICAO term. It would not be in the best interests of the UK aviation industry to have EASA Certified Aerodromes, CAA Licensed Aerodromes and unlicensed aerodromes with attendant sets of rules for each.</p>	
24	Western Air Thruxton	<p>I suggest the amended rule needs to cover both dual and solo flying training at training aerodromes and also the training or testing for the revalidation or renewal of ratings.</p> <p>I suggest amending sub paragraph 6, (aa), iii, (bb) to read: "The flight is one on which training in flying, dual or solo, is being experienced by a person, or a flying test is being performed by a person, for the purpose of becoming qualified for the grant of a pilots licence or the inclusion, variation, revalidation or renewal of a rating or qualification in a licence."</p>	<p>Noted.</p> <p>a. The 'solo' aspect is part of the licensing provision contained in ANO Article 52 - 'Flight crew licence requirements - exception for solo flying training' sub-paragraph (2)(f).</p> <p>b. The suggested text goes beyond the scope of Article 208(A) and of this consultation and therefore this proposal. However, they may be taken into consideration in any broader review of the regulations.</p>