

*While the government professes to support general aviation, its actions in the case of one of its own aerodromes, Lee on Solent, give the game away. John Walker reports*

Say again? A government 'unlicensed' aerodrome – what is that, and where is it? It is a concept invented to cover a series of actions worthy of a script for an episode of *Yes, Minister* and the place is the aerodrome at Lee-on-Solent in Hampshire. Lee was number 100 of the almost 600 flying sites that AOPA has been asked to assist in some way, and it has turned out to be the longest running, most complex and most frustrating of all to resolve. Previous issues of this magazine have recorded the thwarted attempts to use the site for gravel extraction and later for the location of an immigration detention centre. The October 2007 edition on page 12 prints a recent letter from AOPA to the then Aviation Minister expressing concern about the future of Lee for general aviation. This, the first of two articles, explains the background to this concern and brings the story up to date.

**The flawed sale**

Lee-on-Solent was a Royal Naval Air Station whose origins date back to 1917. The Navy finally left in 1996 and the site was put up for disposal. At the time of the sale process, the Maritime and Coastguard Agency (MCA) used Lee as a base for search and rescue helicopters, the Hampshire Police Air Support Unit (HPASU) based their Islander aircraft there, the Portsmouth Naval Gliding Club (PNGC) were long term users of the site and there were a number of flying training, general aviation operators and maintenance organisations located there. Both the MCA and HPASU put in purchase bids for the site but, by this time, the Regional Development

Agencies had been formed and the site was sold to the MCA and the South East England Development Agency (SEEDA) in March 2006 for a total of £20 million – all funded by the taxpayer.

The division of the land between the MCA and SEEDA<sup>1</sup> defies belief and indicates the total lack of any commercial considerations in the disposal of Lee by central government. Basically, the MCA acquired the land on which the runways had been built, the watchtower and one 'blister' type hangar while SEEDA acquired the taxiways and the remaining hangars and buildings. It is apparent that this division was based on the use of the one remaining useable runway (05/23) by both the MCA and the HPASU, the continued use of the watchtower by the HPASU as their headquarters and the site for a new hangar and office complex for the MCA. In anticipation of their successful bid to acquire the aerodrome land, the MCA submitted a Planning Application to Fareham Borough Council for their new complex and for a fence with remote controlled access gates to demarcate their land. At the time, the Crown was exempt from planning regulations but was required to consult with local planning authorities on development proposals on Crown land. The application was duly agreed in December 2005 allowing the MCA to spend a reported £4 million on their new complex. This was again funded by the taxpayer, but the question must be

was it necessary to erect a high specification and costly (estimates vary between £500,000 and £1 million) fence across an established aerodrome in defiance of the stated planning aspirations for the site (see below) and when the final development of Lee may render the fence redundant?

**Planning Issues**

In their statements on the future use of the Lee site, SEEDA have said "that development of the site will focus on new aviation and marine related businesses, exploiting access to the existing runways and the Solent"<sup>2</sup>. As there appears to be no agreement between the MCA and SEEDA permitting the existing aviation tenants located in the SEEDA hangars from gaining access to the MCA owned runway, it is difficult to see how this objective is to be achieved. The Joint Planning Statement for the site issued by both Fareham and Gosport Borough Councils is even more specific in stating, "Future development should seek to maximise the benefit of the existing runways for general and private aviation use"<sup>3</sup>. Lee as an aerodrome has also long had the support of the local population as evidenced most recently in a poll conducted in May 2007. Of the 5,187 responses to a questionnaire on the future of the Lee site, 57% were in favour of aviation facilities there with only 7.7% against<sup>4</sup>. In the long experience of AOPA in dealing with numerous flying sites, this level of support from both the local population and their elected Councils is unprecedented.

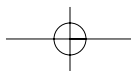
**Barriers to general aviation**

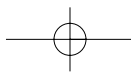
As can be seen, the MCA fence line crosses the long established taxiways at Lee at various angles and it is sited without regard to any of the recognised standards for the physical characteristics of an aerodrome. Inevitably, this resulted in the fence being hit by taxiing aircraft and one of these incidents was the subject of an Air Accident Investigation Board (AAIB) report<sup>5</sup> that commented on the lack of adequate notification and signing of the alternate taxi route. There has subsequently been another similar incident, this time

asked as to why the redundant hangars and buildings on the Lee site could not have been used to house the MCA operation at less expense? Also, why

**Minister invoked in Lee-on-Solent saga**

One of the first items of business falling on the desk of new aviation Minister Jim Fitzpatrick MP is a letter from AOPA past president David... difficult to understand how this objective is to be achieved given the physical and operational restraints currently put on the existing aviation... objectives. The... objective is a reflection of the...  
 Clearly speaking assumptions that the... on Solent will not fall...  
 club... WE... watching V... on the...





involving an unsupervised contractor erecting a gate control post without any prior notification. Clearly, these incidents show that a safety management system designed to safeguard against such events does not exist at Lee and that there is no safety oversight by a competent authority of Lee aerodrome.

Having built a fence as a physical barrier to deter use of the aerodrome, the HPASU as airfield manager now set about creating other obstacles to stop Lee being used for general aviation other than by their Islander and the MCA helicopters. Firstly, use of the aerodrome was restricted to those having business there and other visitors were actively discouraged. Secondly, the gates on the infamous fence were only open at certain times of the day preventing early and late movements during the extended summer daylight hours. Thirdly, flights for the purpose of instruction in flying were banned. Finally, because of alleged conflicts between powered aircraft and gliders, a ban was put on any general aviation movements, except those for the HPASU and the MCA, when gliding was in progress. The PNGC are the only residents on the site who have a licence to use the aerodrome and the terms of this licence are deemed by the HPASU as relieving them of any liability in the event of an incident. As the PNGC normally operate at weekends and on Wednesdays and run week-long courses in the summer months, this ban resulted in only 20 days of unrestricted flying in the 62 days of July and August 2007! The net result of all these measures has been:

- The departure of a gliding club due to lack of access to Lee.
- The departure of two flying training concerns.
- The sale of aircraft and the release of staff by the remaining registered flying training concern.
- The foregoing of a valuable contract to provide aerial services to the media by this concern.
- The departure of a number of microlight owners.

One of the flying training concerns that has left Lee had previously been displaced from Southampton Airport, and the remaining registered facility mentioned above was also based at Southampton. Both left Southampton because of the airport's expansion plans to cater for an increase in commercial air transport, for which the DfT has ordered regional airports to prepare master plans. The situation at Southampton Airport has been the subject of previous comments in *General Aviation* and it is clear that general aviation activities are being actively discouraged there. So, general aviation is being displaced from a regional airport to cater for a DfT initiated master plan to cater for increased commercial air transport only to arrive at an aerodrome effectively owned by the DfT that also actively hinders their presence!

**The government aerodrome**

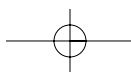
In order to cover for the unilateral decisions of the HPASU supported by the MCA, these parties have mooted the concept of the government "unlicensed" aerodrome. In other words, they acknowledge that Lee is a government aerodrome but claim that they have the right to operate it as an unlicensed facility to their own rules. AOPA dispute this, as the Air Navigation Order (ANO) makes no provision for a government "unlicensed"

aerodrome and neither the MCA nor the HPASU have the right to override Parliament or ignore the government's obligations under international agreements. Neither do they have the right by their actions to prevent legitimate concerns from conducting their business. The actions of the HPASU have allegedly been taken on safety grounds. However, there have been numerous occasions when the ban on mixed gliding and fixed wing operations has been ignored with the full knowledge and agreement of the Police Unit. It is abundantly clear that the restrictive measures have been taken, not on safety grounds, but on the perceived liability of the police in the event of an incident. The total lack of experience of both the HPASU and the MCA in aerodrome management has been a major contributory factor in this erroneous perception and they have taken no steps whatsoever to actively manage aviation safety at Lee. As an example, even though there are a total of some 39 people employed by the MCA and HPASU at Lee, no one is apparently available to man an aeronautical ground/air radio station!

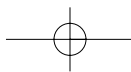
The ANO definition of a government aerodrome is one, which is "in the occupation of any Government Department or visiting force". Under the ANO, government aerodromes are permitted to handle flights for the purposes of the public transport of passengers and instruction in flying. Flights using these aerodromes are also exempt from certain of the low flying rules. All of these provisions are based on government aerodromes meeting certain standards in respect of:

- Safety management, including an independent audit function.
- Physical characteristics.
- Airspace and the provision of an associated air traffic service with a dedicated radio frequency.

**Above left: final approach? GA must win back its rights at Lee on Solent**  
**Below: the Maritime and Coastguard Agency runs a Bristow-operated Sikorsky S61N rescue unit at Lee on Solent**







Until the purchase of Lee by the MCA and the leasing of land by the MCA for their Portland based helicopter, all government aerodromes came under the control of the Ministry of Defence (MoD). Their policy on the civil use of government aerodromes has been clearly stated in the following terms:

“It is the policy of the Ministry of Defence to encourage the use of active Government aerodromes by United Kingdom civil aircraft on inland flights, provided this is consistent with defence requirements and local interests”

It would appear that neither the MCA nor the HPASU are aware of this government

policy statement, or could it be that the maritime division of the Department for Transport (DfT) did not seek the advice of the Department’s aviation division on relevant matters relating to the purchase of Lee aerodrome? It is also extraordinary that having spent a great deal of the taxpayer’s money on the purchase of Lee and the development of a new MCA complex, that the MCA have not exploited the advantage of having a government aerodrome to the full by opening Lee up for general aviation and gaining revenue thereby. Furthermore, neither party has sought to pool their resources to reduce costs as they both provide their own fire cover and aviation fuel.

**Air Traffic Issues**

The Lee situation is compounded further by the fact that part of the aerodrome lies within the Aerodrome Traffic Zone (ATZ) of the Defence Aviation Repair Agency heliport at

**With Southampton ditching GA, the loss of Lee would make Goodwood the only usable airfield between Brighton and Bournemouth**



Fleetlands. Since there is no air traffic service or aeronautical radio frequency for Lee, the Fleetlands radio frequency is used by the entire Lee based operators, including the gliders. Since the Fleetlands Flight Information Service Officers have no view of the site at Lee, they are placed in the impossible position of trying to provide a flight information service for Lee traffic. There are also several callsigns in use denoting ground based operators at Lee, all on the one frequency, causing undoubted confusion and, under a strict interpretation of both the ANO and the Wireless Telegraphy Acts, is illegal. Furthermore, these users do not appear to have been properly certified to operate an aeronautical ground station, another breach of the rules. The MCA and HPASU have also failed to sign a Letter of Agreement with Fleetlands on the management of the airspace for the two aerodromes and the use of the one frequency nominated as that for Fleetlands Information. Another example of not taking a simple safety measure on the grounds that signing such an agreement places unacceptable liabilities on the HAPASU and the MCA!

**The solution**

To resolve all of the issues noted above, AOPA believes that the DfT needs to issue a definitive instruction to the MCA, their agent, that Lee is a government aerodrome providing unrestricted access to civil air traffic and that it is to be run in accordance with a specified standard overseen by a nominated regulatory body. That standard should include an appropriate air traffic service with a specified frequency and an ATZ, in addition to an agreement between the relevant parties on the airspace management of the resulting adjoining Lee and Fleetland Zones.

Hopefully, the equivalent civil servant to Sir Humphrey Appleby of *Yes, Minister* fame will advise his Jim (Fitzpatrick not Hacker), the current Aviation Minister, to this effect. ■

*\*In the next article, the efforts of the based operators at Lee to remove the restrictions noted above and to get the aerodrome into full commercial use for general aviation will be described.*

- 1 Plan 1 Daedalus: Proposed and Retained Ownership
- 2 SEEDA website information on Daedalus Development
- 3 Joint Planning Statement for Daedalus: April 2006
- 4 Daedalus Community Consultation Phase 1 Groundwork Solent June 2007
- 5 AAIB Bulletin: 3/2007
- 6 Air Navigation Order 2005 Article 155
- 7 UK Military Aeronautical Information Publication (UK MIL AIP) AD 1-1-1 paragraph 1.2

Tony Ashton

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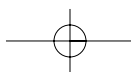
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