

Lee on Solent - the fight goes on

In the second part of his account of the extraordinary situation at Lee on Solent, **John Walker** explains how the fightback has been co-ordinated

In the December issue of *General Aviation*, an article on Lee-on-Solent aerodrome headlined "GA not welcome at government 'unlicensed' aerodrome" described the background to the current situation regarding the use of Lee by general aviation traffic. This article continues the story and describes the valiant efforts of the Lee Flying Association (LFA) in the fight to keep the facility open for the unrestricted use of general aviation. In the past, AOPA has often been amazed at the lack of co-ordinated action by users to threats posed by various agencies to the continuation of general aviation activities at their aerodromes. For once, it is pleasing to report that the Lee residents have banded together to fight for the common cause through the LFA.

The ban

Because of alleged safety concerns, on 9 May 2007 the Hampshire Police Air Support Unit (HPASU) who currently manage Lee aerodrome, banned the use of the aerodrome for general aviation flights except their own flights and those of the Maritime & Coastguard Agency (MCA) when gliding was taking place. As the Portsmouth Naval Gliding Club (PNGC) operate at weekends and on Wednesdays, with week-long gliding courses being run during the summer months, the ban has had a severe adverse effect on the commercial flying training and maintenance concerns and the numerous operators of light aircraft based at Lee. The banning notice alluded to air traffic control and airspace issues with the adjoining heliport at Fleetlands operated by the Defence Aviation Repair Agency (DARA) and also noted that the South East England Development Agency (SEEDA), owner of the majority of the land, had commissioned a report into general aviation activities at Lee. This report was to be provided by the Erinaceous Group whose recent problems were the subject of an article on pages 14 & 15 of the December issue.

The LFA

This ban, and the fact that the HPASU as aerodrome managers did not have a single representative body to consult with general aviation users, prompted the co-owners of one light aircraft based at Lee to organise a concerted campaign to restore unrestricted general aviation use to Lee. They arranged for a meeting to be held on 1 June 2007 which those affected by the ban were invited to attend. From this meeting the LFA was formed and a committee appointed representing both the commercial and non-commercial powered aircraft aerodrome users and the PNGC. The LFA quickly announced its formation to SEEDA, the member's



landlord and the MCA, the land owner of the useable runway, and requested meetings with the aim of lifting the ban. As the campaign developed, the LFA adopted a formal constitution and formed a limited liability company to provide a legal entity to cover its activities. Public meetings were organised to which members of the local community were invited to attend and, as a result, further volunteers came forward to offer their assistance.

LFA Submissions

Since much of the argument for the ban was based on the alleged cost of providing the necessary air traffic control service to allow the safe mixed use of the aerodrome, the LFA made a written submission on 24 June 2007 offering to operate and maintain the aerodrome, including the provision of an air/ground radio service, at no cost to any party. This submission was based on the LFA having a licence from the MCA in a similar manner to that granted to the PNGC for gliding activities, for a token fee with the LFA funding its activities by levying charges for general aviation use of the aerodrome. The submission included an undertaking by the LFA to reach an agreement on mixed operations with the PNGC and to provide the necessary insurance



GA not welcome at government 'unlicensed' aerodrome

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**

It is a general aviation 'unlicensed' aerodrome - which is bad, and worse is that it is a concept invented to cover a variety of actions worthy of a trip to an episode of *Yes, Minister* and the place is the aerodrome of Lee, Hampshire.

Aerodromes had been formed and the use was sold to the MCA and the South East England Development Agency (SEEDA) in March 2006 for a total of £20 million.

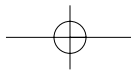
It is necessary to erect a high specification and costly (estimated to be between £200,000 and £1 million) fence across an established aerodrome in contrast of the stated planning aspirations for the site (see below) and when the final development of Lee may render the fence redundant?

Planning issues
In their submissions on the future use of the Lee on Solent aerodrome, the SEEDA have said...

cover. This cover was subsequently quoted as requiring a premium of some £10,000 per annum and was, at a later date, extended to totally indemnify the Hampshire Constabulary. The LFA also undertook to sign a Letter of Agreement with DARA Fleetlands on the mutual use of the Fleetlands Information frequency and airspace surrounding the two aerodromes. In spite of this comprehensive proposal SEEDA, on consulting with the HPASU, were informed that acceptance of it would still pose an unspecified risk to the Hampshire Constabulary and could not, therefore, be progressed. As the result of this rebuff, the LFA then requested direct negotiations with the MCA with a view to changing the management arrangements for Lee aerodrome, to which request no response was received. In view of the lack of response and detailed discussion on the submissions, the LFA provided further details on mixed operations conducted at other aerodromes to a number of parties.

Through the local interest about the future of Lee aerodrome, the LFA were invited to make a presentation about their submissions to the Daedalus Strategy Group whose members are elected councillors from Fareham and Gosport District Councils and Hampshire County Council with representatives from SEEDA, the MCA





and HPASU also in attendance. The meeting took place on 5 October 2007 and the SEEDA representative stated that a response would be made to the presentation by 12 October. This deadline was extended later to 18 October.

Decision Day

Far from getting a response to their submission, the LFA were told by SEEDA on 18 October that general aviation activities, except those of the HPASU, MCA and PNGC at Lee would cease after 16 November 2007 when the HPASU would permanently lock the gates on the infamous fence surrounding the useable runway. The SEEDA Position Statement on the closure made reference to the estimated, but unsubstantiated, cost of £300,000 to £350,000 to provide the necessary infrastructure to ensure the safe continued operation of general aviation at Lee and to the results of the Erinaceous report. The latter stated that Erinaceous, the owners of Shoreham Airport, did not have a conflict of interest in preparing the report and concluded that "the socio-economic benefits resulting from current general aviation use of the airfield is limited"!

Faced with its members, some of whom had aircraft undergoing prolonged maintenance work, having to find alternative aerodromes from which to operate in a 30 day period and with the total lack of meaningful negotiations with any party, the LFA had no option but to seek legal advice. After much hard work by the LFA in putting together the material to support legal proceedings, a pre-action protocol letter for a judicial review of the decision was issued to the Hampshire Constabulary, SEEDA and the MCA on 14 November. Coincidentally, on 15

November there was an adjournment debate on Lee in the House of Commons, a report of which appears on page 5 of the December 2007 edition of *General Aviation*. These events undoubtedly influenced the decision of the Hampshire Constabulary to extend the closure deadline to 14 December 2007. However, it would appear that during their considerations of the responses to the pre-action letter, the parties have been



Above: Briston Norman Defender 4000 of the Hampshire Police Air Support Unit takes off from Lee

embarrassed by their handling of numerous issues surrounding their management of Lee aerodrome and the imposition of the general aviation ban for which no valid safety risk assessment has been produced. Consequently, the closure has been extended again by a further five months to 14 May 2008 to allow the LFA to have a meaningful consultation with the MCA and SEEDA on the future of general aviation at Lee.

There is no doubt whatsoever that the formation of the LFA and its subsequent campaign activities have kept Lee aerodrome open for general aviation and forced reluctant parties to negotiate the issues with the

Association. The LFA founders, Committee members and supporters deserve the greatest praise for their labours and for providing the funds for legal action to be taken in support of the campaign. Hopefully, the next few months will see a successful conclusion to these endeavours

The Department for Transport, who ultimately own Lee aerodrome have, however, remained silent on the issue. There has been no definitive statement from them on the status of Lee as a government aerodrome providing unrestricted access to civil air traffic, or any edict as to what standards are to be applied to it and who is to regulate those standards. It would appear then that all of the words spoken by successive Aviation Ministers (see page 13 of the December edition of *General Aviation*) about the value of general aviation to the UK economy and it being a much neglected corner are indeed empty prattle. Is it too much to ask that having had his six months grace period, the present Minister, Jim Fitzpatrick, will be comfortable in making decisions leading to Lee-on-Solent becoming a model general aviation aerodrome? For the latest detailed information on the campaign, refer to the LFA website at www.eghf.co.uk

**Can you help to support Lee Flying Association's fight to keep the aerodrome open? Legal bills are already hefty, even though they're estimated to be about one tenth of what the other side has spent. Send a cheque to Lee Flying Association Treasurer, c/o Malcolm Barton, 48 Ranvilles Lane, Fareham, PO14 3EA, or see the 'fighting fund' page on the website for other options. ■*

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