

# Long road to better regulation

Europe has taken the first small step towards wiser oversight of general aviation with a toe-in-the-water meeting of interested parties to map out a common vision for a less stringently controlled and more flexible system of non-commercial aviation regulation.

A group led by the French CAA, the DGAC, met in Paris on May 4th following the March meeting of the EASA Board of Management, where European states unanimously voiced concerns about over-regulation of GA following a presentation by IAOPA Senior Vice President Martin Robinson of a paper jointly put together by IAOPA and Europe Air Sports.

There is widespread support for the view that EASA has made insufficient differentiation between Commercial Air Transport and general aviation, and that regulations created for CAT cannot simply be imposed on GA without causing undue financial pain, legal complexity and industry hardship.

At the Board of Management meeting the DGAC representative suggested that a group be formed to produce a scoping document which would guide the Board towards a more suitable system of

Management's discussion it is unlikely that we will see any quick changes this year. I could be wrong, but experience tells me this issue will have a long gestation period.

"I am cautiously optimistic that we will eventually get some changes in the way general aviation is regulated because everyone agrees that what we have at this present moment will not deliver a sustainable future for GA in Europe."

The facts so far, Martin went on, are thus:

"The DGAC agreed to take on the task set by the EASA Management Board to deliver a GA scoping document in time for the June meeting of the Management Board.

"Wisely, the DGAC booked two dates in May for discussion – the second one being 25th May. (After this was written, but before publication) Therefore it is not possible to go into any detail right now other than to say there were no 'show-stoppers' coming out of the discussions. I feel that good progress was made in getting some points down that should go into a final paper for delivery to the Management Board.

"IAOPA's position is clear, in that the

main problem for GA is that the Basic Regulation – the European Commission document setting out EASA's responsibilities – requires EASA to achieve a 'high uniform level of safety'. However, there is no qualification of this statement. General aviation is a very broad church, and IAOPA does not consider it possible that a flexwing launching from a hillside should achieve a uniform level of safety with a Gulfstream GIV. Nor is the term 'high' useful unless it is defined – what's to say we haven't attained it already?

"Therefore we need member states to agree that general aviation should have an 'acceptable' level of safety in line with the statements contained in ICAO Annex 6.

"IAOPA wants regulation only where there is a demonstrated need for regulation, and regulation should be the last choice, not the first. All regulations must be supported by cost-benefit analyses and must be proportionate to the activities they cover. None of this should be new to members, as IAOPA have been making these points for many years.

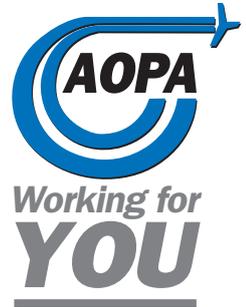
"It seems logical, therefore, that rules and regulations should be incremental depending upon such factors as the type of flight, type of aircraft and so forth.

"We have taken a small step in the right direction and I believe we will take another one on May 25th." ■

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**General aviation is such a broad church that achieving a uniform level of safety – say between a GIV and a flexwing – is not possible**

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regulation. This process has now begun, but the complexities are such that the road will be a long one.

Martin Robinson, IAOPA's representative on the new group, said afterwards: "I think that members should understand that this first meeting largely set out some high-level principles with regard to the possible future regulatory environment in Europe for GA. The issues at hand are far from simple – if they were all our problems would have been solved by now.

"The good news is that there was broad agreement between all the interested parties. But depending on the final paper and subject to the EASA Board of



# IMC rating – moving in the right direction

The CAA has issued an update on its moves to preserve an equivalent to the UK IMC rating which indicates it intends to continue issuing the rating up to April 8th, 2014, and is still working on arrangements after that date.

The name will change to IR (Restricted) in Part-FCL licences issued (or converted) from July 2012 and the validity, renewal requirements and privileges will be identical to those of the IMC Rating. Use of the IR(R) will be restricted to UK airspace.

The CAA says that under the relevant EASA Aircrew Regulation, the privileges of licence holders gained in the past should as far as possible be

preserved. In accordance with that aim it has issued to EASA a 'Conversion Report' setting out its plans for the grandfathering of the IMC rating. While EASA is free to reject or amend a conversion report, it is not thought likely that it will do so in this instance. The CAA has also published these arrangements in CAP 804.

The CAA's update says that IMC privileges obtained before April 2014 will remain whether the pilot is flying EASA or non-EASA aircraft, and that UK ATPL(A) and CPL(A) holders will continue to have IMC rating equivalents, as their licences originally included those privileges.

There will definitely be provision to add the IMC Rating to UK (non-EASA) licences into the distant future, although those

ratings will be useable only on non-EASA aircraft after April 8th, 2014.

The update document says: "...the CAA intends to implement these conversion terms with effect from 1st July 2012. It is intended that conversions to Part FCL licences, including the IR(R), will be available from that date. The first edition of CAP 804, which becomes effective on 1st July, anticipates this and includes the IMCR to IR(R) and other conversions... subject to the caveat that the Agency may question these conversion terms."

## Your questions answered

AOPA, which proposed the IMC rating 45 years ago, wrote the syllabus and worked hard for its adoption has implacably



## Chief executive's diary:

### Dame in a Spitfire

I've known a number of CAA Chairmen down the years, and however much they've claimed to get some enjoyment from flying I've never got the impression it was something they felt in their hearts. So it was a genuine pleasure to see the delight with which the current Chairman, Dame Deidre Hutton, climbed into a Spitfire at Biggin Hill, and the wide 'Spitfire smile' on her face when she finally got out. Sir Roy McNulty, Christopher Chataway or Sir Malcolm Field might have got into the aircraft, but I suspect they would have sat stony-faced while the controls were

explained to them, then climbed out looking like they'd had a momentary lapse of concentration and their minds were once again whirring away on the mechanics of regulation. It's nice to feel that the Chairman feels a bit of that addictive passion that drives us all to put up with some pretty onerous treatment as pilots – and if she doesn't, she certainly fooled me.

Since I last wrote up my diary there have been a number of important meetings that could have positive outcomes for general



aviation, and I've been heavily involved in them. My last diary stopped in mid-March; on March 20th I met with Ian Seager, publisher of *Flyer* magazine, to discuss some of the issues AOPA is tackling at the moment, as well as a new campaign which we'll kick off at the Goodwood Revival, where we'll be aiming to put thoughts of learning to fly into the minds of motoring aficionados who might never have thought about it.

The CAA Board meeting at which the accompanying picture of Dame Deidre was taken, was held at Biggin Hill on March 21st and members of the General Aviation Strategic Forum were invited to discuss on-going concerns. The topics included ops and licensing, and we had an update on



Dame Deidre Hutton and the wide 'Spitfire smile'

opposed its abandonment by EASA, despite all attempts to undermine it. The real question is not about grandfather rights, but about extending the protection of the IMC rating to new pilots.

On behalf of AOPA Nick Wilcock has been in constant contact with the CAA to ensure that all its statements are fully clarified. In order to answer any questions members may have, a recent Q & A session with the Authority is presented here.

**Q1.** Will applications for UK IMC Ratings to be included in existing JAR-FCL pilot licences made between 1 July 2012 and 8 Apr 2014 result in the holder's licence being converted to a Part-FCL licence with IR(Restricted)?

**A1.** Yes.

**Q2.** In other words, there will be no need to issue a 'supplementary' United Kingdom pilot licence for the inclusion of an IMC

Rating?

**A2.** Correct.

**Q3.** If the CAA receives an application from a UK non-JAR-FCL/non-Part FCL licence holder for an IMC Rating after 1 July 2012, will it simply be included in the licence in the traditional manner?

**A3.** Yes – but the applicant might prefer instead to convert the UK licence to a Part-FCL licence with IR(R). That'll be for the applicant to decide.

**Q4.** Will the UK in future adopt the term 'IR(R)' generally, rather than having two identical ratings with different titles?

**A4.** Unlikely, as this would mean change to the UK ANO, which might prove problematic. Legally we are not in fact adding the IMC rating to Part-FCL licences; what we are doing is granting the Part-FCL IR(A) to pilots who hold IMCR privileges, but with the IR(A) restricted to the privileges of the IMCR.

**Q5.** Of course, the wording of your clause 4: 'There will continue to be provision under the Air Navigation Order to add the IMC Rating to UK (non-EASA) licences into the future, but IMC Ratings will only be valid for non-EASA (Annex II) aeroplanes from 8th April 2014 onwards. From that date forward the IR(R) must be held on a Part-FCL licence to exercise the privileges with EASA aeroplanes' would still hold true if EASA can be persuaded to adopt the revision to FCL.600 which AOPA, CAA, IAOPA Europe, PPL/IR Europe have all proposed, so that 'new' IR(R)s could then be issued after 8 Apr 2014. The wording leaves the door open for that possibility?

**A5.** Yes.

**Q6.** In your clause 5 where you refer to 'the IMCR to IR(R) and other conversions', presumably the IMCR to IR(R) conversion is simply the administrative process as described in your Revised Statement? →

business aviation from Jock Lowe and Andrew Walters. Andrew owns Biggin Hill and Jock is a member of his Board – Jock, of course, used to run British Airways' Concorde fleet, flies a Chipmunk and keeps a Bolkow Monsun at Booker. I explained the AOPA position on business aviation; we include in the definition 'self-fly' business people, as opposed to corporate aviation, which normally employs professional pilots. Andrew Walters and his team were gracious hosts and gave the group a tour of Biggin Hill, where business jets up to the 737 and A320 are handled. The real highlight for all, and not just Dame Deidre, was the Spitfire which is synonymous with 'Biggin-on-the-Bump.'

On the following day, March 22nd, Cay Roth from Jeppesen called in to see me. Jeppesen was one of the sponsors of the IAOPA World Assembly in Cape Town, reported in this issue of the magazine, and we had a chance to discuss some innovative products that they have under development which could be of interest to AOPA members. Watch this space for more information soon.

In the afternoon I attended part of the AOPA Flying Instructor Committee, and on the 23rd I attended the CAA briefing on the IMCR, where the CAA repeated that it is its clear intention to retain the IMCR, even if it is called something else. On the 26th I went to Brussels for a series of meetings. I managed to have a chat with a European Commission representative to get an update on the EU/USA BASA, the basic agreement on accepting each other's certification and licensing; this is what we're looking to to resolve the problems that will arise if EASA goes through with its stated intention to 'get the N-reg out of Europe'. Not much to report, other than the fact that discussions have started.

On March 27th I went to the EC's

Industry Consultation Body (ICB) and EASA Advisory Body (EAB), where discussions currently revolve around SESAR deployment; funding remains a major obstacle.

I was back at Gatwick on the 28th for the CAA Safety Partnership meeting. The CAA has been busy developing a paper called 'Recreational Flying'! While I understand the intent behind this project, I do not understand what the difference is between private flying and recreational flying, or why we need to introduce yet another term into the system! The paper has not been published yet, so it is difficult to make any constructive comments at this time.

On April 5th I met with CAA CEO Andrew Haines for one of our on-going discussions, which covered among other things the CAA's implementation of EASA FCL and the initiative of the French DGAC. I also mentioned that AOPA is supportive of the CAA's plans for modernisation. When the Pilling Report suggested a CEO for the CAA I thought it would be a waste of time and expense – Andrew Haines continues to prove me absolutely wrong!

From the 10th to the 15th April I attended the IAOPA World Assembly in South Africa, where Koos Marais and his AOPA South Africa team did an excellent job. The Assembly is well covered in this magazine so I'll limit myself to saying that as far as I am aware, no other GA organisation plans its strategy on the most important topics of the time in the way IAOPA does, with considered input from everyone in the worldwide brotherhood of aviation. The outcome, a series of resolutions can be found at [www.iaopa.org](http://www.iaopa.org).

These resolutions get passed to ICAO – IAOPA was founded 50 years ago with the primary intention of influencing that body. Many people think ICAO is the rule maker, whereas in reality it sets down standards

and recommended practices for international aviation – the standards generally find their way into national legal instruments. As we know, Europe has been trying to remove the variation of these standards amongst its own members states by using the European regulatory system. So the business side of our World Assembly is important and we spend hours debating airspace, aerodromes and FCL. It's always fascinating to learn how other States – the ones outside Europe – do things.

From the 18th to the 21st April I was at Aero Friedrichshafen. It seems that attendance figures were lower than in previous years – a sign of the times, I guess. I met many UK members – thanks for your kind words and your continued support – but also I met European members who remain supportive of the work all national AOPAs are doing. I was also able to engage with EASA officials and debate the regulation of GA. Most of them support a risk-based approach. However, I pointed out that the first thing you needs is good quality data, which is not available across Europe – therefore you cannot have a risk-based approach if you don't know what the risks are!

On May 2nd I attended another airspace sub-group of the ICB looking at the detail of SESAR deployment. I have concerns that GA will receive little or no funding, and that all available money will go into Air Navigation Service Providers and Commercial Air Transport. IAOPA will not accept future equipage requirements for GA without positive business cases. The EC's own rules make it imperative, but getting them to stick to their own rules when GA is the beneficiary is not always a given.

Martin Robinson

→ **A6.** Yes.

**Q7a.** There will be pilots with JAR-FCL pilot licences, now 'deemed' Part-FCL pilot licences, who may not have intended to convert their licences physically to Part-FCL licences before the 5 year re-issue point. If those licences currently include IMCRs, will those IMCRs be 'deemed' to be IR(R)s until they too are physically converted with the licence?

**A7a.** No. As explained in A4, the IR(Restricted) will be an EASA rating which cannot be included on anything except a Part-FCL pilot licence.

**Q7b.** Or will it be a requirement for such licences to be converted physically to Part-FCL licences before 8 Apr 2014 if IMCR privileges are to be exercised on EASA aeroplanes?

**A7b.** Yes

**Q7c.** So, if you are a JAR-FCL pilot licence holder with an IMCR and you wish to exercise IMC rating privileges on both EASA and non-EASA aeroplanes after 8 Apr 2014, you must have converted your licence to

a Part-FCL licence with IR(R) beforehand?

**A7c.** Yes.

**Q7d.** But if you wait until the 5 year re-issue point to convert your JAR-FCL licence with IMCR to a Part-FCL licence with IR(R), your IMC rating privileges will be restricted to non-EASA aeroplanes after 8 Apr 2014, until such time as your licence has been converted?

**A7d.** Yes.

**Q8.** Will the IR(R) be included in Part-FCL licence conversions of UK non-JAR-FCL professional pilot licences which include IMC privileges, such as the UK CPL(A)?

**A8.** Yes.

There are further points regarding the IMC rating and IR(R) which remain unresolved. For example, the status of FIs and FEs able to instruct and to examine for these ratings needs to be clarified. AOPA has proposed the creation of an IRI(Restricted) who will basically be the same as either an existing FI who has had the 'no applied instrument' restriction removed or an existing IRI(IMC).

Concerning examiners, EASA requires that only IREs may conduct IR tests, whereas in the UK suitably qualified FEs may conduct IMC rating tests. So we have proposed the creation of an IRE(Restricted) who will be an FE who is also an IRI(Restricted).

The CAA's recent Safety Notice concerning the adoption of VFR at night gives the impression that only IR holders may fly under IFR at night after 8th June 2012. In order to avoid any confusion, we have asked the CAA to include an unequivocal statement confirming that IMC rating and IR(R) holders with night ratings or night qualifications will continue to be able to exercise their IFR privileges at night. ■

## Visibility restrictions lifted

As has now been confirmed by the CAA, with effect from 8 Apr 2012, the following Air Navigation Order VFR restrictions applicable to PPL holders *without* IMCRs or IRs no longer apply to JAR-FCL PPL(A) holders:

The holder may not, unless the licence includes an instrument rating (aeroplane) or an instrument meteorological conditions rating (aeroplanes), fly as pilot in command of such an aeroplane—

- (i) on a flight outside controlled airspace if the flight visibility is less than 3 km;
- (ii) on a special VFR flight in a control zone in a flight visibility of less than 10 km except on a route or in an aerodrome traffic zone notified for the purpose of this subparagraph; or
- (iii) out of sight of the surface.

This is because all current CAA-issued JAR-FCL pilot licences were automatically 'deemed' to be part-FCL licences with effect from 8 Apr 2012.

These changes do *not* apply to UK (non-JAR-FCL) PPL(A) licences, whose VFR privileges will continue to remain restricted in accordance with the ANO.

You will note that it will henceforth be entirely legal for JAR-FCL PPL(A) holders without instrument qualifications, if in Class G airspace *and* in sight of the surface whilst flying below 140KIAS and 3000 ft amsl, to fly under VFR in flight visibility of only 1500m. ■

## IFR survey

The USA has implemented around 3,000 new WAAS procedures, giving IFR pilots across the USA the benefit of access to their aerodrome (in low cloud) and safety.

Europe is now starting its implementation and wants to target general aviation users. The technology uses GPS and EGNOS (a Satellite Based Augmentation System, enhancing the GPS signal) to provide an ILS-like approach on your GPS navigation computer, for both fixed-wing as well as rotary wing aircraft. It is as if ILS has been installed for each runway approach and heliport.

The European GNSS Agency (GSA) wants to understand the priorities of the various IFR airspace users. In particular, the aim of the survey is to investigate the interest of individual pilots and GA organisations for deployment of the new procedures in their local aerodromes, by finding out more about their operations and the perception of the benefits and costs. This will be used to prioritise deployment.

The survey has been designed by Helios, Europe's leading air transport consultancy, on behalf of the GSA. All answers will remain completely anonymous.

You can take the survey by going to the AOPA website [www.aopa.co.uk](http://www.aopa.co.uk).

## Women's centenary flight



A hundred years after Harriett Quimby became the first woman pilot to fly across the English Channel pilots from seven countries retraced her footsteps as part of a project to introduce a younger generation of women to flying.

Pilots from the UK, the US, Canada, Ireland, France, Belgium and Switzerland met at

Headcorn and Le Touquet to celebrate the centenary and to raise awareness of the opportunities aviation offers to women.

More than 100 pilots and female passengers in microlights, modern and vintage airplanes, helicopters, and multi-engined aircraft flew to the two airfields, and one third of those aircraft flew the English. In doing so they established a record for the most females introduced to flying over the English Channel in one day.

The Chairman of AOPA's Instructor Committee Geoffrey Boot, pictured here at Headcorn with some of the participants, lent the Association's support on the day.

# CAA: 'Infringers will lose their licenses'

The CAA has confirmed it will instantly suspend the licenses of anyone who infringes the Olympic restricted and prohibited areas this summer. It says that as infringements are likely to have a significant impact on other airspace users, infringers' licenses will be lifted immediately pending an investigation of the incident.

The existing CAA policy of not generally pursuing a prosecution in cases when an airspace infringement is inadvertent and the pilot has taken all reasonable steps to resolve the situation safely, will remain.

The policy of suspending licenses will not apply to the airspace restrictions covering the sailing events at Weymouth or other Olympics restrictions.

Phil Roberts, Assistant Director of Airspace Policy at the CAA, says: "We realise that the security restrictions being put in place by the Government will have an impact on GA during the Olympics. By working closely with the GA community we have achieved a significant reduction in their length and have ensured pilots have as much access to airspace as possible. The UK's GA representative associations have been doing excellent work to help us brief their members and we now believe that the vast majority of pilots are well aware of the restrictions and will aim to

abide by them. However, we also know that infringements do occur and it is right that pilots know in advance what action the CAA will be taking."

All infringements of the Restricted or Prohibited Zones will be reported to the CAA by Atlas Control, the military ATC unit covering the restricted zone. Serious infringements that the security services deem as being a potential security threat are also likely to be intercepted by the UK military in the air, and met on landing.

If the subsequent CAA investigation reveals that the infringement was inadvertent and the pilot safely dealt with the situation – by for example immediately contacting air traffic control and ensuring the aircraft's transponder is on, the suspension may be lifted.

Pilots not already in contact with Atlas Control or another ATC agency who believe they may have infringed the Olympics Restricted or Prohibited airspace should immediately contact the Distress and Diversion Cell on 121.5MHz. The controller will then ascertain their exact position and safely deal with the situation.

Matt Lee, head of the CAA's Aviation Regulation and Enforcement Department, says: "Any infringement of the security restrictions could have a major impact on air traffic movements in the South East of

England, causing costly delays. An infringement could also affect events at Olympic venues, and if military action is taken there will also be considerable cost. Given the wide consultation, notification and publicity in place for these airspace restrictions any pilot who subsequently infringes is unlikely to be someone displaying the attributes the CAA requires of a licence holder. It is important that we all play a part in ensuring the future reputation of UK aviation."

Any pilots found to have deliberately infringed the security restrictions will be prosecuted under Article 161 of the Air Navigation Order. Their licence will also remain suspended until the CAA's investigation is complete.

Phil Roberts added: "It is vital that pilots are particularly vigilant during the Olympic period. If we see a number of infringements that result in military interceptions, and knock on disruption to major airports, then there is a real risk that the concessions that we have been able to agree to date will be rescinded and action will be taken to restrict access to airspace even further."

Full details of the airspace changes being put in place for the London 2012 Olympics can be found at [www.airspacesafety.com/olympics](http://www.airspacesafety.com/olympics) ■

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# 'Airspace apartheid' at Norwich



An AOPA member has written to the CAA's Directorate of Airspace Policy to outline an incident in which he was unable to get a crossing of Class D airspace at Norwich. AOPA Chief Executive Martin Robinson commends the letter to members as a model of the type, and urges pilots to contact AOPA when such crossings are refused.



Martin says: "Class D is always granted on the basis that VFR traffic should not be excluded. Those applying for Class D airspace are required to provide enough controllers to handle all traffic in the area, not just CAT traffic. "Individual controllers are allowed to prioritise traffic when they believe they have reached their personal limits, and too often this results in VFR flights being delayed or refused a crossing. This should simply not be happening. When we question the granting of Class D, the CAA always tells us VFR traffic will not be excluded. It is an absolute condition that those who are granted Class D should provide enough staff to handle it, and if they do not, their Class D should be reviewed."

The Norwich incident arose in March and affected AOPA member Alan Cooper, who wrote to the DAP as follows:

**"Dear Sirs**

*Re: inadequate controlling and inefficient use of Norwich Class D airspace 27th March 2012*

At approximately 1510z en route from Weybourne airstrip to Rochester (EGTO) in my Robin 400 G-ZIPI I was unable to get a transit clearance through Norwich class D airspace. My initial call acknowledged by Norwich approach requested a transit through the Norwich overhead at altitude 3000ft on QNH1036. I stated my willingness to accept a different altitude or routing to gain a clearance. The frequency was not busy. As far as I could establish the traffic was as follows:

- a) Bristow callsign 'coasted out'.
- b) Light aircraft completing an instrument approach into the visual circuit.
- c) Light aircraft joining the hold at 3000ft.

- d) Light aircraft transiting to Little Snoring, altitude unknown.
- e) TOM 8VH inbound to Norwich at high level south of BKY VOR requesting airfield information (in spite of the provision of dedicated ATIS frequency). This call was clearly well outside the designated operational coverage of the approach frequency.

Monitoring the approach frequency and with the Norwich DME at 18D, after a lengthy wait I had to deviate my course south west and descend rapidly to 1400ft which was my alternative plan in the event of a transit refusal. I called approach informing that I had taken it that transit was refused and was planning to remain clear at low level. I then circumnavigated the Norwich airspace remaining outside 15 DME Norwich. This greatly increased my track miles and fuel consumption as well as inflicting unnecessary environmental noise on the area to the west of Norwich airport. Additionally I was forced to fly in the worst choke point on the edge of this airspace where the risk of collision must be raised by many orders of magnitude.

I am 19,000-hour pilot who has on

numerous times commanded Boeing 757 and 737-800 aircraft into Norwich Airport. My aircraft is comprehensively equipped with VOR/ILS/ADF/DME/ModeC transponder. I am fully instrument rated, on SEP as well as B757/767, and as a current Flight Examiner consider my RT to be at a high level of competency. Norwich Approach frequency was not busy, with lengthy gaps in transmissions. On leaving the frequency the controller (new?) apologised for the lack of a transit, which I acknowledged.

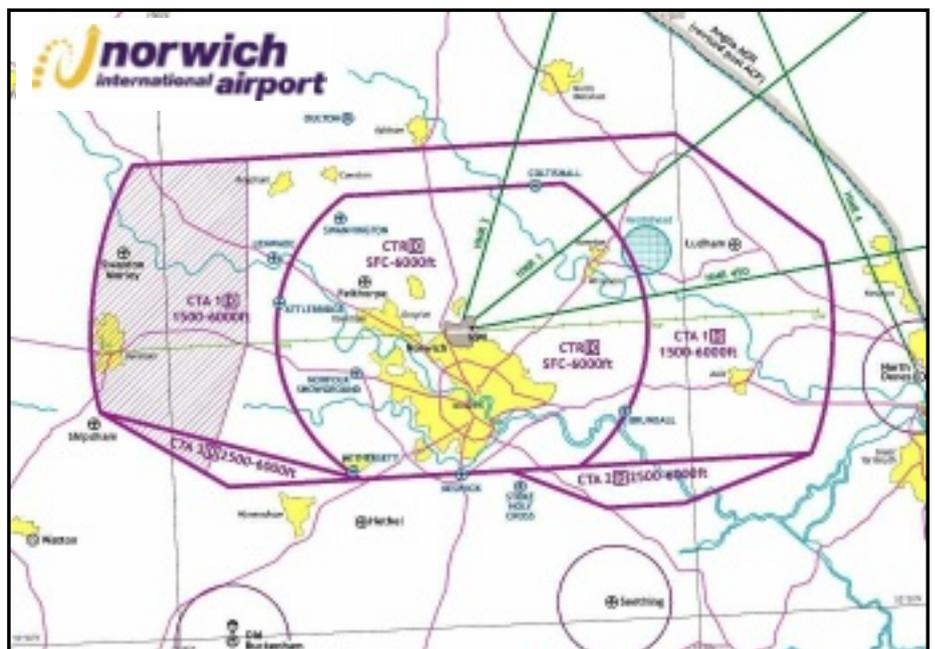
I note in CAP724 appendix E stage 7 there will be a post-implementation review 12 months after the creation of new airspace. I feel sure situations such as this will contribute to a view of whether Norwich ATC unit is sufficiently resourced and motivated to efficiently manage such a large area of airspace. Perhaps a dedicated area transit controller separate from the approach controller is necessary. Indeed Norwich may be well advised to look at the many excellent class D control units who manage far busier airspace satisfactorily for all airspace users. I shall copy this letter the Norwich SATCO as a courtesy.

I look forward to receiving your comments!"

Martin Robinson says: "Members should contact us whenever they are refused a crossing and we will take the issue up with the CAA. If you write to the DAP, please copy us in on the letter.

"There are a number of areas where VFR pilots feel they are treated as an afterthought or even a nuisance by controllers who don't want to do the job properly, or in places where staffing is inadequate. More Class D airspace is being applied for, so this issue is taking on increasing importance." ■

**Top: Norwich Airport**  
**Below: revised configuration of the proposed controlled airspace in the vicinity of NIA**





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# 'Bandits with credit card readers'

AOPA is pressing for urgent action on mandatory handling charges following an incident in which a member was charged more than £550 for landing a single-engine piston aircraft at Doncaster Robin Hood Airport.

The extraordinary charges brought to a head the long-running battle over the way in which mandatory handling is imposed at some airports, which AOPA believes is contrary to European law. While attempts to get redress down the years have

founded on bureaucratic buck-passing between London and Brussels, the Doncaster incident has been brought to the attention of CAA Chief Executive Andrew Haines, who is taking a personal interest in developments. His involvement may produce results.

For years AOPA has been trying to force the UK government to implement the full provisions of the European Council directive which imposes mandatory handling at certain airports. Members have been hammered with extraordinary fees for unwanted and unnecessary services – forced to accept rides across the apron in crew buses at £75 a time, or required to pay hundreds of pounds in out-of-hours fees for a marshaller to wave bats. But the same directive that imposes mandatory handling also requires States to ensure that 'self-handling' is allowed. This means GA traffic should be free to decline unnecessary services, and the fees that go with them.

International AOPA obtained a statement from the EC's then Transport Commissioner Daniel Calleja di Crespo indicating clearly that mandatory handling was envisaged only for Commercial Air Transport and that GA should be exempted if it chose. However, the EC declined to take steps to ensure that States complied.

Article 7 of the European Council directive on handling, 96/67/EC says: "Self-handling: 1. Member States shall



Charges can reach extraordinary levels at Doncaster Robin Hood Airport

take the necessary measures in accordance with the arrangements laid down in Article 1 to ensure the freedom to self-handle." (Article 1 sets out the scope of the directive, specifying which airports mandatory handling applied to.)

In the light of the Doncaster case, AOPA Chief Executive Martin Robinson has again written to the UK Department for Transport asking what 'necessary measures' it intends to take to implement the EC's directive.

Some handling agents at airports with more than one million passengers or 25,000 tonnes of freight have been making significant profits from GA movements, with some charging questionable sums for needless 'work'. One AOPA member who was stung for mandatory handling condemned the agents as 'bandits with credit card readers'.

Martin Robinson says the situation is not only unacceptable from a financial standpoint, but it has safety implications because at some airports which have signed up to AOPA's Strasser Scheme, whereby landing fees are waived in cases of genuine emergency or unplanned diversion, handling agents still want their cut – which undermines the safety aims of the Scheme.

He says: "Now that Andrew Haines is taking a personal interest in this issue

there's a chance we might make progress. Mr Haines flew with me last year, and one of our stops was at Bournemouth where he saw for himself just what handling means in the general aviation world, and why the whole idea of mandatory handling for private aircraft is flawed. He is seeking to clarify the UK interpretation of the handling mandate, and I'm given to understand that the legal advice he's received so far indicates that it should apply only to Commercial Air Transport.

"There's some way to go yet because he needs chapter and verse, but I think we'll get this matter settled for good or ill – my experience of Andrew Haines is that it's not in his nature to kick any issue into the long grass, so stonewalling and obfuscation will no longer carry the day.

"There have been too many horror stories of mandatory handling fees, not just in Britain but right across Europe. A pilot usually has two good legs to carry him from the aircraft to the terminal and doesn't need a crew bus at £75 a time. There might be a case for airfields to say they wanted someone to look after you, perhaps in the case of refuelling, but there's no reason why this service shouldn't be provided by the local flying club, which could perhaps charge a small fee. Often handling agents charge on the basis of what's available – ramp services, catering, baggage handling and so on – rather than what the pilot needs or uses.

"This is not just a matter of money; it affects safety. All but five UK airfields subscribe to the Strasser Scheme, which means that when you're making decisions on where to land when you have a problem, landing fees are simply not an issue – you're welcome anywhere, for free. But there have been instances where the landing fee was waived, but the handling agent still wanted his piece of the action. Sometimes the proposed charges have been very high, which undermines the whole point of the Strasser Scheme." ■

## Shoreham slams GA with new fees

An AOPA member who landed at Shoreham found that his fees had jumped from £43 – paid for the same aircraft last October – to £178.80 following the imposition of mandatory handling for aircraft over 1900 kg.

The member, flying a Cessna 303 on a day out from the Channel Islands to visit family, thought the charge was a misprint until it was explained that it included a new component of £73 plus VAT for mandatory handling. "£178.80 is now the minimum charge at Shoreham for light twins such as mine. It may be appropriate for executive jets and turboprops but it isn't for light twins on a day out to see family!"

The extraordinary new cash demands will serve to drive more traffic away from Shoreham. Charles Strasser, Chairman of AOPA's Channel Islands area, where the member lives, says: "Shoreham used to be a most GA-friendly airport and this is a matter of great concern to us."



# French want 24 hours notice of GA flights

Conservative Defence Minister and private pilot Gerald Howarth MP has asked the Foreign Office on AOPA's behalf to seek clarification from the French of their reasons for withdrawing Customs from dozens of airfields and for imposing a 24-hour notice requirement on flights from Britain, but the answer leaves little room for doubt that the situation will not change.

Almost 40 airfields have been listed as having Customs withdrawn, effective either from 2011 or from mid-2012. The withdrawal makes visiting France more of a hassle, but the sub-text of French statements on the issue is that they can't expect to maintain a costly Customs presence for the benefit of GA pilots from one country that refuses to sign the Schengen Agreement.

(Switzerland is also affected to a lesser degree because although it has signed Schengen, it is not a member of the EU and Swiss GA is deemed to require Customs attention.)

The decision means that GA flight from the UK and the Channel Islands will have to land, with some exceptions, at airports which have scheduled international commercial air transport movements as a first port of entry, which is likely to have a serious affect on costs. Among the airfields having Customs withdrawn are well-used stopping-off points such as Calais, Amiens and Abbeville. The 24-hour notice requirement means no more same-day decisions to have lunch in Le Touquet if the weather's good.

In reply to a letter on the subject from Mr Howarth, who flies a PA-28 from Farnborough, the Rt Hon David Lidington MP, the Foreign Office Minister responsible for European issues and NATO, wrote: "Dear Gerald,

Thank you for the email dated 4 April 2012, which attached an email from Martin Robinson, CEO of the Aircraft Owners and Pilots Association, concerning the removal of customs at French airfields.

Officials at the British Embassy in Paris have raised this matter with the French authorities. The French authorities advise that the removal of customs at a number of airfields was necessitated by the present climate of budget cuts and the need to prioritise resources. A list of designated French border entry points was published in the Official Journal of the European Union on 6 December 2011. They are the only points at which traffic from outside Schengen can clear the entry formalities in France. The list includes 84 airports, which the French authorities understand to be among the highest number of any Schengen country (Germany has specified 40).

They advise that once pilots have cleared the frontier requirements at a specified entry point they can continue their journey on to any other airport. Additionally, under the new arrangements, those entering Schengen via a designated border entry point are required to provide 24 hours notice. There is provision for emergencies, although French border security requirements mean that not every aerodrome can accommodate extra-Schengen traffic.

Having considered this carefully, we believe this is an internal matter for the French authorities. Should Mr. Robinson have reason to believe that these measures restrict his right to freedom of movement, he may want to consider seeking legal advice.

I am sorry I cannot be of any more assistance on this occasion."

Schengen has been signed by 25 European countries and allows free movement between those countries, but the UK has said it will maintain its own border controls and will not sign. Mr Lidington's comparison between France's 84 Customs airports and Germany's 40 is something of a non sequitur as Germany has no borders with non-Schengen countries while France must deal with the UK.

The imposition of a 24-hour notice requirement will serve to further stifle GA traffic between the UK and France. Martin Robinson says: "It is particularly unfair on GA now that it applies only to designated airports with an established Customs presence. I can go to France in my car or by train and be admitted in minutes. Why should the same not be true if I flew there?"

*These airfields had their customs facilities removed from December 6<sup>th</sup> last year:*

**Meaux-Esbly; Pontoise -Corrmeilles-en Vexin; Toussus Le Noble; Valenciennes-Denaine; Nancy-Essey; Pontarlier; Reims-Champagne; Saint-Yan; Vesoul-Frotye; Courcheval; Megeve; Roanne-Renaion; Valence-Chabeuil; Gap-Tallard; Albi-le-Sequestre; Cahors-Lalbenque; Castres-Mazamet; Bourges; Dieppe-St-Aubin; Granville; Morlaix-Ploujean; Quimper-Plughaffen.**

*These airfields are listed as having been earmarked to have Customs removed by summer 2012:*

**Amiens-Glisy; Abbeville; Calais-Dunkerque; Montbeliard-Courcelles; Besancon-La-Veze; Colmar-Houssen; Nevers-Fourchambault; Epinal-Mirecourt; Auxerre-Branches; Vichy-Charmeil; Annemasse; Le Castellet; Agen-La Garenne; Lannion; Laval-Entrammes; Rouen-Vallee de Seine; Orleans-St-Denis-De-Hotel.** ■

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# It flies! Bristol students win AOPA award

by George Done

AOPA supports an educational initiative that aims to encourage budding aircraft designers every year by providing one of the major prizes in 'It Flies!' – the annual Merlin Flight Simulation Group's Aircraft Design and Handling Competition. In 2011 the competition took place in June at Coventry University and is open to student teams from UK universities and colleges; each team submits their own design of an aircraft to a specification set by their tutors which is then 'flown' on the Merlin MP521 engineering flight simulator by test pilots Dave Southwood from the ETPS and Dave Mackay from Virgin

Galactic, with commentary from John Farley, the now-retired Harrier test pilot. An innovative 150 seat passenger jet had been designed by the team from Bristol University which, despite the complications arising from the unusual configuration in which two pairs of wings



connect at the tips to form a diamond in planform, was found to fly like any other mid-range commercial aircraft, the model performing almost exactly as predicted. It was selected by the test pilot team to receive the AOPA prize for the best new design, which consists of up to an hour's flying with an AOPA Corporate Member for each student. Although there were more in the actual design team, the two students representatives at the competition were able to take up the award. These were Bobby Henderson and Ioannis

**Below: Bobby Henderson and Ioannis Sophocleous fly Robins from Staverton**

Sophocleous, and Bobby Henderson described their flying experience with the Cotswold Aero Club as follows:

"We arrived at the Cotswold Aero Club at Staverton on a crisp winter's day in hat-and-scarf, enticed by the prospect of a great day of flying ahead. I had elected to dabble in aerobatics in the Robin 2100 and Ioannis was to be eased in more gently with air experience exercises in a DR400. After the necessary formalities, we agreed that the two aircraft would formate after take-off for some photos, before breaking off to go their separate ways.

Ten minutes after take-off we were both cruising over the Severn Estuary in loose formation basking in the glorious winter sun, whence, after a brief dive to gain speed, the aerobatics began abruptly with a 3g loop, breaking the formation in style.

Thirty minutes of aerobatics ensued, after which I was able to perform unassisted loops, rolls, lazy eights and stalls under the watchful eye of instructor Max Gardner. At the risk of upsetting breakfast, the flight settled down into a



## GAR forms

Most of the iceberg that hit the *Titanic* was not visible. AOPA's work is a bit like that. None more so than the work John Murray has been doing over the last two years on the development and improvement of the GAR system. The EBorders project has given much impetus to this and change is coming our way, much like the iceberg. Some variations on change might not be very welcome.

To this end John has been shuttling up to the Home Office frequently over the last two years helping steer things for GA. The interest has reached ministerial level and on Wednesday 25th of April the Minister for immigration Damien Green and senior Home Office officials visited Blackbushe to see first-hand how GA is handled by the Border Force. John Murray arranged to fly in and be met by a Border Force reception party. He had some quality time with the minister. "The Minister comes across as well briefed and switched on," John says. "Much credit should go to the Border Force officials who say that over the last year, in the lead up to the Olympics, they have faced more public and parliamentary questions than ever about the security of GA. As we pilots know this is very often of the 'chicken licken' variety of understanding of a threat.

"A senior source said that working closely with AOPA over this time has helped a great deal in being able to give good briefings to ministers and parliament. The Minister for his part had a full understanding that you can't fence in every field. 'What we need is an intelligent approach led by intelligence,' he said."

He was treated to a demonstration of a full 'rummage' of John's aircraft then over tea had the new electronic GAR systems demonstrated on smartphones. This is about to be launched nationally – watch this magazine for developments.

scenic flight over the Malvern Hills, among what seemed like a surprising number of fellow aircraft.

In one of those other aircraft was Ioannis and his instructor who, I swear, came back sprouting grey hair! A post-flight debrief revealed that aerospace engineers are not necessarily innate aviators! Ioannis did however manage a comfortable stint of attitude flying with some general handling thrown into the mix.

After an hour airborne, it was time to return to base. Navigating a now busy circuit, with a Slingsby performing aerobatics in the overhead, I made what I would describe as a 'firm' (cough) landing, followed by a long casual roll-out. The DR400 followed soon after with an altogether much tidier touchdown.

Thanks to AOPA, a bone-chilling winter morning was turned into an exciting adventure for both of us. Thinking back, my memories are torn between the flight and the sight of the free buffet that greeted us on our return – a sight to make any student weak at the knees!" ■

# Airport charges

James Chan of the AOPA Members Working Group has compiled a comparative list of charges at main British airports. There's a detailed explanation of the categories at the end.

	<b>Airport charge</b>	<b>24hr parking</b>	<b>Minimum FBO fee</b>	<b>Total</b>	<b>Remarks</b>
Blackpool	8.2	5.2	0	16.08	Feb-12
Coventry	9	4.5	0	16.2	Feb-12
Inverness	15	2.4	0	20.88	Feb-12
Humberside	17.5	0	0	21	Apr-12
Manston	15	5.8	0	24.96	Feb-12
Gloucester	10.83	10	0	24.99	Apr-12
Derry City	12.45	8.74	0	25.43	Apr-12
Shoreham	18	5.75	0	28.5	Feb-12
Cambridge	21	5	0	31.2	Feb-12
Hawarden	16	10	0	31.2	Feb-12
Newquay	24	2	0	31.2	Feb-12
Carlisle	18	10	0	33.6	Feb-12
Durham Tees	16.7	4.5	10	37.44	Feb-12
Exeter	22	10	0	38.4	Feb-12
Oxford	16.5	16	0	39	Feb-12
Prestwick	20	13	0	39.6	Feb-12
Biggin Hill	23.5	10.8	0	41.16	Feb-12
Cardiff	19	16	0	42	Feb-12
Southend	23	13	0	43.2	Feb-12
Norwich	20	12	5	44.4	Feb-12
Lydd	31	7	0	45.6	Apr-12 Subtract £20.40 if VFR
Filton	26	15.5	0	49.8	Feb-12 Airport to close
Cranfield	36	10	0	55.2	Apr-12 Subtract £21.60 if VFR
Isle of Man	17	4	25	55.2	Feb-12
Leeds Brad	13	4	30	56.4	Feb-12 Club won't handle visitors
Bournemouth	19	16	17	62.4	Feb-12 Club won't handle visitors
Birmingham	12	5	36	63.6	Feb-12 No flying club
Liverpool	22	5.4	28.5	67.08	Feb-12 Club won't handle visitors
Newcastle	25	6	30	73.2	Feb-12 Club won't handle visitors
Aberdeen	57	6	0	75.6	Feb-12
Don Sheff	14	1.8	50	78.96	Feb-12 Club won't handle visitors
Belfast City	26	12	70	129.6	Feb-12
East Mids	32	6.5	85	148.2	Feb-12 Club won't handle visitors
Belfast Intl	27	15	95	164.4	Feb-12 Club won't handle visitors
Bristol	55	19	69	171.6	Feb-12 Club won't handle visitors
Glasgow	54	5.8	95	185.76	Feb-12 Club won't handle visitors
Southampton	18	6.5	130	185.4	Feb-12
Edinburgh	95	6	95	235.2	Feb-12 Club won't handle visitors
Manchester	39	13	180	278.4	Feb-12 No flying club
Stansted	243	108	170	625.2	Feb-12 No flying club
Luton	245	28.3	350	747.96	Feb-12 No flying club
Farnborough	358	456	Inc.	976.8	Feb-12
Gatwick	662	470	221	1623.6	Feb-12 No flying club
Heathrow	Single Engine/Personal Transport/Recreational use not permitted				
London City	Single Engine/Personal Transport/Recreational use not permitted				

## Header explanations:

**Airport charge:** This includes all charges levied by the aerodrome from inbound approach to outbound departure for a two-seater SEP aircraft (MTOW 757kg) operated non-commercially during standard, non-peak operating hours.

**Includes:** Any landing fees, instrument approach fees, navigation fees, runway movement and departure fees levied for visiting (non-based) aircraft.

**Excludes:** VAT, parking, discounts, training rates, package deals, customs/immigration charges, rebates or any other promotional offers.

**24hr parking charge:** Parking Charge is for up to 24hrs after any initial free period of parking (typically 2 hours at most airports).

Excludes VAT.

**Minimum FBO fee:** FBO Fee obtained by contacting several based handling agents and flying schools on-site and noting the cheapest on offer. 0 = No charge or self-handling. Excludes VAT.

**Total:** Total to land, park for a night and take off the following day within a 24hr period. Includes VAT.

# Aerodromes support

AOPA members reading the article about David Ogilvy in this issue of *General Aviation* and his stepping back from the AOPA front line may be wondering about what will happen now to the vital area of aerodromes support. Over the past several years, David's name has been synonymous with general aviation aerodromes and airstrips, especially in the provision of expert advice on matters ranging from operational issues to planning matters, with wind turbine problems becoming dominant most recently. The article "AOPA and aerodromes today" in the February issue of *General Aviation* provided the background and history of the activity and also that of the General Aviation Awareness Council, the umbrella body that is supported by a large number of GA associations and clubs, including AOPA. When the administration of the GAAC moved from the AOPA offices to the Royal Aeronautical Society in 2006, it made logistical sense for AOPA, in the shape of David himself, to retain responsibility for individual aerodrome work and advice since all the paperwork files, of which there are many, were based there.

As a wonderful example of serendipity, AOPA member Steve Slater, the recently elected chairman of the Vintage Aircraft Club, had expressed an interest to David in the aerodromes work. The opportunity was seized with aplomb, and over the past few months the two of them have been working closely together to achieve a handover. Steve himself is well known to many in GA beyond the VAC and his story of restoring and getting the BE-2c replica into the skies again was widely reported in the aviation press, including *General Aviation* ("Being Biggles", February 2012). Steve will work under the aegis of the GAAC, restoring the pre-2006 arrangements and allowing him to provide advice on all manner of flying sites, not just those of interest to AOPA members, including, for example, gliding and microlight sites, with a clear conscience. Steve is currently going through all the files in the AOPA office and summarising the details electronically for future reference, saving only those original letters and documents that are deemed necessary to save in paper form, thereby providing the freedom to choose where he works.

If an AOPA member has an aerodrome enquiry or problem, he or she is still welcome to contact the office, which will then, for the vast majority of cases, refer on to Steve for him to deal with. Many enquiries come from farmers or others who have no immediate involvement in aviation and for them, and all whose activities are less directly geared to AOPA interests, Steve can also be contacted through the GAAC at [steve@gaac.org.uk](mailto:steve@gaac.org.uk) – George Done ■