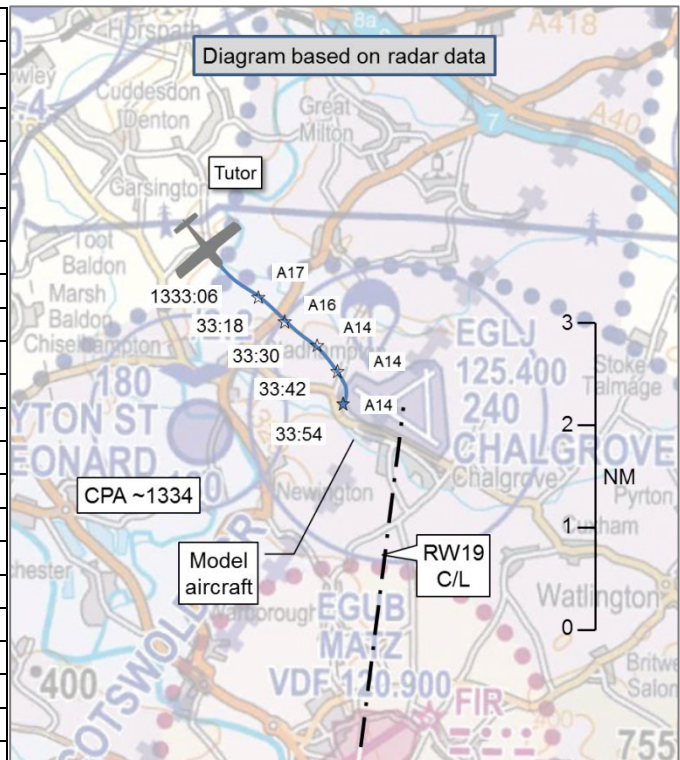


**AIRPROX REPORT No 2016016**

Date: 12 Feb 2016 Time: 1335Z Position: 5140N 00106W Location: 2.5nm NE Benson

**PART A: SUMMARY OF INFORMATION REPORTED TO UKAB**

Recorded	Aircraft 1	Aircraft 2
Aircraft	Tutor	Model Aircraft
Operator	HQ Air (Trg)	Civ Pte
Airspace	London FIR	London FIR
Class	G	G
Rules	VFR	
Service	Aerodrome	
Provider	Benson	
Altitude/FL	1400ft	
Transponder	A, C, S	
<b>Reported</b>		Not reported
Colours	White	
Lighting	HISL, nav	
Conditions	VMC	
Visibility	30km	
Altitude/FL	1500ft	
Altimeter	QFE (986hPa)	
Heading	190°	
Speed	110kt	
ACAS/TAS	TAS	
Alert	None	
<b>Separation</b>		
Reported	0ft V/0.5nm H	
Recorded		NK



**THE TUTOR PILOT** reports returning to the RAF Benson circuit. He stated his intentions to the Approach controller to join through initials into the circuit, called visual with the airfield and switched to the Tower frequency. He requested to join via initials and was cleared to do so. On reaching the initial point, at 1500ft, he was surprised to see a Hawk (or possibly a Hunter) in a rapid vertical climb in front of him, which reached his altitude. For a moment he thought it was a real aircraft at a range of 2nm, but quickly realised it was a model at a range of half a mile. The model completed a stall turn in front of him and descended rapidly. As he watched it descend he saw the model operator standing in the centre of a field below. The Tutor pilot wagged his wings to indicate he had seen the operator and to make him aware of his presence. He informed the Tower controller of the activity and continued to join the circuit. The Tutor pilot noted that whilst there was no immediate danger of a collision, given the speed of the model, it had surprised him and he felt it was being operated in an inappropriate location to conduct such activities.

He assessed the risk of collision as 'Low'.

**THE MODEL AIRCRAFT OPERATOR:** The model aircraft operator could not be traced.

**Factual Background**

The weather at Benson was recorded as follows:

METAR EGUB 121250Z 09012KT 9999 FEW020 07/02 Q0993 BLU TEMPO SCT020 WHT=  
 METAR EGUB 121350Z 10010KT 9999 SCT019 06/01 Q0993 WHT TEMPO FEW019 BLU=

## Analysis and Investigation

### UKAB Secretariat

The Air Navigation Order 2009 (as amended), Article 138<sup>1</sup> states:

‘A person must not recklessly or negligently cause or permit an aircraft to endanger any person or property.’

Article 166, paragraphs 2, 3 and 4 state:

‘(2) The person in charge of a small unmanned aircraft may only fly the aircraft if reasonably satisfied that the flight can safely be made.

(3) The person in charge of a small unmanned aircraft must maintain direct, unaided visual contact with the aircraft sufficient to monitor its flight path in relation to other aircraft, persons, vehicles, vessels and structures for the purpose of avoiding collisions.’

(4) The person in charge of a small unmanned aircraft which has a mass of more than 7kg excluding its fuel but including any articles or equipment installed in or attached to the aircraft at the commencement of its flight, must not fly the aircraft

(a) in Class A, C, D or E airspace unless the permission of the appropriate air traffic control unit has been obtained;

(b) within an aerodrome traffic zone ...; or

(c) at a height of more than 400 feet above the surface unless it is flying in airspace described in sub-paragraph (a) or (b) and in accordance with the requirements for that airspace.’

A CAA web site<sup>2</sup> provides information and guidance associated with the operation of Unmanned Aircraft Systems (UASs) and Unmanned Aerial Vehicles (UAVs).

Additionally, the CAA has published a UAV Safety Notice<sup>3</sup> which states the responsibilities for flying unmanned aircraft. This includes:

‘You are responsible for avoiding collisions with other people or objects - including aircraft.

Do not fly your unmanned aircraft in any way that could endanger people or property.

It is illegal to fly your unmanned aircraft over a congested area (streets, towns and cities).

..., stay well clear of airports and airfields’.

## Comments

### HQ Air Command

At the time of review by the UKAB, this incident was still under investigation by the safety team at RAF Benson; an assessment was ongoing relating to the procedures for aircraft joining the airfield in addition to the liaison with model aircraft operators in the local area.

Although the model aircraft site in question is detailed in the RAF Benson Warnings section of the LFA 1 locally generated sensitive areas<sup>4</sup>, the entry details activity from the site up to 1000ft agl. As a result, the Tutor pilot may not have expected model aircraft to be operating at his height as he joined through initials. This incident has been widely publicised amongst air users at RAF Benson in order to raise awareness of the potential of conflict with model aircraft at light fixed-wing initials for RW19.

<sup>1</sup> Article 253 of the ANO details which Articles apply to small unmanned aircraft. Article 255 defines ‘small unmanned aircraft’. The ANO is available to view at <http://www.legislation.gov.uk>.

<sup>2</sup> [www.caa.co.uk/uas](http://www.caa.co.uk/uas)

<sup>3</sup> CAP 1202

<sup>4</sup> Supplementary information published in addition to the LFA 1 entry of the UK Military Low Flying Handbook.

## Summary

An Airprox was reported when a Tutor and a model aircraft flew into proximity at about 1335 on Friday 12<sup>th</sup> February 2016. The Tutor pilot was operating under VFR in VMC, in receipt of an Aerodrome Control Service from Benson Tower.

### **PART B: SUMMARY OF THE BOARD'S DISCUSSIONS**

Information available consisted of a report from the Tutor pilot, transcripts of the relevant RT frequencies, radar photographs/video recordings, reports from the air traffic controllers involved and reports from the appropriate ATC and operating authorities.

The Board quickly agreed that this unusual Airprox was as a result of the Tutor pilot's concern at the altitude at which the model aircraft was being operated. His assessment of range, and his report that he had not needed to take avoiding action, indicated no immediate proximity. Nevertheless, the Tutor pilot was concerned that safety may have been compromised, and members agreed that although it could not be known what the actual mass of the model was (i.e. whether it was below the 7kg limit for operations above 400ft), it appeared the model was being operated above the nominal 400ft height limit as stated in regulations. The Board welcomed the fact that RAF Benson had redoubled its liaison efforts with local model aircraft clubs in the hope that widespread publicity of this incident would help to raise awareness amongst the model aircraft flying community.

### **PART C: ASSESSMENT OF CAUSE AND RISK**

Cause: The Tutor pilot was concerned by the altitude at which the model aircraft was being operated.

Degree of Risk: C.