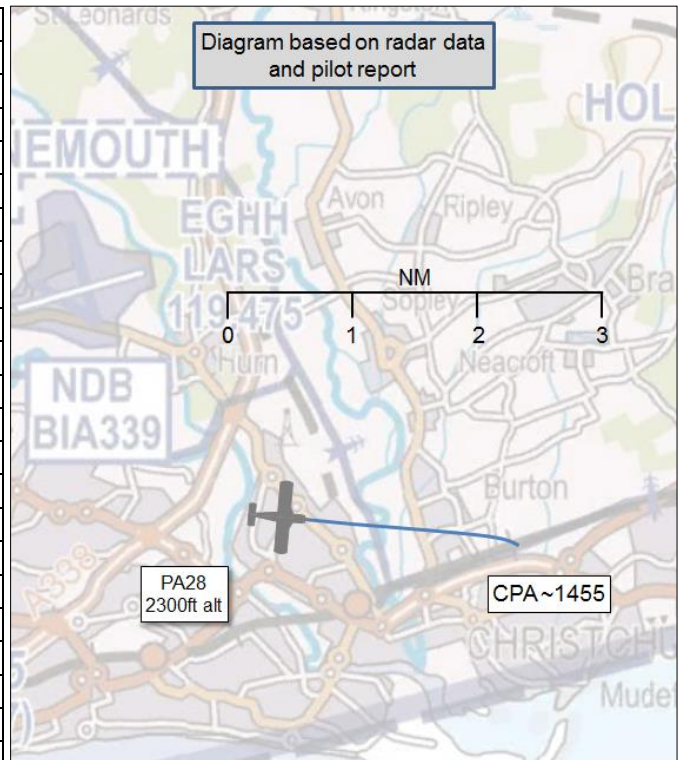


AIRPROX REPORT No 2016203

Date: 17 Sep 2016 Time: 1455Z Position: 5045N 00146W Location: Bournemouth CTR

PART A: SUMMARY OF INFORMATION REPORTED TO UKAB

Recorded	Aircraft 1	Aircraft 2
Aircraft	PA28	Model/Drone
Operator	Civ Club	Unknown
Airspace	B'mouth CTR	B'mouth CTR
Class	D	D
Rules	VFR	
Service	Radar Control	
Provider	Bournemouth	
Altitude/FL	2300ft	
Transponder	A, C	
Reported		Not reported
Colours	Blue, white	
Lighting	Strobes	
Conditions	VMC	
Visibility	>10km	
Altitude/FL	2400ft	
Altimeter	QNH (1021hPa)	
Heading	080°	
Speed	95kt	
ACAS/TAS	Not fitted	
Separation		
Reported	75ft V/150m H	
Recorded		NK



THE PA28 PILOT reports transiting from Dunkswell to Lee on Solent. The PPL qualified passenger was operating the radio on her behalf. He requested a transit through the Bournemouth CTR via Newton Peveril direct to Cowes, tracking about 090°. The pilot did not recall the Bournemouth controller specifying ‘a service’ as they entered the control zone; however, he did instruct them to let him know if they wanted to change level. They remained at 2,400ft on the Bournemouth QNH although the day was rather bumpy so this may have fluctuated between 2,300ft and 2,400ft. The pilot noted that it was very quiet on frequency. The passenger thought he saw a bird, quickly pointed to the left corner of the windscreen and said quickly 'bird of prey'. As the pilot turned her head to look she saw an object of perhaps 1m wingspan, bright red/pink in colour and similar in shape to an aeroplane which moved from the front left to just under the leading edge of the left wingtip. The pilot watched as it reappeared quickly from under the trailing edge of the wing and disappeared behind them. The passenger then stated 'that's not a bird', at which point they realised it was either a model aircraft or a drone. The pilot noted that it was hard to assess the separation, but that it was heading on a reciprocal track. The object was close enough to warrant immediately reporting it to ATC and for both pilot and passenger to think they were lucky to have missed it. The pilot noted there was no time to take avoiding action.

She assessed the risk of collision as ‘Medium’.

THE MODEL/DRONE OPERATOR: A model/drone operator could not be traced.

THE BOURNEMOUTH CONTROLLER did not submit a report to the UKAB.

Factual Background

The weather at Bournemouth was recorded as follows:

METAR EGGH 171450Z 34010KT 9999 FEW034 SCT048 17/11 Q1021=

Analysis and Investigation

UKAB Secretariat

There are no specific ANO regulations limiting the maximum height for the operation of model aircraft/drone that weigh 7kg or less other than if flown using FPV (with a maximum weight of 3.5kg) when 1000ft is the maximum height. A model aircraft/drone weighing between 7kg and 20kg are limited to 400ft unless in accordance with airspace requirements. Notwithstanding, there remains a requirement to 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. CAP 722 gives guidance that, within the UK, visual line of sight (VLOS) operations are normally accepted to mean a maximum distance of 500m [1640ft] horizontally and 400ft [122m] vertically from the Remote Pilot.

Neither are there any specific ANO regulations limiting the operation of a model aircraft/drone in controlled airspace if they weigh 7kg or less other than if flown using FPV (with a maximum weight of 3.5kg) when they must not be flown in Class A, C, D or E, or in an ATZ during notified hours, without ATC permission. Model aircraft/drone weighing between 7kg and 20kg must not be flown in Class A, C, D or E, or in an ATZ during notified hours, without ATC permission. CAP722 gives guidance that operators of model aircraft/drone of any weight must avoid and give way to manned aircraft at all times in controlled Airspace or ATZ. CAP722 gives further guidance that, in practical terms, model aircraft/drone of any mass could present a particular hazard when operating near an aerodrome or other landing site due to the presence of manned aircraft taking off and landing. Therefore, it strongly recommends that contact with the relevant ATS unit is made prior to conducting such a flight.

Notwithstanding the above, all model aircraft/drone operators are also required to observe ANO 2016 Article 94(2) which requires that the person in charge of a small unmanned aircraft may only fly the aircraft if reasonably satisfied that the flight can safely be made, and the ANO 2016 Article 241 requirement not to recklessly or negligently cause or permit an aircraft to endanger any person or property. Allowing that the term 'endanger' might be open to interpretation, model aircraft/drone of any size that are operated in close proximity to airfield approach, pattern of traffic or departure lanes, or above 1000ft agl (i.e. beyond VLOS (visual line of sight) and FPV (first-person-view) heights), can be considered to have endangered any aircraft that come into proximity. In such circumstances, or if other specific regulations have not been complied with as appropriate above, the drone operator will be judged to have caused the Airprox by having flown their drone into conflict with the aircraft.

Summary

An Airprox was reported when a PA28 and a model aircraft or drone flew into proximity at about 1455 on Saturday 17th September 2016. The PA28 pilot was operating under VFR in VMC in receipt of a Radar Control Service from Bournemouth. A model aircraft/drone operator could not be traced.

PART B: SUMMARY OF THE BOARD'S DISCUSSIONS

Information available consisted of a report from the PA28 pilot and radar photographs/video recordings.

Members were unable to decide conclusively as to whether the object sighted was a model aircraft or a drone although it was felt more likely to be a model aircraft. However, it was agreed that this did not affect the applicable regulations and that, by being at 2300ft, the model had been flown into conflict with the PA28. Members also agreed that it had been in close proximity, and that the reported separation was such that safety had been much reduced below the norm.

PART C: ASSESSMENT OF CAUSE AND RISK

Cause: The model aircraft was flown into conflict with the PA28.

Degree of Risk: B.