

AIRPROX REPORT No 2013092

Date/Time: 1 Aug 2013 1133Z

Position: 5309N 00219W
(1nm S Arclid Airfield
- elevation 262ft)

Airspace: London FIR (Class: G)

Reporting Ac **Reported Ac**

Type: EV-97 Mooney M20

Operator: Civ Trg Civ Pte

Alt/FL: 1800ft NK
QNH (1008hPa)

Weather: VMC CAVOK NK

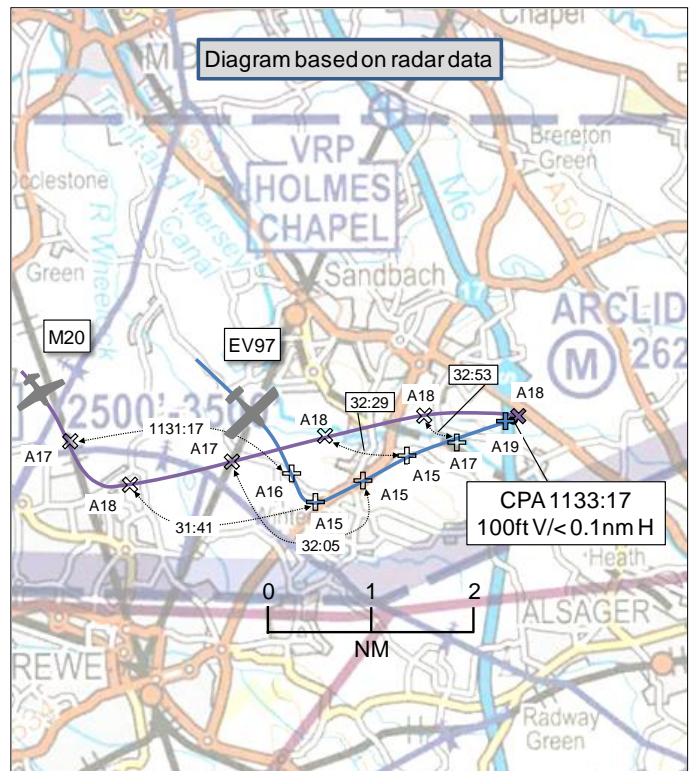
Visibility: 10km NK

Reported Separation:

100ft V/100m H NK

Recorded Separation:

100ft V<0.1nm H



PART A: SUMMARY OF INFORMATION REPORTED TO UKAB

THE EV-97 TEAMEUROSTAR PILOT reports being on a VFR training flight at Arclid airfield. The aircraft was coloured silver and was squawking SSR Modes S and C. Having just levelled at 1800ft QNH, from a full power climb on a heading of approximately 070°, a light aircraft was sighted in his 9 o'clock 100m away, about 100ft below, heading approximately 110°. The light aircraft, possibly a Mooney Bravo (he thought), was travelling faster and passed below and slightly ahead of his track.

He assessed the risk of collision as 'Medium'.



THE MOONEY M20J PILOT, despite numerous requests, has not completed a report concerning the incident. The aircraft was traced from its Mode S identification. It is registered and based outside the UK.

Factual Background

The UK AIP¹ describes Arclid (nr. Sandbach) as an airfield for 'ultra-light flights', operating within a circle, 2nm radius, centred at 530828M 0021900W, with an upper limit of 2000ft. The Arclid website states operating hours sunrise to sunset. Main runway orientation 02/20. Circuits RW02 left-hand; 20 right-hand. 500ft QFE.

¹ ENR 5.5-12 Aerial Sporting and Recreational Activities.

The Rules of the Air 2007, Rule 11 states that:

(1) ...an aircraft which is being overtaken in the air shall have the right-of-way and the overtaking aircraft, whether climbing, descending or in horizontal flight, shall keep out of the way of the other aircraft by altering course to the right.

(2) An aircraft which is overtaking another aircraft shall keep out of the way of the other aircraft until that other aircraft has been passed and is clear, notwithstanding any change in the relative positions of the two aircraft”.

The Manchester METAR 1120 was:

18010KT 150V220 9999 FEW 018 SCT 028 24/18 Q1008 NO SIG=

PART B: SUMMARY OF THE BOARD’S DISCUSSIONS

Information available included a report from one of the pilots involved and a radar video recording.

The Board were disappointed that the pilot of the Mooney M20 had not responded to several requests to complete an Airprox report. Consequently, it was not possible to determine whether he had ever obtained visual contact with the EV97. However, in view of the weather conditions reported by the EV97 pilot (CAVOK) there was no reason, from a weather perspective, that he should not have been able to see the other aircraft.

The Board were mindful of the fact that the sole objective of the UKAB is to assess reported Airprox in the interests of enhancing flight safety; it is not the purpose of the Board to apportion blame or liability even if one pilot chooses not to participate in the process. Although both pilots were equally responsible for collision avoidance in Class G airspace (Rule 8), lacking any further evidence from the Mooney pilot, the Board concluded that the M20, being faster than the EV97, was overtaking the latter aircraft at the time of the Airprox. Therefore, they opined that the M20 pilot had every opportunity to see the EV-97 and should simply have kept out of its way (Rule 11). As a result of this the Board decided that the cause of the Airprox was that the M20 pilot flew close enough to the EV97 to cause its pilot concern.

Once the cause had been determined, considerable discussion then took place about whether the risk should be classified as a Category B, C or D. Members decided that, although there was no report from the M20 pilot, and so they could not ascertain what he had or had not seen, there was still sufficient evidence from the radar recordings and the EV97 pilot's report to render a meaningful finding. If the M20 pilot had not seen the EV-97 then safety margins had been much reduced because the two aircraft had come within 100ft vertically and < 0.1nm. If the M20 pilot had seen the EV-97 then he had flown too close and had disregarded the requirement to pass by on the right of the EV-97, thereby also reducing safety margins below normal. Therefore, in either case, the Board decided that the M20 had passed sufficiently close to the EV97 (recorded as 100ft V and <0.1nm H) to result in safety margins being much reduced below the normal; a Category B risk assessment was considered appropriate for the circumstances.

PART C: ASSESSMENT OF CAUSE AND RISK

Cause: The M20 pilot flew close enough to the EV97 to cause its pilot concern.

Risk: B.

ERC Score:² 20.

² Although the Event Risk Classification (ERC) trial had been formally terminated for future development at the time of the Board, for data continuity and consistency purposes, Director UKAB and the UKAB Secretariat provided a shadow assessment of ERC.