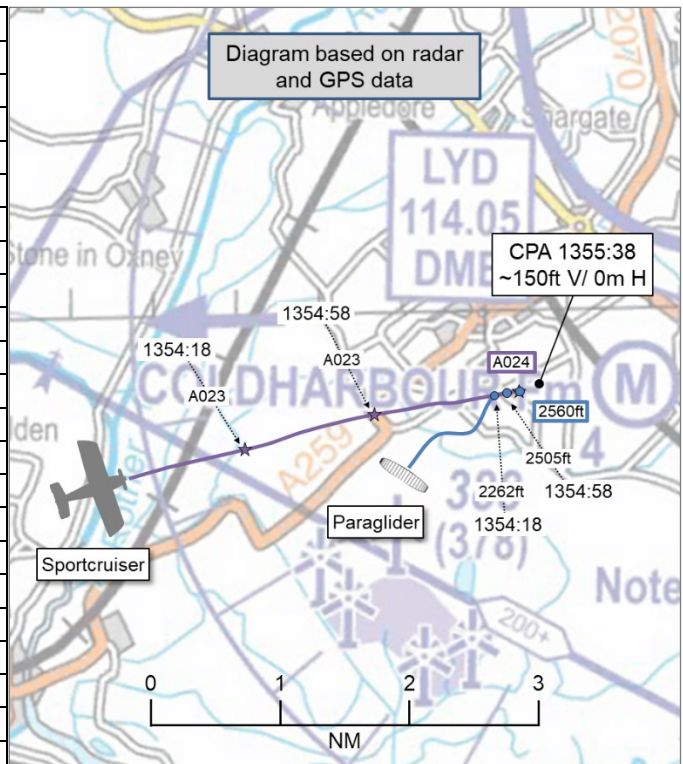


AIRPROX REPORT No 2023076

Date: 16 May 2023 Time: 1356Z Position: 5059N 00050E Location: 4NM NW Lydd

PART A: SUMMARY OF INFORMATION REPORTED TO UKAB

Recorded	Aircraft 1	Aircraft 2
Aircraft	Paraglider	Sportcruiser
Operator	Civ Hang	Civ FW
Airspace	London FIR	London FIR
Class	G	G
Rules	VFR	VFR
Service	None	Basic
Provider	N/A	Lydd Approach
Altitude/FL	2560ft	2400ft
Transponder	Not fitted	A, C, S
Reported		
Colours	Orange, white	Red, white
Lighting	None	Strobes
Conditions	VMC	VMC
Visibility	>10km	NK
Altitude/FL	2280ft	NK
Altimeter	QNH (NK hPa)	QNH
Heading	090°	NK
Speed	20kt	NK
ACAS/TAS	FLARM	None
Alert	None	N/A
Separation at CPA		
Reported	60ft V/0m H	NK V/NK H
Recorded	~150ft V/0m H	



THE PARAGLIDER PILOT reports that they were thermalling slowly some 500m north of the sea-breeze convergence, taking great care to stay north of Lydd and the other nearby airspace, when they heard a motor behind them. The other aircraft, [described as a low-wing, single-engine, white and red aeroplane], passed beneath them from astern before they had time to turn their head to look. They had [an EC device] but believe that their [other EC device with ADS-B] had turned-off in their pocket. [The paraglider pilot] commented that there had been a lot of sailplanes flying in the area that day.

The pilot assessed the risk of collision as ‘High’.

THE SPORTCRUISER PILOT reports that their route along the south coast was planned and executed at 3000ft QNH. Approaching north-abeam Rye, a radio call was made to Lydd ATC to establish airfield information. They were reminded that QFE and QNH were the same (being at sea-level), and there was no known traffic to conflict.

To remain clear of the wind turbines after passing Rye, they stepped to the north of their planned route and began observing Lydd airport, continuing to listen out on Lydd’s frequency and looking for other traffic. They began a slow descent with the intention of being at the overhead-height of 2000ft as they entered the Lydd CTA [sic]. As they passed over Coldharbour Farm, they were at 2300ft. This would usually place them 300ft above the overhead of most airfields and 1900ft above the height of a microlight circuit. They were now aligned with, and following, the published entry route to RW21, entering the CTA [sic] at 1900ft and descending to the crosswind part of the circuit at 1000ft. During this time, they were looking for any circuit traffic, particularly traffic which might have been descending dead-side.

THE LYDD CONTROLLER reports that an Airprox was not reported to them on the RT or by telephone. RW21 had been in use and the weather was good. [The pilot of the Sportcruiser] had been squawking the Lydd VFR [Basic Service] conspicuity code 7066.

Factual Background

The weather at Lydd was recorded as follows:

METAR EGMD 161350Z 22012KT 9999 SCT048 16/10 Q1024

Analysis and Investigation

UKAB Secretariat

An analysis of the NATS radar replay was undertaken. The Sportcruiser could be positively identified from Mode S data (see Figure 1). The paraglider was not observed on radar. The paraglider pilot kindly supplied GPS data for their track. It was by combining these separate data sources that the CPA was determined and the diagram constructed.

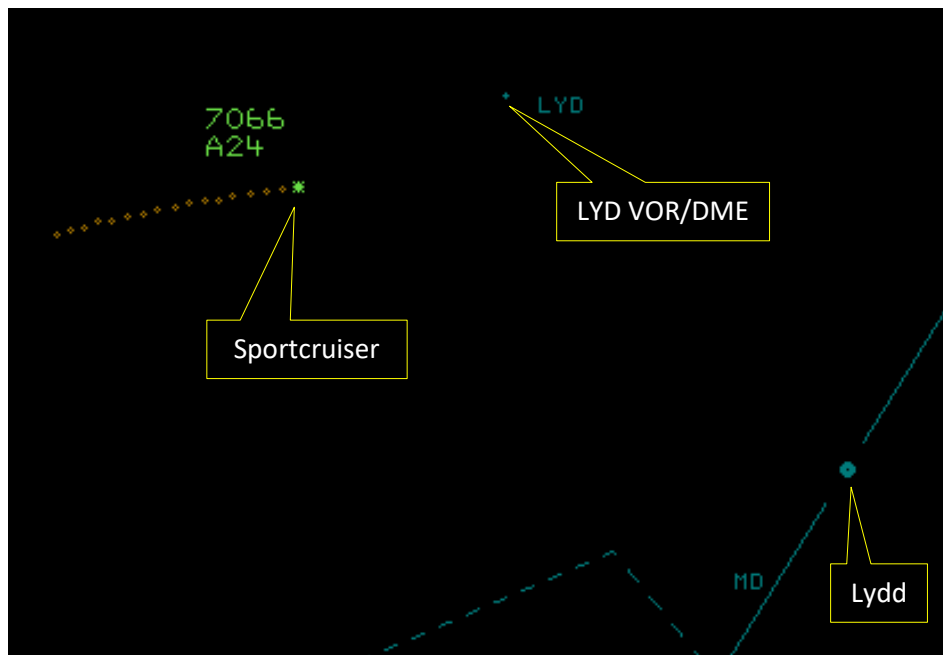


Figure 1 – CPA at 1355:38

The paraglider and Sportcruiser pilots shared an equal responsibility for collision avoidance and not to operate in such proximity to other aircraft as to create a collision hazard.¹ If the incident geometry is considered as overtaking then the paraglider pilot had right of way and the Sportcruiser pilot was required to keep out of the way of the other aircraft by altering course to the right.²

Comments

AOPA

When flying, it is important to have an effective lookout above and below, especially when approaching airfields or known hot-spots. The fitting of electronic conspicuity equipment can assist with alerting, but until there is a common standard, lookout is the primary mitigation for mid-air collisions when radar isn't available.

BHPA

The BHPA is relieved to hear that this incident didn't have a more serious ending, and commends the paraglider pilot's good hearing and responsible attitude in carrying EC equipment. As the

¹ (UK) SERA.3205 Proximity.

² (UK) SERA.3210 Right-of-way (c)(3) Overtaking.

paraglider pilot was on a cross-country flight, a NOTAM would not have been a viable option and there was little more that the pilot was able to do other than keep a good lookout for other aircraft.

Summary

An Airprox was reported when a paraglider and a Sportcruiser flew into proximity 4NM northwest of Lydd at 1356Z on Tuesday 16th May 2023. Both pilots were operating under VFR in VMC, the paraglider pilot not in receipt of an ATS and the Sportcruiser pilot in receipt of a Basic Service from Lydd Approach.

PART B: SUMMARY OF THE BOARD'S DISCUSSIONS

Information available consisted of reports from both pilots, radar photographs/video recordings, GPS track data and a report from the air traffic controller involved. Relevant contributory factors mentioned during the Board's discussions are highlighted within the text in bold, with the numbers referring to the Contributory Factors table displayed in Part C.

The Board first considered the actions of the pilot of the paraglider. Noting that they had been flying a cross-country route, a member with particular knowledge of paragliding operations commented that prior notification of their flight by a NOTAM via the CANP (Civil Aircraft Notification Procedure) had not been appropriate in this instance. Explaining further, the member remarked that the CANP is to be used for groups of 5 or more paragliders operating in an area with, typically, a 2NM radius.

Members noted that the pilot of the paraglider had heard an aircraft approaching from behind and had not had time to turn their head before the aircraft, the Sportcruiser, had passed underneath. Members noted that the pilot of the paraglider had carried an EC device but agreed that it would not have been expected to have detected the presence of the Sportcruiser in the vicinity (**CF3**). It was further agreed that the pilot of the paraglider had not had time to have garnered any effective situational awareness in the brief moment that they had heard the Sportcruiser approaching (**CF2**) and that to have not sighted the Sportcruiser before the moment of CPA effectively constituted a non-sighting (**CF4**).

Members noted that the pilot of the paraglider had commented that they had carried another EC device, but that it appeared to have been off at the time of the encounter. It was appreciated by members that the carriage of equipment by a paraglider pilot may have presented some difficulties, and members were keen to suggest that a thorough pre-flight check may have identified whether the batteries had been fully-charged and that the device had been operating correctly. Notwithstanding, members commended the pilot of the paraglider for their consideration of the carriage of additional EC equipment.

Turning their attention to the actions of the pilot of the Sportcruiser, members noted that the narrative report of their flight had described that they had been aware of a windfarm and of the Coldharbour Farm microlight site along their route. A member with particular knowledge of fixed-wing general-aviation operations highlighted to the Board the advice provided by GASCo entitled 'Take-2' that concerned route-planning. Pointing out that the advice had been intended for pilots operating near controlled airspace, and that the advice may not necessarily have ameliorated the particular situation in this instance, the member felt that it may be prudent for a pilot to avoid areas where it could be reasonably anticipated that they might encounter increased levels of traffic (such as a microlight site) by at least 2NM.

Noting that the pilot of the Sportcruiser had made contact with the Lydd controller and had been in receipt of joining information, it was surmised by members that, in the formation of their dynamic plan to approach the airfield, they had, perhaps, considered how they might have integrated into the circuit with other pilots on the frequency, and may not have fully considered the possibility of non-powered, or non-radio, aircraft in the vicinity. Members were in agreement that the pilot of the Sportcruiser had not had situational awareness of the paraglider (**CF2**), and that it had not been sighted (**CF4**).

Members next considered the actions of the Lydd controller and agreed that they had not been required to have monitored the flight of the Sportcruiser pilot under the terms of a Basic Service (**CF1**). Further, it was acknowledged that the Lydd controller had not been aware of the presence of the paraglider pilot in the area.

Summarising their deliberations, members were in agreement that the pilot of the paraglider had not had any time to have taken avoiding action before their visual acquisition of the Sportcruiser at the point of CPA. Additionally, the pilot of the Sportcruiser had not had situational awareness of the presence of the paraglider and that it had not been sighted. As such, members concluded that there had been a serious risk of collision and that it had been purely by providence that the separation between the aircraft had been such that they had not collided. The Board assigned Risk Category A to this event.

PART C: ASSESSMENT OF CONTRIBUTORY FACTORS AND RISK

Contributory Factors:

2023076				
CF	Factor	Description	ECCAIRS Amplification	UKAB Amplification
Ground Elements				
• Situational Awareness and Action				
1	Contextual	• ANS Flight Information Provision	Provision of ANS flight information	The ATCO/FISO was not required to monitor the flight under a Basic Service
Flight Elements				
• Situational Awareness of the Conflicting Aircraft and Action				
2	Contextual	• Situational Awareness and Sensory Events	Events involving a flight crew's awareness and perception of situations	Pilot had no, late, inaccurate or only generic, Situational Awareness
• Electronic Warning System Operation and Compliance				
3	Technical	• ACAS/TCAS System Failure	An event involving the system which provides information to determine aircraft position and is primarily independent of ground installations	Incompatible CWS equipment
• See and Avoid				
4	Human Factors	• Monitoring of Other Aircraft	Events involving flight crew not fully monitoring another aircraft	Non-sighting or effectively a non-sighting by one or both pilots
• Outcome Events				
5	Contextual	• Near Airborne Collision with Aircraft	An event involving a near collision by an aircraft with an aircraft, balloon, dirigible or other piloted air vehicles	

Degree of Risk: A.

Safety Barrier Assessment³

In assessing the effectiveness of the safety barriers associated with this incident, the Board concluded that the key factors had been that:

Ground Elements:

Situational Awareness of the Confliction and Action were assessed as **not used** because the Lydd controller had not been required to have monitored the flight under the terms of a Basic Service.

Flight Elements:

Situational Awareness of the Conflicting Aircraft and Action were assessed as **ineffective** because the Sportcruiser pilot had not had situational awareness of the presence of paraglider.

³ The UK Airprox Board scheme for assessing the Availability, Functionality and Effectiveness of safety barriers can be found on the [UKAB Website](#).

Electronic Warning System Operation and Compliance were assessed as **ineffective** because the EC equipment carried by the paraglider pilot would not have been expected to have detected the presence of the Sportcruiser.

See and Avoid were assessed as **ineffective** because the Sportcruiser pilot had not visually acquired the paraglider, and the paraglider pilot had not visually acquired the Sportcruiser until the moment of CPA.

