

Follow-up Action on Occurrence Report

**SERIOUS INCIDENT INVOLVING DHC8-311, LN-WFA, 30NM NE NEWCASTLE AIRPORT ON 22 APRIL 2002
(AIRPROX BETWEEN DHC8 AND TWO SEA HARRIERS)**

CAA FACTOR NUMBER : F26/2004
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OPERATOR : Foreign
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SYNOPSIS

(From AAIB Report)

While in Class G (unregulated) airspace, LN-WFA was operating under a Radar Information Service (RIS) from Scottish Control. Following information from the controller of closing traffic, the pilot acquired the reported traffic on his Traffic Collision and Avoidance System (TCAS). He then received a Resolution Advisory (RA) alert/warning commanding a climb, with which he complied, and subsequently reported this manoeuvre event to Scottish Control.

The pilot reported the incident as an Airprox on 25 April 2002 to the UK authorities. Subsequent enquiries established that the Airprox had occurred with two Sea Harriers operating from a Royal Navy vessel in the North Sea, whilst on a practice interception. Interpretation of radar information indicated that the closest separation distance was between 3,450 and 3,700 feet.

Previous AAIB Bulletins have reported upon, and made recommendations concerning, Airprox incidents which have occurred in the airspace over and around the north-east of the UK, between fast military aircraft and Civil Air Transport (CAT) aircraft operating in unregulated airspace. This report makes three further recommendations to the civil and military authorities.

FOLLOW UP ACTION

The three Safety Recommendations, made by the AAIB following their investigation, are reproduced below, together with the CAA's responses.

Recommendation 2002-55

The Civil Aviation Authority should re-examine the airspace categorisation, procedures and services currently available to Civil Air Transport aircraft which operate through unregulated airspace associated with regional airports in the north-east of the UK, with the aim of ensuring that a level of protection is afforded to such aircraft from military aircraft such that airprox events are avoided. The impact of any potential changes to the available unregulated airspace used by military aircraft should be minimised as far as possible.

CAA Response

The Authority accepts this recommendation.

The airspace categorization, procedures and services available to Civil Air Transport (CAT) aircraft are continuously monitored and re-examined on a regular basis. However, the CAA does not consider that there are any airspace or Air Traffic Services Outside Controlled Airspace (ATSOCAS) service provision failings associated with the incident that occurred on 22 April 2002. Other incidents referred to in the bulletin are either still under investigation, or have been demonstrated to be due to either pilot or controller errors of judgement, rather than the airspace structure. Modifying the existing airspace structure to allow CAT unrestricted access to all parts of the UK FIR under the protection of Controlled Airspace (CAS), with the aim of removing the risk of airprox incidents between CAT and military aircraft, would unfairly penalize military and General Aviation activities, as well as being disproportionate to the level of existing and forecast CAT activity. Irrespective of the airspace classification awarded, the procedures used or the services provided, it is unrealistic to believe that airprox events can be avoided.

Revised airspace arrangements for the North Sea area, that included provision of CAS access to the National Airways System from Newcastle International Airport, were introduced in March 2003. Further augmentation of CAS connecting Newcastle and Aberdeen Airports together with an extension to the Scottish TMA are under discussion for possible adoption in Autumn 2004, the introduction of which would further enhance safety levels for CAT operating to and from these regional airports. However, it is unrealistic to expect CAS to be established for every CAT need irrespective of the volume of traffic. The CAA has also issued a policy statement within which guidance regarding public transport flights outside CAS is provided to aircraft operators. Finally the CAA continues to be proactive in the monitoring of activity outside of CAS and has instituted a high-level steering group to oversee and co-ordinate all uncontrolled airspace and associated service provision matters. Under their guidance, a full review of the policy for ATSOCS is already underway.

CAA Status - Closed

Recommendation 2003-53

The Ministry of Defence should review the operation of military aircraft in the unregulated airspace around the north-east of the UK, including the conduct of practice interceptions of targets, to ensure that procedures in use and the equipment fitted to military aircraft assure adequate separation of military aircraft from Civil Air Transport aircraft which operate concurrently through unregulated airspace in the region.

CAA Response

This Recommendation is not addressed to the CAA.

CAA Status - Closed

MOD Response

The Ministry of Defence (MOD) partially accepts this recommendation. The operation of military aircraft in Class G (uncontrolled) airspace is kept under constant review in conjunction with the Civil Aviation Authority (CAA). Regular meetings are held to discuss the use of uncontrolled airspace with particular emphasis on airspace safety procedures. In the north-east of the UK, several safety enhancement initiatives have been implemented successfully in conjunction with the CAA and civilian aircraft operators. Following the incident on 22 April 2002, the MOD immediately reviewed the regulations that govern the conduct of practice interceptions. This incident was caused by the misidentification of the Dash-8 aircraft as an expected military target aircraft rather than any weakness in the extant regulations. As soon as the pilot visually identified the target as a Commercial Air Transport (CAT) aircraft, he immediately manoeuvred clear of it. Subsequently, having reviewed all the information available, the UK Airprox Board (UKAB) assessed the occurrence as a Category C incident. The definition of a Category C incident is one where "No risk of collision existed".

The principal concept for all aircraft operations in uncontrolled airspace is that every pilot should see and avoid other aircraft. Whilst a Collision Warning System (CWS) can aid a pilot to visually detect a conflicting aircraft, a CWS system will never be a total solution to the risk of operating in uncontrolled airspace. The MOD is

investigating the possibility of reducing risk through the development of a CWS which would meet the requirements of military aircraft. However, the dynamic manoeuvres that some military aircraft need to perform means that a technical solution for a combat aircraft is much more of a challenge than it is for a commercial one.

Status - Closed

Recommendation 2004-21

The concurrent use of unregulated airspace by both CAT and military aircraft in the north-east of the UK, should be reviewed jointly at the highest level by the CAA and MoD with the aim of eliminating Airproxes and potential collisions, with likely large scale loss of life, between Civil Air Transport and military aircraft.

CAA Response

The CAA accepts this recommendation.

Successive studies of Airprox statistics between military and CAT in Class F and G airspace following earlier AAIB recommendations have demonstrated that the risk of collision has not increased. Meetings between the CAA and MoD will continue on a regular basis to analyse changing patterns of airspace usage by all participants and to propose appropriate changes when necessary. However, a joint CAA / MOD team is being proposed to review the current use of Class G airspace arrangements by military and commercial air transport aircraft.

The CAA and the MoD already conduct regular meetings at the highest levels to discuss the use of uncontrolled airspace, with particular emphasis on areas in the north-east of the UK. The major discussion point at every meeting is the maintenance or enhancement of safety standards. However, the diverse nature of operations within uncontrolled airspace means that the concept of eliminating all Airproxes, whilst a laudable aim, is unrealistic in practice. An expanding CAS structure serves Newcastle International Airport, but it is unrealistic to expect it to cater for every conceivable CAT desire. It is legitimate for commercial operators to elect to fly in uncontrolled airspace, but they must be aware that different operating procedures apply to those within CAS.

CAA Status - Closed