

## Follow-up Action on Occurrence Report

### ACCIDENT TO AGUSTA A109E, G-CRST, NEAR VAUXHALL BRIDGE, LONDON ON 16 JANUARY 2013

**CAA FACTOR NUMBER** : F2/2014  
**FACTOR PUBLICATION DATE** : 27 October 2014  
**TYPE OF FLIGHT** : Public Transport  
**CAA OCCURRENCE NUMBER** : 201300351  
**AAIB REPORT** : Air Accident Report 3/2014

#### **SYNOPSIS**

From AAIB Report

The helicopter was flying to the east of London Heliport when it struck the jib of a crane, attached to a building development at St George Wharf, at a height of approximately 700 ft amsl in conditions of reduced meteorological visibility. The pilot, who was the sole occupant of the helicopter, and a pedestrian were fatally injured when the helicopter impacted a building and adjacent roadway.

#### **FOLLOW UP ACTION**

##### **Recommendation 2014-025**

It is recommended that the Civil Aviation Authority require UK Air Navigation Service Providers to assess the effect of obstacles, notified through the UK Aeronautical Information Regulation and Control cycle, on operational procedures relating to published VFR routes near those obstacles, and modify procedures to enable pilots to comply simultaneously with ATC instructions, and the Air Navigation Order and Commission Implementing Regulation (EU) 923/2012 as applicable.

##### **Recommendation 2014-026**

It is recommended that the Civil Aviation Authority require UK Air Navigation Service Providers to assess the effect of obstacles, notified through the UK Aeronautical Information Regulation and Control cycle, on operational procedures for controlling non-IFR flights within the Control Areas and Control Zones surrounding UK airports, and modify procedures to enable pilots to comply simultaneously with ATC instructions, and the Air Navigation Order and Commission Implementing Regulation (EU) 923/2012 as applicable.

## **CAA Response**

The CAA partially accepts Recommendations 2014-025 and 2014-026, but acknowledges their intent and proposes that they are addressed as follows.

When operating under VFR, it is the pilot/aircraft commander who is responsible for terrain and obstacle clearance, regardless of any ATC clearance that may have been issued; any move to undermine the clarity associated with the current relevant allocation of responsibilities in this area could introduce a greater risk than the concern that the recommendation seeks to address. However, the CAA will remind UK ANSPs of the need to monitor the effect of obstacles in proximity to VFR routes within Control Zones and Control Areas or a Visual Reference Point outside controlled airspace and evaluate established service provision practices to minimise the risk of an ATC clearance potentially leading a pilot to contravene the requirements of Rule 5. This action will be completed by the end of December 2014. Additionally, the CAA will review, through routine oversight, that the ANSP maintains procedures to provide safe services to helicopters using the London VFR Helicopter Routes along the River Thames.

**CAA Status - Open**

## **Recommendation 2014-027**

It is recommended that the Department for Transport implement, as soon as practicable, a mechanism compliant with Regulation (EU) 73/2010 and applicable to the whole of the UK for the formal reporting and management of obstacle data, including a requirement to report data relating to newly permitted developments.

## **CAA Response**

This Recommendation is not addressed to the CAA.

**CAA Status - Closed**

## **Recommendation 2014-028**

It is recommended that the Department for Transport remind all recipients of the Office of the Deputy Prime Minister Circular 01/2003 that they are requested to notify the Civil Aviation Authority:

1. whenever they grant planning permission for developments which include an obstacle
2. about obstacles not previously notified
3. about obstacles previously notified that no longer exist.

## **CAA Response**

This Recommendation is not addressed to the CAA.

**CAA Status – Closed**

## **Recommendation 2014-029**

It is recommended that The Scottish Government remind all recipients of Planning Circular 2/2003 that they are requested to notify the Civil Aviation Authority:

1. whenever they grant planning permission for developments which include an obstacle
2. about obstacles not previously notified
3. about obstacles previously notified that no longer exist.

## **CAA Response**

This Recommendation is not addressed to the CAA.

**CAA Status – Closed**

### **Recommendation 2014-030**

It is recommended that the Department for Transport implement measures that enable the Civil Aviation Authority to assess, before planning permission is granted, the potential implications of new en-route obstacles for airspace arrangements and procedures.

#### **CAA Response**

This Recommendation is not addressed to the CAA.

**CAA Status – Closed**

### **Recommendation 2014-031**

It is recommended that the Civil Aviation Authority review Federal Aviation Regulations Part 135 Rules 135.615, *VFR Flight Planning*, and 135.617, *Pre-flight Risk Analysis*, to assess whether their implementation would provide safety benefits for those helicopter operations within the UK for which it is the regulatory authority.

#### **CAA Response**

The CAA accepts this Recommendation and has reviewed Federal Aviation Regulations (FAR) Part 135 Rules 135.615, VFR Flight Planning, and 135.617, Pre-flight Risk Analysis, to assess whether their implementation would provide safety benefits for those helicopter operations within the UK for which it is the regulatory authority. In consultation with EASA, the CAA has determined that the elements of the new FARs are broadly covered within the current and future UK and European regulation sets under the requirements for Public Transport and Commercial Air Transport operators to ensure that their operating procedures for planning and executing flights are properly documented in operations manuals and for aircraft commanders to ensure that flights are conducted safely. However, the CAA intends to issue a Safety Notice (SN) to operators by the end of November 2014 reminding them of their responsibilities and highlighting elements of the FARs as appropriate. Additionally the SN will provide an introduction and link to the European Helicopter Safety Team (EHEST) developed 'Pre-departure Risk Assessment Check List' encouraging operators to consider adopting and adapting this tool for their use.

**CAA Status – Open**

### **Recommendation 2014-032**

It is recommended that the European Aviation Safety Agency review Federal Aviation Regulations Part 135 Rules 135.615, *VFR Flight Planning*, and 135.617, *Pre-flight Risk Analysis*, in advance of the scheduled regulatory standardisation programme, to assess whether their immediate implementation would provide safety benefits for helicopter operations within Europe.

#### **CAA Response**

This Recommendation is not addressed to the CAA.

**CAA Status – Closed**

**Recommendation 2014-033**

It is recommended that the Civil Aviation Authority assess whether mandating the use of Helicopter Terrain Awareness and Warning Systems compliant with Technical Standard Order C194 or European Technical Standard Order C194 would provide safety benefits for helicopter operations within the UK for which it is the regulatory authority.

**CAA Response**

The CAA accepts this Recommendation in so far as it will, following consultation with EASA, liaise and support a wider European assessment on whether mandating the use of Helicopter Terrain Awareness and Warning Systems compliant with Technical Standard Order C194 or European Technical Standard Order C194 would provide safety benefits for Public Transport or Commercial Air Transport helicopter operations within the UK and Europe. This work will be conducted under an EASA future rule making task, which the CAA will support, and is expected to be complete by the end of 2015; however, this will be subject to the rule making programme schedule. The Terms of Reference for this task may initially concentrate on the merits of HTAWS for flight under IFR or at night but the CAA will encourage the consideration for all commercial operations including day VFR.

**CAA Status – Open**

**Recommendation 2014-034**

It is recommended that the European Aviation Safety Agency assess whether mandating the use of Helicopter Terrain Awareness and Warning Systems compliant with Technical Standard Order C194 or European Technical Standard Order C194 would provide safety benefits for helicopter operations within Europe.

**CAA Response**

This Recommendation is not addressed to the CAA.

**CAA Status – Closed**