



Miscellaneous

No: 1555

Air Navigation Order 2016

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UK SERA and the Rules of the Air
Regulations 2015

General Permission and Exemption E 5801

Balloon Pilots – Congested Area Take-Off, Becalmed Landing & Open-Air Assembly

Background

- 1) This general permission and exemption replaces previous permission and exemption published as Official Record Series 4 No. 1397 and applies to balloon pilots who hold either a UK Commercial Pilot's Licence (Balloons), a UK Private Pilot's Licence (Balloons and Airships) or a Part-BFCL Balloon Pilot Licence. It covers congested area take-offs, landings and overflights, becalmed landings and take-offs or landings near an open-air assembly in hot-air balloons.

Interpretation

- 2) In this permission and exemption, references to EU regulations are to those regulations as retained and amended in UK domestic law under the European Union (Withdrawal) Act 2018 and are referenced as "UK Regulation (EU) No. year/number" or "UK Regulation (EU) No. number/year".
- 3) In this permission and exemption,
 - a) the "Order" means the Air Navigation Order 2016 (as amended),
 - b) the "CAA" means the Civil Aviation Authority.

Permission and Exemption

- 4) The CAA, pursuant to UK SERA.3105 and UK SERA.5005(f) of the Annex to UK Regulation (EU) No. 923/2012, hereby permits, subject to the conditions specified in paragraph 6 below:
 - a) any hot-air balloon (the 'balloon') to take-off or land within, and to fly over, a congested area of a city, town or settlement below a height of 1,000 feet above the highest fixed obstacle within a horizontal radius of 600 metres of the aircraft;
 - b) the balloon to take off or land within 1,000 metres of an organised open-air assembly of more than 1,000 persons.
- 5) The CAA, pursuant to Article 266 of the Order, hereby exempts the balloon operator and pilot-in-command from Rule 5(1)(b) and Rule 5(2)(b) of the UK Rules of the Air Regulations 2015 subject to the conditions specified in paragraph 6 below.
- 6) Except in the event that the balloon is landing within a congested area because the balloon is becalmed, this permission and exemption is granted subject to the following conditions.

- a) The balloon is:
 - i) taking off from within or adjacent to a congested area;
 - ii) taking off or landing within 1,000 metres of an organised open-air assembly of more than 1,000 persons.
 - b) The pilot in command of the balloon must be the holder of either:
 - i) a valid UK Commercial Pilot's Licence (Balloons) with experience which includes at least three ascents in a balloon from a congested area site under supervision from another pilot-in-command of that balloon, as detailed in sub-paragraph c); or
 - ii) valid UK Private Pilot's Licence (Balloons and Airships) or a valid Part-BFCL Balloon Pilot Licence with a minimum total flying experience in command of balloons exceeding 35 hours which includes three ascents from a congested area site under supervision from another pilot-in-command of that balloon, as detailed in sub-paragraph c).
 - c) The pilot in command supervising those ascents must:
 - i) be the holder of a valid UK Commercial Pilot's Licence (Balloon), a valid UK Private Pilot's Licence (Balloons and Airships), or a valid Part-BFCL Balloon Pilot Licence;
 - ii) have a minimum total flying experience in command of balloons of not less than 75 hours and which includes six ascents from a congested area site; and
 - iii) be approved by either the Civil Aviation Authority or by the British Balloon and Airship Club.
 - d) Flights must only take place with the prior permission in writing of the owner of the take-off site and, when applicable, the organiser of the assembly.
 - e) Before any flight:
 - i) the operator of the balloon must notify the local police authority of the intended flights; and
 - ii) the pilot in command of the balloon must reasonably satisfy themselves that the height of any fixed object within the sector 45 degrees each side of a line vertically below the intended flight path does not exceed 30% of the horizontal distance between the fixed object and the point of take-off.
 - f) The balloon must not be flown during take-off or landing within 60 metres of any vessel, vehicle or structure except the balloon recovery vehicle(s).
 - g) The flight must only be made by day and in weather conditions which will enable the balloon to remain clear of cloud, in sight of the surface, with a visibility of at least 3 kilometres and which will ensure that the landing will be clear of any congested area, except in the case of the balloon becoming becalmed.
 - h) Following a take-off this permission and exemption applies only to the first 5 minutes of any flight during the climb immediately after take-off and within 1.5 kilometres of the launch site. Thereafter the balloon must not be flown over any congested area of a city, town or settlement below 1,000 feet above the highest fixed obstacle within a horizontal radius of 600 metres of the balloon.
- 7) This permission and exemption supersedes Official Record Series 4 No. 1397, which is revoked.

Date in Force

- 8) This permission and exemption has effect from the date it is signed until 20 September 2024, both dates inclusive, unless previously varied, suspended or revoked.

L Baxter

for the Civil Aviation Authority

20 September 2022

Explanatory Note:

As defined in Schedule 1 of the Air Navigation Order 2016, a congested area in relation to a city, town or settlement means any area which is substantially used for residential, industrial, commercial or recreational purposes.