

Consultation On Proposal To Permit Flight Training From Unlicensed Aerodromes

Response From The Light Aircraft Association

1. Thank you for consulting the LAA on the proposal to permit flight training from unlicensed aerodromes. The LAA has some 8,000 members and supervises the airworthiness of some 2000 light aircraft as well as participating in pilot training and licensing activities. We have a particular remit to promote affordable flying and air safety and on this matter we respond on behalf of our membership.
2. We see this proposal as a positive step to liberalise pilot training for the private pilot, a move that has the potential to rejuvenate a part of the industry that is suffering badly from increased costs and increasing restriction on basic flying training at larger commercial airports. Professional pilot training will be largely unaffected by the proposal although we suspect most of what remains of that activity will move abroad because of the high costs of operations in the UK. We have noted that representatives of parts of the training industry have argued that this consultation should be withdrawn as it conflicts with ongoing European consultations. We believe that this is entirely spurious and an attempt by some bodies to obtain commercial advantage through protectionism. It works against the needs of ordinary student pilots and does the authors no credit. The stimulation of the lower segment of the training sector with a cost reduction of some £1m PA has the potential to sustain the UK industry through the economic downturn and to secure its future, benefiting professional pilot training. We note that the consultation recognises that its proposals would align us with many of our European partners and therefore make harmonisation more straightforward. Thus, we support the proposal to remove the aerodrome licence requirement for flight training (para 5.3).
3. We support the proposed code of practice (para 5.3) in principle and are ready to participate in an industry-led regime for implementation and compliance. We have a number of issues with the draft code of practice which we list at Annex A.
4. Whilst we agree that an overall review of Article 126 of the ANO will be needed as EASA competencies increase (para 5.5), that should not prevent the other recommendations being taken forward immediately and indeed will tend to harmonise the UK with other nations.
5. We agree that adequate facilities should be provided at aerodromes used for flight training (para 6.1) and we agree that safety will not be affected by the change (para 6.2).
6. We agree that minimum facilities are required for flight training and we have commented on the draft code of practice in para 3 above. We believe it will be important to differentiate between FTO and RF requirements lest training

by flying clubs, who will be the main providers of pilot training at unlicensed aerodromes, be disadvantaged. We are content with para 6.5 and 6.6.

7. The proposals on law change at para 6.7 and 6.8 are sensible and have our support. We note the implications on loss of ATZ where an aerodrome does not have AFIS or ATC and the regulatory consequences of becoming an ATS provider as well as your statement that the CAA will determine if such is needed.
8. We support the proposed change to Rule 5, low flying regulations (para 9) to waive the 500 ft rule for practice approaches at unlicensed aerodromes.

However, we think that your statement in para 9.1, that an aircraft is exempt from the provisions of Rule 5 when taking-off and landing at any aerodrome is incorrect.

- Para 6a(i) of Section 2 of the Rules of the Air exempts aircraft taking-off, landing or practicing approaches at government or licensed aerodromes from all the low flying rules.
- Para 6a(ii) extends this by allowing that an aircraft taking-off or landing at any aerodrome is exempt from the 500 ft rule only.

Therefore, at an unlicensed aerodrome, aircraft taking-off, landing or practicing approaches have to comply with:

- The engine failure rule.
- The 1000 ft rule.
- The land clear rule.
- The assemblies of persons rule.
- The 500ft rule (practice approaches only)

It seems that you have proposed to change only the 500ft rule related to practice approaches on the assumption that all other rules are already waived but we think that assumption is incorrect. We passed this query to you early in the consultation and it was passed to your legal department but as we have had no reply, this remains an outstanding question.

We think that instructors and students should be able to operate to a common standard and pattern at any aerodrome and they should expect other aircraft to do the same. In our view the rules of the air should be common to all aerodromes regardless of the licence status of the runway so we believe that the ANO amendment should provide relief from all the low flying rules as you suggest in the consultation.

Comments on Draft Code of Conduct

We consider that extracts from other regulations should not be copied into the Code of Practice lest they become out of step following future amendments. Rather, a reference to those other regulations would be more appropriate.

We note that the section referring to low flying rules will need to be amended once you have changed the ANO. This is an example where regulations are copied verbatim into the code of practice when a note and reference would be better.

We note that it is not proposed to change the current arrangements for training on microlights etc but consider that this may need to be defended as EASA regulations develop. It would be helpful to make it clear that the code of practice does not apply to these specific types of training.

We consider that the code of practice should restrict itself to essential matters that are not already included in regulations, thus reducing the burden of audit. The Light Aircraft Association is willing to participate in the regime which will implement and monitor the code of practice.

Para 4.1 relates to both Regulated Facilities (PPL training mostly in a club environment) as well as JAA approved FTOs. We see this distinction as important and what is appropriate for an FTO may not be appropriate for a flying club. The code must not call up FTO requirements and apply them to all. The Code of Practice must have adequate input from both ends of the sector.

Para 6 defines 3 forms of ATS. Existing aerodromes often operate with no ATS service.

Para 10 calls up requirements for gliding sites but in the consultation document, Para 10 says current requirements for gliders are unchanged. We therefore consider it inappropriate to include gliding sites in the code of practice.

Appendix A 1.1.1 appears to refer to the requirements for FTOs

Appendix A 1.1.2 appears to refer to JAR-FCL 1.125 appendix 1 para 6 not 5.

Appendix A 1.1.3 correctly refers to a requirement for FTOs not Registered Facilities (see our para a above).

Appendix A 1.2 lists Rule 5 from the ANO. We are unsure why this should be in the code of practice when it is a general flying regulation.