

The Helios Report

Independent report destroys CAA's charges case



An independent report conceived by AOPA has blown gaping holes in the CAA's arguments for massive increases in its charges to general aviation, warning that they may cripple some small businesses, drive others offshore and adversely affect the whole aviation economy.

The report, by the respected aviation consultants Helios Technology, says the CAA is in breach of its obligations on at least two counts by failing to run a Regulatory Impact Assessment, and says that the Authority's cursory attempts to gauge the impact of its fee hikes on the industry "fall far short" of what is required.

And it urges that the implementation of the increases be postponed until after two reviews of general aviation and its regulation have been completed – a position which AOPA fully supports.

Welcoming the report, chief executive Martin Robinson said: "This is an independent report by an influential consultancy which cannot be lightly dismissed by the CAA. It concludes that these massive increases in charges should be put on hold, and we now call on the Department for Transport to ensure that happens."

AOPA has referred the contents of the report to the Cabinet Office with a request for a ruling on the Regulatory Impact Assessment, and has

Right: CAA chairman Sir Roy McNulty

Below: small companies may be driven out of business, says Helios

Some small businesses are already paying 7.5 percent of their entire turnover to the CAA in fees, and the proposed increase would take that over ten percent

sent copies to Transport Minister Alistair Darling.

The Helios Report was sponsored by AOPA, the BBGA and the BHAB, and was part-funded by some of the top companies in the general aviation industry including AOPA's insurance advisers Besso Ltd, Bickertons Aerodromes, Cabair, Oxford Aviation, Transair Pilot Shops and Wycombe Air Centre. In addition, dozens of AOPA corporate members donated £100 each towards the cost.

The idea was to seek an independent and authoritative analysis of the situation which the CAA could not easily dismiss as the predictable complaints of aircraft owners, pilots and small

businesses in general aviation.

The Helios Report will be extremely difficult for the CAA to ignore. Helios Technology has an international reputation and has done consultancy work for EASA, the JAA, the EU and many others – even the CAA.

The report makes uncomfortable reading for those who are proposing to foist new financial burdens on GA.

The CAA wants to charge general aviation some £4 to £5 million a year more, and rebate that money to the airlines – notably British Airways – which it says pay a disproportionate amount of the CAA's running costs. AOPA, which says that if the CAA wants to give rebates to the airlines it should find savings within, has been



effectively cut out of the deliberation process for these changes.

The cost of every aspect of GA will go up if the Authority's planned fees hike – up to 500 percent in some cases – are forced through. Anyone who registers an aircraft, gets a licence or a certificate of airworthiness, hires a plane

or pays a landing fee or maintenance bill will pay more. The CAA spin is to show small increases by spreading the impact over a number of years, but the total effect

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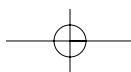
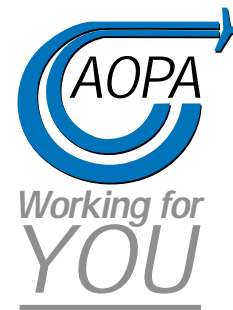
will be disastrous.

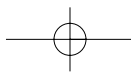
The Helios Report, however, questions the validity of using cash figures as the basis for a claim of unfairness. It says that some small businesses are already paying 7.5 percent of their entire turnover to the CAA in fees, and the proposed increase would take that over ten percent. Airlines, on the other hand, are paying less than two hundredths of one percent of turnover to the CAA, and the Authority wants to reduce that figure further.

The effect, the report says, would be grossly disproportionate for the small operator, while the airlines – which, it points out, also enjoy tax-free fuel and VAT exemptions that are denied to the small operator – would enhance their already-robust financial health at the expense of a general aviation industry that is in a "precarious" position.

It says the Joint Review Team, which was set up by the CAA to review cross-subsidies and from which AOPA was excluded, did not always follow its own principles and produced opaque information which did not allow those affected to assess the impact of the proposals.

"The JRT report and the consultation material are not, in our view, fully consistent with the principles of transparency and consultation," it says. "The logic behind the decisions in the consultation document is not fully revealed, and the impact analysis focuses on a few sample organisations whose





characteristics are not specified; furthermore there is no demonstration that they are representative, or even intended to be."

The identification and analysis of winners and losers fell far short of what was required and was in breach of Cabinet Office guidelines for a Regulatory Impact Assessment (RIA), it added. The CAA was obliged to conduct an RIA on two counts – first because it was changing its policy by seeking to eliminate cross-subsidies, and secondly because its increases do not conform to a predetermined formula.

Given the "precarious" state of GA and two pending reviews of the industry, Helios says it is "premature to propose major changes in charging that fell disproportionately on operators of small aircraft. The charges should be reviewed in the light of the policy that emerged from the reviews, and of a more complete and transparent assessment of the impact."



The report dismisses the CAA's contention that its fee increases would have no impact on the industry, saying they would probably drive some companies out of business and cause others to set up abroad, leaving a smaller industry to fund the CAA through ever more fee increases.

It also questions the basis for the CAA's calculations, which depend on the accurate keeping of timesheets by staff. Helios says the importance of accuracy has never been sufficiently stressed to staff, while users of CAA

advisory services do not know that every minute they spend talking to the CAA is charged to their sector of the industry. It also says there should be some systematic verification of these records.

It also questions why the CAA must make a six percent profit, which is not consistent with Treasury requirements that a "return on capital" of 3.5 percent be claimed. "This seems a strange inconsistency in policy," it says. "We are not aware of any economic logic for requiring the CAA to make a higher return on its assets than the vast majority of the public sector."

The value of GA to the economy has not been calculated, the report says, but it points out that unlike the airlines, GA pays duty on its fuel and a full measure of VAT. It adds: "Any decline in GA will be associated with fewer PPL-qualified pilots and fewer places for them to fly. Economies of scale in training may be lost, and this may force up the cost of training in the UK further. UK airlines could be forced to recruit an increasing proportion of their pilots with overseas licences, and training itself could be driven overseas."

Helios complains that the time they were allowed to complete their report was very short. Unusually, the CAA failed to respond to AOPA's requests to extend the consultation deadline, thus ensuring that the report had to contain assumptions which in some cases are based on anecdotal information.

The full report is available on the AOPA website www.aopa.co.uk.

The unanswered questions

AOPA's own submission to the CAA under the consultation procedure on charges asks a number of questions arising out of the Helios Report.

- Why is the CAA required to make a six percent profit when others in the public sector are required to make only 3.5 percent?
- Why is the CAA determined to eliminate alleged cross-subsidies to general aviation while ignoring them in other areas?
- Why has the CAA refused to implement a Regulatory Impact Assessment, in line with Cabinet Office guidelines?

In a covering letter Martin Robinson says: "AOPA has asked on several occasions for an impact assessment, although the Authority has deflected this request on the grounds that a RIA would only be needed to support changes which require amendment to the Civil Aviation Act and/or the ANO. Whilst this may be the view of the Authority I am not sure that the Cabinet Office would agree.

"As stated by Helios, the decision to eliminate cross-subsidies is in fact a change of policy. Cabinet Office guidelines say that RIAs are not required for increases that follow pre-determined formulas like the rate of inflation. The implication is therefore that an RIA should be produced.

Chief executive's diary:

EASA goes for broke

Everything slows down in August because people go on holiday, but we certainly started the new season with a bang on September 1st when I attended an EASA meeting in Cologne to be confronted with the news that there's a black hole in the agency's finances, and the European Commission has no intention of filling it.

EASA is many millions adrift, and according to its constitution it cannot raise loans or carry an overdraft. With the Commission refusing to bail it out, that means only one thing – you and I have to pay more. Not only will EASA have to revisit its scale of fees and charges, it will have to rewrite the regulations that cover fees and charges to allow it to raise more money.

This is appalling news for all of aviation. Quite apart from the money, it illustrates the stresses between the member states and EASA. The agency's calculations were made on the basis of information provided by the member states and their aviation authorities, and increasingly it looks like that information was not enough to paint a full picture.

Aviation is the meat in an increasingly messy bureaucratic sandwich as aviation authorities fight their pan-European turf wars. News of EASA's financial shortfall

comes as the French and German aviation authorities announce that not a single job will be lost by them because of EASA – another illustration of how empires are perhaps more important than the industry they supposedly serve.

At the EASA meeting it was decided to create a working group to look at changing the regulations on fees and charges, and the seriousness of the situation is illustrated by the fact that EASA head Patrick Goudou will be on the group.

On September 5th the consultation period on the CAA's review of charges ended, and we managed to get the Helios Report lodged in time, together with our own submissions and those of our Parliamentary group – see page 5. We hope the CAA will respond to the independent findings of a highly-respected group of

consultants and go back to the drawing board.

On September 6th I was at a Department for Transport meeting to discuss the Single European Sky and SESAME, the air traffic management system that goes with it. A lot of people are still talking about the working groups we can set up, the workshops we can run and the



discussions we can have, but I pointed out that the European Commission's requirement is that we have deliverables in place within two years. I have the advantage of being on the EC's Industry Consultation Body through IAOPA, and while they're keen not to stop people talking, they don't want this to

take forever. So the document we produce in this country is going to have to make specific recommendations for concrete action, and once we've done that it will be very difficult to change things later. So time is short, and we need to get things moving.

Also on the 6th I had a meeting at the DfT with those involved in the current consultation on foreign-registered aircraft. Their argument is uncomplicated – what happens if an N-registered aircraft crashes into a school and is found to have bogus

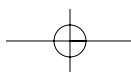
parts, and the government has to explain that there was no safety oversight of that aircraft, either by the CAA or the FAA. So it's really not a matter of whether they're safe, it's a matter of whether everyone's back is adequately covered.

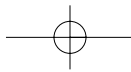
We've had quite a few calls on this from members of AOPA US, but of course people who are not members of AOPA UK can only benefit indirectly from the work we're doing, and make no contribution to it. This



EASA head Patrick Goudou

Increasingly it looks like that information was not enough to paint a full picture





"This would also include a Competition and Small Business test, and as these have not been done, it cannot be right to transfer £5 million of CAA charges onto another sector of civil aviation without having some idea of the impact: nor will the CAA live up to the requirements of ensuring that GA has a sustainable future.

"It is known that airlines have been declaring huge profits while GA is just about surviving. If there is a cross-subsidy, then it is not hurting the airline industry, whereas a 37% rise in CAA charges over the next three years is likely to force many small businesses into bankruptcy and this will mean a loss of jobs and skills.

"Some businesses which have already begun the process of moving away from the UK are likely to accelerate their plans. Individual aircraft owners may be forced to put their aircraft onto other European registers. In not taking this into consideration the JRT results must be questionable."

The changes will have serious safety consequences, it adds. "The large airlines say that they do not need GA to provide pilots. However, as they do not provide ab-initio training where do they think they come from? The failure of UK airlines to support the UK flight training system will, in our opinion, in the years ahead have serious safety consequences. The smaller regional airlines depend on GA to supply pilots, and in turn the major airlines depend on regional airline pilots

issue perhaps highlights the reasons why we say there's value in membership of AOPA here. The analogy we've used in the past is of the driver who joins the AA in Arkansas – he might like the magazine, but when he breaks down on a rainy night in Slough he finds he's on his own. Join AOPA UK now.

On September 9th we had the first meeting of the CAA's Regulatory Review group. We spent the whole morning going through the agenda and discussing terms of reference, starting with some suggestions set out by David Chapman from the CAA. To my mind they were a little narrow and restrictive, but the CAA is approaching the matter with an open mind and our suggestions seem to be welcome.

One small victory was the definition of general aviation that was adopted – "all aviation other than commercial air transport and the military". This is infinitely superior to the EASA definition, which waffles on for line after line about recreation and sport until the point is lost in the verbiage. I would have liked to see the small AOC operators included, but the CAA is adamant that they should not be. I can't for the life of me see how a Seneca doing AOC work in its time off from training isn't general aviation, or a 182 doing sightseeing trips doesn't qualify, but the CAA is not keen to include them in the definition, although it hasn't been ruled out.

It was important to get the definition down on paper before the start of the CAA's Strategic Review of General Aviation, which will have held its first

Parliament takes a stand

AOPA's advisers at Westminster have written to the CAA calling the new charges "unfair and unreasonable" and seeking a postponement while a Regulatory Impact Assessment is conducted.

The letter was written by Gerald Howarth MP and signed by Lembit Opik MP, Viscount Goschen, Lord Rotherwick and Lord Trefgarne. All five are current PPLs.

The letter says there is evidence that the basis for the CAA's calculations – the 'metric' timesheets staff must fill in – produce a 'less than authoritative' result.

It adds that it is grossly unfair to single out one factor – the cost of regulation – from the overall costs of aviation when no account is taken of the fact that airlines pay no fuel duty or VAT on tickets, and receive some £2.5 million in direct government subsidies.

The Joint Review Team which laid the groundwork for the changes failed to reflect the broad spectrum of GA, which was represented by one person who acknowledged that he was in no position to speak for the full range of GA interests. The letter says: "It is therefore hardly surprising that the airline-dominated JRT concluded as it did to shift costs from the airlines to GA."

It calls the CAA's assumption that the extra financial burden will have no effect "extraordinary", and says the charges could render flying unaffordable except for the wealthy, contrary to the government's policy on social exclusion.

And it concludes: "If implemented, the charges arising from this review threaten seriously to damage the UK's general aviation community and provide a tiny windfall for BA and other major operators."

making 'career moves'. The JRT process again, in our view, did little to consider the safety implications behind the proposals."

The letter concludes: "AOPA does not support the proposal to amend or alter the current scheme of charges beyond the current rate of inflation. The CAA must produce a RIA, including a Small Business impact test and

assessment of competition. No major changes to the scheme of charges should occur until the strategic review of GA has been finalised, and a full RIA has been completed."

N-regs safe for now

The N-registration systems it applies in the UK today is safe for at least five years, AOPA has established.

The Department for Transport wants to force owners of all foreign-registered aircraft based permanently in the UK to transfer to the G-register, a move which AOPA opposes.

In early discussions with the DfT, which has produced a consultation document outlining its proposals, AOPA has been assured that nothing is likely to happen until at least 2010.

Martin Robinson says: "This is positive news because firstly it means owners need not worry about an immediate impact, and secondly, it gives us time to counter these proposals."

AOPA believes the DfT has no real understanding of the reasons why the number

meeting by the time you read this. At least we won't have to go over the same ground again. That's scheduled for September 21st, and it comes in the middle of a very busy time. I was due to go to an EC meeting in Brussels on the 15th but I'll have to give it a miss in order to be at the CAA on the 16th for an airspace meeting. We have our own AOPA AGM on the 19th, and on the 22nd we have an EASA update at the DfT – at which the subject of the EASA budget will surely come up. We've got the IAOPA (Europe) regional meeting in Barcelona over the weekend of the 30th, the second meeting of the Regulatory Review team on October 5th, NATMAC on the 6th, and the EC's Industry

Consultation Body in Brussels on the 7th. Sometimes I look at this diary and my heart quails at the endless stream of meetings, but you can't turn your back for a minute because somebody, somewhere is having a bright idea right now, and it's going to

affect you and me, probably for the worse.

On a brighter note, I have a meeting of the AOPA Members Working Group at White Waltham on Saturday 8th – my son's birthday. The group is giving AOPA time and effort to move specific things along, and I'm very grateful for their involvement. I've also been invited to address some PFA struts on aviation matters, and I'm looking forward to that.

Martin Robinson

Dennis Baldry



of N-registered aircraft in the UK now exceeds 1,000, nor why it is vital not to devastate that sector of general aviation.

Says Martin: "Seven years ago AOPA warned that JAR-FCL would lead to a flight to the N-register, but the DfT chose to accept the Regulatory Impact Assessment produced by the CAA, which said JAR-FCL would have a 'nugatory effect'.

"JAR-FCL was bad law, badly implemented, but it's no use simply passing more bad law to try to save face. If there is to be any change, then we must first address the reasons why this situation has arisen. We should not





penalise those owners and pilots who have invested heavily in N-registered aircraft and FAA ratings because they were effectively forced to do so by flawed legislation."

The DfT seems only recently to have woken up to the scale of the foreign registry of UK general aviation aircraft. Says Martin: "I have had preliminary discussions with DfT officials and I believe there are a number of positive aspects to this.

"Their argument is simple – what happens if an N-registered aircraft based in the UK crashes into the Cabinet Office tomorrow? How do we explain to the government and to the people that there was effectively no safety oversight of that aircraft, either by the CAA or the FAA?

"Their minds have been concentrated by their recent discovery in the UK of some N-registered aircraft with suspect parts and dubious paperwork. There may in fact be a few rogue aircraft out there which conform to no international standard, but the vast majority are perfectly safe and pose no danger.

"AOPA has stressed to the DfT that the



The Cirrus is among those aircraft that can't go onto the G-register

safety issue – if it exists at all – can easily be dealt with. There is absolutely no evidence that N-registered aircraft are any less safe. With more than 1,000 of them out there, any anomaly in the accident statistics would show up immediately. They are not falling from the sky. If anything, they're safer – which might lead us to conclude that a heavier burden of regulation such as we suffer in the UK actually makes us less safe.

"AOPA's position is that there should be no change at least until there is an equivalent system in Europe to that of the FAA, so that owners of N-registered aircraft can switch to European registry without losing privileges and without penalty.

"The DfT recognises that this is the stated aim of EASA, where Patrick Goudou has told AOPA that he intends to create a system in Europe where there is no advantage to being on the N-register. When that happens they can invite owners to change, but not before."

AOPA has offered to set up a system for disseminating safety information to owners of N-registered aircraft, thus removing the DfT's prime objection to the status quo and allowing the current system to continue indefinitely. The response from the DfT has been noncommittal.

Through IAOPA, we have begun to make progress with our long-standing campaign for fundamental changes to the JAR Instrument

MoD invents new fee

AOPA is seeking an explanation from the Ministry of Defence following the introduction of an 'administration fee' for waiver certificates to land at MoD airfields.

In order to avoid paying an insurance surcharge – called the Casual User Insurance Fee – it is possible to apply for an exemption certificate which confirms that, in the MoD's language, "your combined single limit insurance cover is increased to £7,500,000 for any one accident in respect of Crown Indemnity" as stated on your aircraft's certificate of insurance.

Up to this summer, the exemption certificate has been issued free of charge by Headquarters Strike Command, but the MoD has now introduced an 'indemnity administration charge' which is based on the maximum take off mass of the aircraft. One AOPA member who occasionally uses MoD airfields and applied as usual for a waiver certificate has been quoted £82.25 for a Cessna 182.

Martin Robinson says: "That's a lot of money for issuing a certificate, even before you start asking what on earth the MTOM has on the cost of issuing a piece of paper. We're not happy with this, and we're seeking an explanation from the MoD.

"At the very least, if they consider that an indemnity administration charge has to be made, it should reflect the real cost of putting a piece of paper in the post. £82 for a light single is off the wall."

Rating to make it more accessible to private pilots. At the moment, fewer than one percent of UK PPLs have an Instrument Rating, compared to 50 percent in the USA, and the FAA IR is the greatest single reason for opting for an N-registered aircraft in the UK.

Says Martin: "The DfT's consultation paper simply glosses over the problems with the IR by saying holders of FAA IRs would have to get European equivalents. That is simply not feasible, although it may well become feasible in the longer term – EASA's head of rulemaking Claude Probst has said he is aiming for a European Instrument Rating that could simply be exchanged for an FAA one. That would be a great step forward.

"The DfT consultation paper does not properly address what happens to owners of aircraft which cannot be transferred onto the G-register – the Cirrus, the Columbia, and many more. Officials have said to me that they expect EASA will certify such aircraft, which would legitimise them in this country, but apart from simply proving to my satisfaction that bureaucratic tidiness and not safety is the driving factor here, that's an oversimplification. We need binding assurances before we can go down that road.

"The abiding impression I have formed in my talks with the DfT is that while they feel under pressure to act, they did not realise just how big this thing has become. We have made our position plain – it would be folly to turn the industry on its head even while we are waiting for EASA Ops and Licensing, which will surely address these matters.

"In the first instance we are pressing for a Regulatory Impact Assessment, and there is some sympathy at the DfT for that. Ultimately, we would like the DfT to wait for convergence with EASA, which may resolve this issue painlessly.

"Whatever happens, the DfT does not expect to see a change for at least five years, so we have time to make our case."

AOPA wins Bristol fee waiver

Bristol Airport has reacted positively to an AOPA claim for a rebate on behalf of a member who made a precautionary diversion there and was charged full landing and handling fees, despite the fact that Bristol subscribes to the 'Strasser Scheme' under which such charges are waived.

Member Adrian Krzeptowski diverted to Bristol because of bad weather while on a VFR

flight from Shoreham to Cardiff in a Piper Archer. Although he had obtained the TAF and Metar for Cardiff, conditions deteriorated to an unexpected degree while he was in flight, and after listening to the ATIS before crossing the Severn Estuary he elected to land at Bristol to refuel. The ATIS gave visibility at Cardiff as 3km, with a strong and gusting wind.

After landing at Bristol he took on 127 litres of avgas, then returned to Shoreham without having walked off Bristol Airport. The bill was £240.18, of which £153.58 was fuel and credit card charges.

Later Mr Krzeptowski contacted AOPA, and our Channel Islands regional chairman Charles Strasser, who conceived and oversees the scheme, wrote to Bristol Airport pointing out that they had signed up to the scheme, which is designed to ensure that when pilots in trouble are making decisions on diversions, the cost of landing does not enter the equation. Mr Strasser pointed out that the handling agents, Bristol Flying Centre, had also confirmed they would not charge in such circumstances, and asked for a rebate of £88.61 which Mr Krzeptowski had been charged for services not related to fuel.

He received a reply from Phil Button, Bristol Airport's ATS manager, saying there appeared to have been a misunderstanding, and that Bristol Flying Centre would review the invoice and reimburse accordingly. He added: "Please pass on my apologies and let me know if there are any further problems."

Charles Strasser says: "Our thanks go to Bristol Airport for their prompt and positive action on this issue. They clearly understand the intent of this scheme and are willing to help make it work."

*Eddsfield in Yorkshire has signed up to the Strasser Scheme, bringing to 192 the number of aerodromes that have agreed to waive charges for emergency or precautionary diversions.

That Newcastle diversion – see letters page.

Join the instructors

Readers of *General Aviation* will be aware of the Wings Awards Scheme currently in operation by AOPA. One of the requirements is to demonstrate attendance at a specified number of approved seminars. These are currently listed on the AOPA web site (www.aopa.co.uk) and are aimed at improving airmanship and safety. For the Platinum Wings Award, attendance at three approved seminars is required, two for Gold Wings and one for the Silver. AOPA has recently decided to add to the

approved list attendance on one day of its two-day Flight Instructor Refresher Seminars. These are normally held in Bristol in March or April, and London in July and December.

Topics covered over the two days include stalling and spinning, take-offs and landings, practice forced landings, navigation, airmanship, flight safety and weather factors, human performance and limitations, instrument flying and multi-engine flight. Each topic, being aimed at flight instructors, is dealt with in considerably more depth than is found in the average PPL training textbook. The lecturers are mostly Flying Instructor Examiners and there is plenty of time for personal interaction and questions.

If you are interested in attending, please get in touch with John Pett, the Seminar administrator, on 07754780335 or by e-mail at pettjohn@hotmail.com. He will be delighted to give you further details and costs.
– *George Done*

Aerodromes and AOPA

AOPA continues to handle planning and operational matters relative to licensed and unlicensed aerodromes throughout the UK. Since records were started in 1988, the Association has been involved in almost 500 separate issues, so we have amassed a considerable weight of experience in this work.

AOPA aims to ensure that there is a realistic geographical spread of aerodromes available for GA, on the basis that ownership and/or use of an aeroplane calls for facilities to be available within reasonable reach of all centres of population, industry or commerce. Unfortunately some regional airports are becoming less accessible than in the past, through excessive charges, timing constraints or even, in a few cases, outright refusal. On top of this, many aerodromes that exist purely for GA are facing numerous problems, mainly in terms of development threats such as buildings on the site boundaries or wind turbines under the circuit area.

Whatever the problem, AOPA is ready to help. In the overall interests of GA, *first-aid assistance* is available to anyone (e.g. a farmer who may wonder whether to convert part of his land to an airstrip), but economic reality dictates that all aviation people who seek advice should be members of the Association.

Help, though, should be on a mutual basis. In their own interests, those requiring guidance should approach AOPA as soon as possible. Often a person adds to his/her own difficulties by delaying contacting us until the problem is insurmountable – even, in one case recently, *after* planning permission had been granted for the offending obstruction. Also, it would be helpful to be kept informed of progress and/or results.

To avoid delays, please send brief details directly to me, either through the post at the AOPA offices or by e-mail to david@aopa.co.uk. – *David Ogilvy*

Bird warning

The CAA is receiving regular complaints about low flying around established bird sanctuaries and has asked AOPA to remind pilots of the dangers of encounters with birds.

According to Ian Weston, head of regulation enforcement at the CAA, his office continues to

receive a steady stream of complaints about low flying from the authorities at various wildlife sanctuaries, sites of special scientific interest and special protection areas around the UK – mostly on the coast.

He says: "While we are all aware of the risk of bird strikes in the local area of aerodromes, I feel that now is an opportune moment to remind pilots of the hazards that are present during low level operations away from airfields."

Areas of particular concern include The Wash, the North Norfolk Coast European Marine Site, the Kent and Sussex coast and coastal areas in the south west of England – although this is not a comprehensive list and problems could arise wherever there are large numbers of nesting birds. The most important areas are marked on the charts.

Encounters with birds are a significant hazard, and faith in the propeller's ability to resolve the problem before it takes your head off is not always justified. Recently a Cessna was brought down in New Zealand after suffering engine failure following an encounter with a flock of birds, and the pilot was killed. A 12 lb goose with a closing speed of 130kt makes short work of a quarter of an inch of perspex. Jets and helicopters are most vulnerable – one of the Red Arrows had to peel off a display at Southend last year following a bird strike, and a Lynx crew were lucky to



**Right: The most important areas are marked on the charts
Left: Graceful, but also heavy and hard to spot**

escape when a Canada goose came through the window and passed between their heads.

Ian Weston says: "Regardless of the flight safety considerations, it is the contention of at least some of management groups running the sites that pilots low flying over the areas could be in breach of the Wildlife and Countryside Act as substituted by Schedule 9 to the Countryside and Rights of Way Act 2000."

Instructors cover

AOPA's insurance advisers Besso Ltd are offering a new insurance scheme which provides legal liability insurance for flying instructors.

A previous insurance scheme which covered



instructors fell into disuse when the underwriter withdrew, and Besso has invested considerable time and effort in creating a scheme instructors could afford, and finding an underwriter to take it on.

The scheme covers legal liability arising out of the fault or negligence of the instructor in connection with the giving of advice, instruction, training or supervision to a student. The indemnity limit is £1 million.

There is an option of two policies. The first covers eventualities when the instructor is on the ground and the student is in the air. The second also includes the instructor while he or she is in the aircraft.

Option one costs £135 a year plus 5% IPT, while the premium for option two is £180 plus IPT. For full details please contact paul.murphy@besso.co.uk.

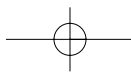
Is Safetycom working?

The CAA is trying to get some feedback on how Safetycom – the radio frequency to be used at aerodromes with no assigned frequency – is working out in practice and would like to hear from you, if you have experience of it.

Safetycom – 135.475 – was introduced last year, and the Authority thinks that after 12 months it should be possible to get a handle on how well it's working, and what safety improvements pilots might suggest.

The frequency was designed as a safety aid which would hopefully prevent collisions between aircraft at non-radio landing grounds by allowing pilots to broadcast their intentions on a shared frequency. It has many features in common with the US Unicom system. Safetycom entered service in November 2004, at which time the CAA said it would review its use after 12 months.

John Hills, head of the general aviation department at the CAA, says: "We have been monitoring Safetycom from the outset and it appears to be working well, but what we really



need now is feedback from the pilots who have used the frequency themselves."

The questions the CAA wants you to answer are:

- How often have you used Safetycom?
- Was it a weekday or a weekend?
- What were the weather conditions?
- Did any of these factors affect how well Safetycom met your expectations?
- Where were you using Safetycom?
- How busy was the frequency?
- Did you find the published phraseology clear?
- Was everyone using the published phraseology?
- Did the radio calls give you enough information on the position and intentions of other aircraft?
- Did you encounter any particular problems?
- Are there any ways in which we could enhance safety at aerodromes without a dedicated frequency and air traffic service?

You're invited to send your comments to Gill Galway, General Aviation Department 1W, Civil Aviation Authority, Aviation House, Gatwick Airport South, West Sussex RH6 0YR, or email them to gill.galway@srg.caa.co.uk, and if you could get them in by November 30th you'll get a hearing.

Following the form

The CAA would also like to remind us that they have a system in place for informing authorities abroad of the bona fides of UK licence holders who might

AOPA conference in spring

The conference AOPA was planning for a date in October has been postponed until early next year, due largely to the unavailability of speakers whom we are very keen to have. Pressure of work on our own staff has also been a factor — we've been unable to do some of the things we need to do to make this conference a truly worthwhile and informative event for members. We've decided to postpone it to the spring, and full details will be published in the next issue of *General Aviation*.

want to fly in their countries.

Historically the production of a valid licence and ICAO-compliant medical certificate was enough to get permission to fly as a PPL in many countries. However, as a result of increased global security, most national aviation authorities have adopted new procedures that require prior verification of the licence and its privileges from the issuing national authority.

The CAA has produced a form that you can complete and send back to them so they can provide your details to a foreign state if you make such a request. The form, SRG1160, is available on the www.caa.co.uk for pilots to download, fill out and send back to the CAA.

If you're planning to fly in a foreign country, it's advisable to contact the national authority

in the country you intend to visit well ahead of time. They will then contact the CAA to establish your bona fides — at which time it's helpful for the CAA to have a completed form SRG1160 on you. It shouldn't take too long — they usually fax or email the details back quickly.

Clive Strong, head of the CAA's Personnel Licensing Team, says: "We've developed the system to cope with the demands of non-UK authorities as simply and easily as possible. We do need pilots to follow the system as all of the CAA's pilot records are covered by UK data protection and information disclosure legislation. This makes it impossible for us to release the information without the licence holder's permission."



Postscript...

A helicopter owner who has had a Mode S transponder installed in his aircraft, following the mandate of the CAA to do so by 2008, has been charged 620 Euros by the CAA for authority to carry out the work. Think about it. Al Capone would blush...

STOP PRESS

CAA Directorate of Airspace Policy consultation on Class C airspace above FL195 and on VFR access rules... November 8th 2005 deadline for comments. See www.aopa.co.uk for full documentation. ■

Financial Benefits of AOPA Membership



As an AOPA member you are entitled to make use of any or all of the products listed here. You may find some of the AOPA products can save you money and, at the same time, you will be helping your Association

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MBNA EUROPE: This offers preferential rate loans to AOPA members for all purposes including aviation activities. Also offered is the MBNA credit card. Ring 0800 517151. Reference number 2S 570705B.

AVCORP: Registration of N-registered aircraft for foreign owners through the establishment of special purpose trusts. Contact Peter Leventhal. Tel: 01452 715000 e-mail: info@avcorpregistrations.com

BESSO LTD: This is a leading Lloyds broker for aircraft insurance, loss of licence insurance and travel insurance that covers private flying. Besso also offers AOPA members 'insurance first aid' advice. Contact Howard Pearce on 020 7480 1045 or Hazel Fackerell on 020 7480 1048.

LEGAL FIRST AID: The Association's honorary solicitor is Tim Scorer of Thomas Cooper & Stibbard. If you need this service contact the AOPA office in writing, giving a full account of your aviation-related problem *but do not leave it until the last moment.*

