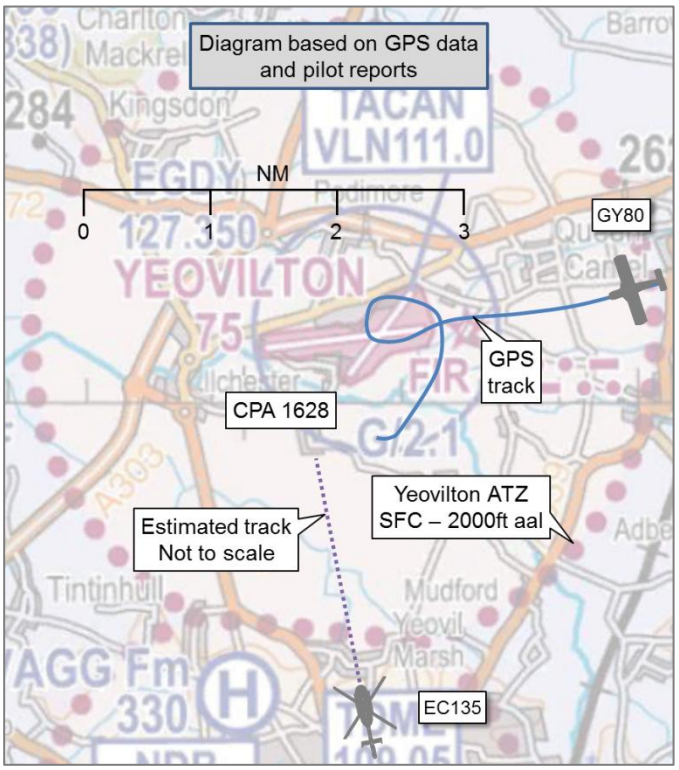
AIRPROX REPORT No 2014180

Date/Time: 19 Sep 2014 1628Z

Position: 5101N 00238W (Yeovilton)

Airspace: Yeovilton ATZ (*Class*: G)

	Aircraft 1	*Aircraft 2*
Type:	Gardan GY80	EC135
Operator:	Civ Pte	HEMS
Alt/FL:	800ft QFE (NK hPa)	900ft NK
Conditions:	VMC	VMC
Visibility:	5km	10km
Reported Separation:	0ft V/200m H	50ft V/300m H
Recorded Separation:	NK	



PART A: SUMMARY OF INFORMATION REPORTED TO UKAB

THE GARDAN PILOT reports arriving at Yeovilton, operating under Yeovilton Flying Club 'airfield closed' procedures. The blue and silver aircraft had the rotating anti-collision light selected on, as was the SSR transponder with Modes A, C and S. The aircraft was not fitted with a TAS. The pilot was operating under VFR in VMC, not in receipt of an Air Traffic Service. He made standard broadcast calls on Yeovilton Tower VHF frequency, initially 10nm east, then overhead and downwind. There was no response to any of his calls and neither did he hear any other calls. He positioned downwind right hand for RW04 at 800ft and was just starting his turn to finals, passing through 240° at 80kt, when he saw a yellow helicopter at the same height, crossing his nose at a range of about 400m. He tightened his final turn to keep the helicopter in sight and transmitted "helicopter overhead Yeovilton, look right two o'clock". He added power to overshoot and perceived that the helicopter pilot saw him because he turned away to the west slightly. He estimated the closest distance as about 200m but noted that it would have been much closer had he not taken avoiding action.

He assessed the risk of collision as 'Medium'.

THE EC135 PILOT reports conveying a patient to a hospital in Bristol. The yellow helicopter had white strobe, navigation and landing lights selected on, as was the SSR transponder with Modes A, C and S. The aircraft was not fitted with an ACAS or TAS. The pilot was operating under VFR in VMC, not in receipt of an Air Traffic Service but making blind calls on Yeovilton Radar VHF frequency as Yeovilton was assumed to be closed for military operation. In straight-and-level cruise, heading 360° at 120kt and 900ft, he saw a white, low wing, single engine, piston aircraft converging in the right 3 o'clock position at the same level. He took avoiding action by descending below the other aircraft. The pilot noted that, with hindsight, he should also have made blind calls on Yeovilton Tower VHF frequency.

He assessed the risk of collision as 'Low'.

Factual Background

The weather at Yeovilton was recorded as follows:

```
METAR EGDY 191650Z AUTO 03006KT 8000 HZ BKN020/// 20/17 Q1011
```

RNAS Yeovilton has an ATZ of radius 2.5nm centred on the mid-point of RW09/27, except where the Yeovilton ATZ intersects the Yeovil ATZ, where they are separated by a straight line between the intersection points. The Yeovilton ATZ extends from surface to 2000ft aal (2075ft altitude) and is active continuously. The UK MIL AIP, EGDY AD 2.3 (Operational Hours) states:

'AD: PPR (See Remarks). HO[1] ATZ H24[2].

Remarks: 24 hrs PNR for Military aircraft.
Visiting Civil aircraft are strictly 24 hrs PPR via Operations Ext 5497/5498.
Ops manned ‡0730-1700 Mon-Thu, ‡0730-1400 Fri.
Yeovilton based aircraft may operate H24. LARS is normally avbl btn ‡0830-1700 Mon-Thu, ‡0830-1400 Fri‡. Between Easter BH and August BH LARS will be avbl from ‡0930. Outside of these hours when AD is open a LARS/MATZ crossing service will be provided. Transiting aircraft are to blind call *Yeovil Radar* before crossing MATZ outside published hours.
Recreational Flying and Gliding taking place outside of published hours.'

Analysis and Investigation

UKAB Secretariat

The Gardan and EC135 pilots shared an equal responsibility for collision avoidance and not to fly into such proximity as to create a danger of collision[3]. The EC135 pilot was required to conform to the pattern of traffic intending to land at Yeovilton or to remain clear of the area within which the pattern was formed[4]. The EC135 pilot was required to obtain the permission of ATC before entering the Yeovilton ATZ[5], which he attempted to do by calling on the Yeovilton ICF.

Comments

Yeovilton ATSU

Members of the Yeovilton Flying Club and Yeovilton Gliding Club are authorised to conduct flying activities at Yeovilton when the airfield is closed and with no ATC present. This activity is promulgated in the relevant aeronautical publications: *Recreational Flying and Gliding taking place outside of published hours.* All activity within the ATZ is conducted on the Tower VHF frequency with blind calls only. Whilst the initial contact frequency is the Yeovilton Radar VHF frequency, it is expected that if a pilot calls the ICF and is unable to make radio contact with ATC, they should remain clear of the ATZ unless in an emergency.

Navy HQ

At the time of this incident Yeovilton ATC was closed. With a very active local flying club and gliders operating in the vicinity there are procedures in place that are intended to ensure compliance with ATZ requirements when ATC is not manned. Pilots wishing to transit the ATZ should call on the ICF and if there is no response a call on VHF Tower frequency should be made. If a clearance to cross is not forthcoming then the pilot is required to remain outside the ATZ, laterally or vertically. If a pilot chooses to transit an ATZ without a clearance then they do so at their own risk. The local Helimed pilots are familiar with Yeovilton operations and there is a very good working relationship, however, on this occasion the pilot elected not to make a call to Yeovilton Tower.

[1] Service available to meet operational requirements.
[2] Continuous service.
[3] Rules of the Air 2007 (as amended), Rule 8 (Avoiding aerial collisions).
[4] ibid., Rule 12 (Flight in the vicinity of an aerodrome).
[5] ibid., Rule 45 (Flights within aerodrome traffic zones).

Summary

An Airprox was reported when a Gardan GY80 and an EC135 flew into proximity at about 1628 on Friday 19th September 2014, within the Yeovilton ATZ. Both pilots were operating under VFR in VMC and neither were in receipt of an Air Traffic Service.

PART B: SUMMARY OF THE BOARD'S DISCUSSIONS

Information available consisted of reports from the pilots of both aircraft, radar photographs/video recordings, a GPS track file and a report from the appropriate operating authority.

The Board first considered the pilots' actions and quickly agreed that the GY80 pilot had recovered to Yeovilton in accordance with the requirements of the 'airfield closed' procedures. His late sighting of the EC135 was probably compounded by his attention being directed towards the airfield during the finals turn and away from the direction of arrival of the EC135. For his part, the EC135 pilot had lifted from a site to the south of Yeovilton and was transiting northwards in order to convey a patient to hospital. He called on the Yeovilton Radar ICF, as shown on the CAA VFR chart, but did not receive a reply. Members noted that the UK AIP did not contain contact or transit information pertaining to RNAS Yeovilton, and that the Yeovilton information contained in the UK Military AIP was not available to non-military personnel. However, information regarding Yeovilton was available in the British Isles & North Atlantic En-Route Supplement, which reflected that contained in the Military AIP. Despite the lack of directive information about contacting Yeovilton Tower, members opined that a pilot entering an ATZ should transmit on the Tower frequency if not directed otherwise, especially, as in this case, where no contact had been made on the ICF. In this respect, members agreed that, had the EC135 pilot transmitted on the Tower frequency, both he and the GY80 pilot would have gained sufficient situational awareness to deconflict their flight paths. That he did not transmit was therefore considered contributory to the Airprox. That being said, some members wondered whether Yeovilton Flying Club and Glider Club might also be better served by conducting operations on the ICF during out-of-hours times thereby ensuring that, even if transiting outside the ATZ, traffic attempting to call 'blind' would be heard and would hear them.

The Board agreed that, in accordance with Rule 45, the EC135 pilot was not normally permitted to enter the Yeovilton ATZ without ATC permission; his doing so was also considered contributory to the Airprox. Members discussed why an experienced local operator would do so, and agreed that he had probably either become habituated to a course of action which normally did not result in airborne conflict, or had been undertaking his sortie with urgency concomitant with conveying a patient to hospital and had therefore been seduced into taking the shortest route possible. Notwithstanding, in either case, it behoved him to conduct the sortie with appropriate risk mitigation and, in this case, his transit of the ATZ had resulted in him flying into conflict with the GY80. Members discussed the risk of collision and agreed that, although the pilots had seen each other at quite close range, effective and timely action had, nevertheless, been taken in order to avoid collision.

The Board's deliberations then turned to the wider issue of emergency service aircraft[6] and 'out of hours' access to ATZs which were continuously active (H24) but not manned. Rule 45 of the Rules of the Air stipulates that, for Government aerodromes, at such times as are notified:

> 'If the aerodrome has an air traffic control unit the [aircraft] commander shall obtain the permission of the air traffic control unit to enable the flight to be conducted safely within the zone.'

The phrase 'at such times as are notified' was considered to be H24 for Government aerodromes, which resulted in *de-facto* inability to gain permission for admittance to an H24 ATZ when ATC was not manned unless operating under local agreements (as was the GY80 pilot). The Board appreciated that military operations could be required at any time, and that the establishment of an H24 ATZ allowed for short notice military activity. However, it was also noted that emergency service aircraft could legitimately require access to the ATZ airspace to expedite transit, or for access to an

[6] Medical, Police and SAR support aircraft.

accident site, and that current statute denied them such access unless in contact with ATC. Members agreed that this was undesirable, and that access to an unmanned H24 ATZ specifically for emergency service aircraft should be formally addressed. The Board therefore resolved to recommend that, 'CAA investigates procedures to permit 'out of hours' access for emergency services aircraft for transit of, or to sites within, continuously active ATZs'.

PART C: ASSESSMENT OF CAUSE AND RISK

Cause: The EC135 pilot flew into conflict with the Gardan GY80.

Contributory Factors: 1. The EC135 pilot flew into a promulgated and active ATZ without ATC permission.

2. The EC135 pilot did not call on Yeovilton Tower frequency.

Degree of Risk: C.

ERC Score[7]: 21.

Recommendation: CAA investigates procedures to permit 'out of hours' access for emergency services aircraft for transit of, or to sites within, continuously active ATZs.

[7] Although the Event Risk Classification (ERC) trial had been formally terminated for future development at the time of the Board, for data continuity and consistency purposes, Director UKAB and the UKAB Secretariat provided a shadow assessment of ERC.