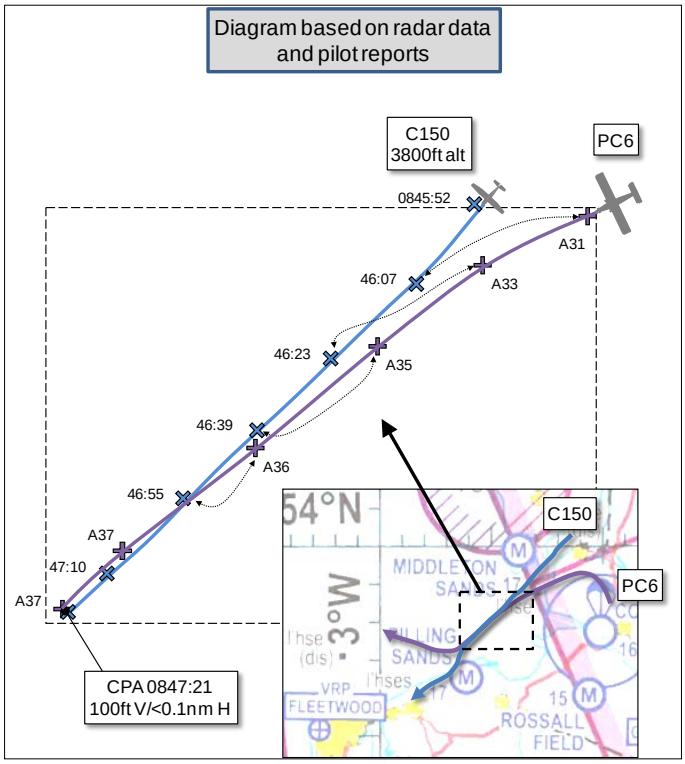
AIRPROX REPORT No 2012109

Date/Time: 21 July 2012 0847Z (Saturday)

Position: 5355N 00259W (2nm E Fleetwood VRP)

Airspace: Lon FIR (*Class: G*)

	Reporting Ac	*Reported Ac*
Type:	C150	Pilatus PC6
Operator:	Civ Trg	Civ Other
Alt/FL:	3800ft QNH (NR)	↑3000ft↑ QNH (NR)
Weather:	VMC NR	VMC CAVOK
Visibility:	>10km	>10km
Reported Separation:	0ft V/50-100m H	0ft V/0.5nm H
Recorded Separation:	NR V/<0.1nm H	



[UKAB Note(1): The C150 is reported as staying level at altitude 3800ft. The PC6 radar derived altitudes are shown as 'A<100's of feet>].

PART A: SUMMARY OF INFORMATION REPORTED TO UKAB

THE C150 PILOT reports instructing on a trial flight, operating under VFR with a BS from Blackpool Radar [119.950MHz]. The ac was white in colour with the tail strobe selected on. The SSR transponder was also selected on with Mode 3/A but no Mode C or S. He was sitting in the RHS and at the time of the Airprox the student, in the LHS, had control of the ac. Approaching the Fleetwood VRP heading 270° and 80kts, level at alt 3800ft, the instructor looked R and immediately saw a blue and orange coloured Pilatus overtaking and climbing past his ac, passing through his level, abeam at a distance of between 50m and 100m. He took control of the ac and took immediate avoiding action by turning to the L.

He assessed the risk of collision as 'Medium'.

THE PILATUS PC6 PILOT reports operating under VFR in an orange, white and green ac with strobes selected on. The SSR transponder was selected on with Modes 3/A, C and S, but the ac was not fitted with TCAS. He was in RT contact with Cockerham A/G station [129.900MHz] when, heading 200° at 85kt in a climbing L turn, he saw a white single engine, high-wing ac, crossing from R to L ½nm ahead and which appeared to be heading S in a level cruise. He was not able to establish RT contact with the other ac on the A/G frequency. Keeping the other ac in sight, he overtook on the R.

He assessed there was no risk of collision.

ATSI reports that the AIRPROX was reported to have occurred at 0847 UTC, in the vicinity of Cockerham Free-Fall drop zone, situated 13.3nm NE of Blackpool Airport, between a Pilatus PC6/B2-H2 Porter (PC6) and a Rheims Cessna F150H (C150).

The PC6 was operating VFR from the Cockerham Sky Diving Centre and was in communication with the Cockerham Drop Zone (A/G) [129.900MHz].

The C150 was operating on a local training flight from Blackpool Airport and was in receipt of a BS from Blackpool Radar [119.500MHz].
The Cockerham Free-Fall drop zone is notified in the UK Aeronautical Information Publication (AIP), page ENR 5-5-3-1 (11 Feb 10), as a circle 1.5nm radius, at a position 535744N 0025007W, with a vertical limit of FL95 and activity notified on the day to London Area Control (Swanwick) and alternative contact 129.900MHz.

Blackpool ATSU advised that the ATC log for the 21 July 2012, indicated that Cockerham had reported active from 0645 UTC and was expected to be active until 1900 UTC. Blackpool ATC normally include this information on their ATIS for the benefit of departing and arriving ac. Overflights would normally be advised of the activity.

CAA ATSI had access to: RTF recording of Blackpool Radar; area radar recordings and written reports from both the pilots. The ATC unit were not immediately aware of the AIRPROX and there was no record of an incident in the ATC watch log. The controller concerned has retired since the date of the incident. The QNH used by the radar system was the London QNH of 1024 hPa.

The weather for Blackpool is provided:
METAR EGNH 210820Z 28004KT 240V330 9999 FEW018TCU 15/13 Q1024=
METAR EGNH 210850Z 30005KT 260V330 9999 FEW022TCU 16/12 Q1024=

At 0815, the C150 contacted Blackpool Radar on departure and a BS was agreed. The C150 reported in receipt of ATIS information 'INDIA'.

At 0840:01, radar recording showed the PC6 overhead the Cockerham drop zone at FL135 squawking 0033, indicating parachute dropping. The C150 was shown, without Mode C level reporting, tracking SW, 6.1nm NE of the PC6. The PC6 then descended rapidly and faded from radar cover in the vicinity of the Cockerham landing site.

The C150 continued to track SW and at 0844:16 is shown passing 2.5nm NNW of the Cockerham site. The PC6 was shown climbing from the site on a NW track, passing FL001. The distance between the two ac was 1.8nm.

At 0844:30, the controller advised an inbound helicopter that both Cark and Cockerham were active with parachute dropping.

At 0845:09, the PC6 had turned onto a SW track indicating FL014. The C150 was in the PC6's 1 o'clock at a range of 0.9nm and the tracks of the two ac were converging with the PC6 slightly faster.

At 0846:26, the PC6, at FL030, was shown 0.6nm behind the C150. The PC6 continued to catch up with the C150 on a similar track. At 0847:10 the distance between the two ac had reduced to 0.1nm, with the PC6 now maintaining FL034.

At 0847:21, the PC6 is shown passing less than 0.1nm to the R of the C150 (CPA). The PC6 was indicating FL034 (converts to 3697ft using QNH 1024 and 1hPa equal to 27ft). The C150 pilot's written report indicated flying at 3800ft and having sighted the PC6 within 100m to the R and below. The PC6 was shown to climb as the two ac continued on their slightly diverging tracks. Then at 0847:32 the PC6 made a R turn of 60° and the C150 made a L turn of 60°.

At 0848:05, the C150 requested a time check but made no mention of the Airprox.

The Cockerham Drop Zone was notified as active and it is likely that the C150 pilot was aware of this from the ATIS report. On returning to Blackpool, the C150 passed 2.5nm N of the Drop Zone site.

The PC6 departed from Cockerham drop zone and approached the C150 from behind, overtaking the C150 to the R, in close proximity, at a position 3.7nm WSW of the drop zone site.

Rule 11 of the RoA states:

> '(1) Subject to paragraph (3), an aircraft which is being overtaken in the air shall have the right-of-way and the overtaking aircraft, whether climbing, descending or in horizontal flight, shall keep out of the way of the other aircraft by altering course to the right.
> (2) An aircraft which is overtaking another aircraft shall keep out of the way of the other aircraft until that other aircraft has been passed and is clear, notwithstanding any change in the relative positions of the two aircraft.
> (3) A glider overtaking another glider in the United Kingdom may alter its course to the right or to the left.'

The C150 had been operating for 32mins away from the airfield on a VFR training flight, in receipt of a BS and there was no requirement for the radar controller to monitor the flight. CAP774, UK Flight Information Services, Chapter 2, Page 1, Paragraph 1, and 5, state:

> 'A Basic Service is an ATS provided for the purpose of giving advice and information useful for the safe and efficient conduct of flights. This may include weather information, changes of serviceability of facilities, conditions at aerodromes, general airspace activity information, and any other information likely to affect safety. The avoidance of other traffic is solely the pilot's responsibility.'

> 'Pilots should not expect any form of traffic information from a controller/FISO, as there is no such obligation placed on the controller/FISO under a BS outside an ATZ, and the pilot remains responsible for collision avoidance at all times. However, on initial contact the controller/FISO may provide traffic information in general terms to assist with the pilot's situational awareness. This will not normally be updated by the controller/FISO unless the situation has changed markedly, or the pilot requests an update. A controller with access to surveillance-derived information shall avoid the routine provision of traffic information on specific aircraft, and a pilot who considers that he requires such a regular flow of specific traffic information shall request a Traffic Service. However, if a controller/ FISO considers that a definite risk of collision exists, a warning may be issued to the pilot.'

CAP774, UK Flight Information Services, Chapter 1, Page 1, Paragraph 2, states:

> 'Within Class F and G airspace, regardless of the service being provided, pilots are ultimately responsible for collision avoidance and terrain clearance, and they should consider service provision to be constrained by the unpredictable nature of this environment.'

The Airprox occurred when the PC6 departed from Cockerham Drop Zone and climbed on a W track approaching the C150 from behind, passing to the R of the C150, which caused the pilot of the C150 to be concerned about the relative position and proximity of the PC6.

[UKAB Note(2): RoA 2007, Schedule 1, Section 4 'GENERAL FLIGHT RULES', Rule 9 'Converging' states:

> '…
> (3) Subject to paragraphs (1) and (2), when two aircraft are converging in the air at approximately the same altitude, the aircraft which has the other on its right shall give way.'

RoA 2007, Schedule 1, Section 4 'GENERAL FLIGHT RULES', Rule 8 'Avoiding Aerial Collisions' states:

> '(1) Notwithstanding that a flight is being made with air traffic control clearance it shall remain the duty of the commander of an aircraft to take all possible measures to ensure that his aircraft does not collide with any other aircraft.

(2) An aircraft shall not be flown in such proximity to other aircraft as to create a danger of collision.
...'].

PART B: SUMMARY OF THE BOARD'S DISCUSSIONS

Information available included reports from the pilots of both ac and radar video recordings.

It was not clear why the Pilatus pilot had attempted to contact the C150 pilot using RT since the C150's track had provided adequate clearance from the Cockerham Parachuting Site. Members unanimously agreed that the Pilatus pilot, having seen the C150 crossing his nose from R to L at an estimated range of ½nm, had the responsibility to give way. He also had ample opportunity to do so in a manner that would not cause concern. However, he chose to converge with the C150, climbing to its level and accelerating on a parallel track, such that he passed within 0.1nm with 50kts of overtake and pulled up into a climb as he passed abeam. The Board was satisfied that the Pilatus pilot was in a position to increase separation if the C150 had manoeuvred and therefore there was no risk of a collision. However, by conducting this manoeuvre and alarming the C150 pilot, the Pilatus pilot displayed a lack of airmanship.

PART C: ASSESSMENT OF CAUSE AND RISK

Cause: The Pilatus pilot flew close enough to cause the C150 pilot concern.

Degree of Risk: C.