

**AIRPROX REPORT No 2024252**

Date: 05 Oct 2024 Time: 1341Z Position: 5049N 00107W Location: 3NM E Lee-On-Solent

**PART A: SUMMARY OF INFORMATION REPORTED TO UKAB**

Recorded	Aircraft 1	Aircraft 2
Aircraft	Wag Aero CUBy	PA28
Operator	Civ FW	Civ FW
Airspace	London FIR	London FIR
Class	G	G
Rules	VFR	VFR
Service	AFIS	Listening Out
Provider	Lee-on-Solent	Farnborough
Altitude/FL	1400ft	1500ft
Transponder	A, C, S	A, C, S
Reported		
Colours	Yellow	White/blue
Lighting	Strobe	Nav, strobes, bcn
Conditions	VMC	VMC
Visibility	>10km	NR
Altitude/FL	1400ft	1600ft
Altimeter	QNH (1012hPa)	QNH (1012hPa)
Heading	360°	NR
Speed	85kt	NR
ACAS/TAS	PilotAware	Not fitted
Alert	None	N/A
Separation at CPA		
Reported	20ft V/5m H	100ft V/400m H
Recorded	100ft V/<0.1NM H	



**THE WAG AERO CUBY PILOT** reports they flew over Portsmouth Harbour. They passed the Spinnaker Tower and the aircraft carrier. While still on the Lee frequency they noticed a PA28 at the last moment and had to turn sharply right to avoid what they believed could have been a collision. They noted they had been close to other aircraft before, but that this was the first time they had had to take evasive action, which made them think it was quite close. Once they were wings level again they looked back to check on the PA28, which appeared to be flying straight and level. They were not sure if the other pilot had seen them. They informed Lee Information of the Airprox and asked them to make a note, which they did.

The pilot assessed the risk of collision as ‘High’.

**THE PA28 PILOT** reports approaching Portsmouth Harbour from the northeast. Their plan was to fly over the harbour with the Spinnaker Tower to the left-hand side. They turned south, with the sun ahead of them but high enough not to have a major impact on visibility. After doing an initial scan and seeing no conflicting traffic, they were looking out the left window of the aircraft when the other aircraft came into view out of the corner of their eye. it was turning to the right, away from them, and they conducted the same action. They were aware of the proximity of Lee-on-Solent aerodrome and, after reviewing airfield information including traffic patterns, considered their flight route a safe distance away. in hindsight, they perhaps should have set the radio to listen in on the Lee Information frequency for better situational awareness.

The pilot assessed the risk of collision as ‘Medium’.

**THE LEE-ON-SOLENT AFISO** reports the CUBy pilot departed at 1334 and remained on the Lee Information frequency until they changed enroute at 1343. The pilot reported their intention to file an Airprox at 1341. Per standard operating procedures, it is usual practice to provide a Basic Service to departing pilots when they report departing the ATZ and remaining on frequency, and they would advise

the pilot accordingly. They are unable to confirm that the CUBy pilot was in receipt of a Basic Service as the flight progress strip was not annotated as such. This may be because the pilot may not have reported that they had departed the ATZ and may not have requested a Basic Service. Unfortunately, they no longer had the RT recordings available to confirm as they are only held for a period of 30 days. They understand the Airprox position reported by the CUBy pilot was in the vicinity of north of Portsmouth. As such, this would have been well beyond the AFISO's visual line of sight from the Solent Airport Control Tower, and well outside the Lee-On-Solent ATZ. They do not use a FID at Solent Airport and this was not available to the AFISO in the Tower. The AFISO's workload was moderate at the time although this factor is not relevant, as the other pilot was not on frequency and therefore not known to the AFISO.

## Factual Background

The weather at Lee-On-Solent was recorded as follows:

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METAR EGGH 051350Z 13009KT 090V180 9999 FEW034 17/08 Q1013=  
METAR EGGH 051320Z 14010KT 100V180 9999 FEW034 16/07 Q1013=
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## Analysis and Investigation

### UKAB Secretariat

The CUBy and PA28 pilots shared an equal responsibility for collision avoidance and not to operate in such proximity to other aircraft as to create a collision hazard.<sup>1</sup> If the incident geometry is considered as head-on or nearly so then both pilots were required to turn to the right.<sup>2</sup>

## Summary

An Airprox was reported when a Wag Aero CUBy and a PA28 flew into proximity over Portsmouth Harbour at 1341Z on Saturday 5<sup>th</sup> October 2024. Both pilots were operating under VFR in VMC, the CUBy pilot in receipt of an AFIS from Lee Information and the PA28 pilot listening out on the Farnborough LARS frequency, not in receipt of a FIS.

## **PART B: SUMMARY OF THE BOARD'S DISCUSSIONS**

Information available consisted of reports from both pilots, radar photographs/video recordings and a report from the Airfield Flight Information Services Officer involved. Relevant contributory factors mentioned during the Board's discussions are highlighted within the text in bold, with the numbers referring to the Contributory Factors table displayed in Part C.

Members first discussed the pilots' actions and agreed with the PA28 pilot's assessment that it may have been advantageous to have changed to the Lee Information frequency and, rather than just listening out, to have requested a Basic Service (**CF2**). Unfortunately, there is no LARS provision in that part of the country but, by changing to the Lee Information frequency, one or both pilots might have had the opportunity to assimilate the position and intentions of the other. In the event, neither pilot had had situational awareness of the other aircraft (**CF3**) and the CUBy pilot's TAS had not alerted when it might have been expected to do so (**CF4**), leaving see-and-avoid as the remaining barrier to mid-air collision. This barrier was in turn compromised because the CUBy pilot had seen the PA28 at a late stage (**CF5**) and, the Board felt, the PA28 pilot had seen the CUBy at about CPA, effectively a non-sighting (**CF6**). The Lee-on-Solent AFISO had not been able to influence events because they had not been aware of the PA28 (**CF1**). Members questioned why the R/T recording was not available and had not been quarantined after the CUBy pilot had reported the Airprox on frequency. The Board was unable to determine whether the CUBy pilot had used the word 'Airprox' in their transmission but noted that Lee-on-Solent ANSP had been notified of the Airprox by UKAB Secretariat 2 days after the event and

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<sup>1</sup> (UK) SERA.3205 Proximity.

<sup>2</sup> (UK) SERA.3210 Right-of-way (c)(1) Approaching head-on.

expressed their disappointment in the break-down in communication that led to important information being unavailable to the Board.

Turning to risk, with one exception the majority of members felt that the proximity at CPA and the pilots' narratives indicated that safety had been much reduced, Risk B.

**PART C: ASSESSMENT OF CONTRIBUTORY FACTORS AND RISK**

Contributory Factors:

	2024252			
CF	Factor	Description	ECCAIRS Amplification	UKAB Amplification
<b>Ground Elements</b>				
<b>• Situational Awareness and Action</b>				
1	Contextual	• Traffic Management Information Action	An event involving traffic management information actions	The ground element had only generic, late, no or inaccurate Situational Awareness
<b>Flight Elements</b>				
<b>• Tactical Planning and Execution</b>				
2	Human Factors	• Communications by Flight Crew with ANS	An event related to the communications between the flight crew and the air navigation service.	Pilot did not request appropriate ATS service or communicate with appropriate provider
<b>• Situational Awareness of the Conflicting Aircraft and Action</b>				
3	Contextual	• Situational Awareness and Sensory Events	Events involving a flight crew's awareness and perception of situations	Pilot had no, late, inaccurate or only generic, Situational Awareness
<b>• Electronic Warning System Operation and Compliance</b>				
4	Human Factors	• Response to Warning System	<del>An event involving the incorrect response of flight crew following the operation of an aircraft warning system</del>	CWS misinterpreted, not optimally actioned or CWS alert expected but none reported
<b>• See and Avoid</b>				
5	Human Factors	• Identification/ Recognition	Events involving flight crew not fully identifying or recognising the reality of a situation	Late sighting by one or both pilots
6	Human Factors	• Monitoring of Other Aircraft	Events involving flight crew not fully monitoring another aircraft	Non-sighting or effectively a non-sighting by one or both pilots
<b>• Outcome Events</b>				
7	Contextual	• Near Airborne Collision with Aircraft	An event involving a near collision by an aircraft with an aircraft, balloon, dirigible or other piloted air vehicles	

Degree of Risk: B.

Safety Barrier Assessment<sup>3</sup>

In assessing the effectiveness of the safety barriers associated with this incident, the Board concluded that the key factors had been that:

**Ground Elements:**

**Situational Awareness of the Confliction and Action** were assessed as **not used** because the PA28 was beyond the visual range of the Lee AFISO and they therefore had no situational awareness of it.

**Flight Elements:**

<sup>3</sup> The UK Airprox Board scheme for assessing the Availability, Functionality and Effectiveness of safety barriers can be found on the [UKAB Website](#).

**Tactical Planning and Execution** was assessed as **partially effective** because the PA28 pilot had not been in communication with Lee-on-Solent.

**Situational Awareness of the Conflicting Aircraft and Action** were assessed as **ineffective** because neither pilot had had situational awareness on the other aircraft until sighted.

**Electronic Warning System Operation and Compliance** were assessed as **ineffective** because the CUBy TAS had not alerted when expected.

**See and Avoid** were assessed as **partially effective** because the CUBy pilot had seen the PA28 at a late stage and the PA28 pilot had not seen the CUBy until at about CPA, effectively a non-sighting.

