

AIRPROX REPORT No 2010056

Date/Time: 31 May 2010 (Monday) 1403Z

Position: 5524N 00134W (0.5nm
E Boulmer - elev 75ft)

Airspace: Scottish FIR (Class: G)
Reporting Ac Reporting Ac

Type: Sea King Robin

Operator: HQ AIR (OPS) Civ Pte

Alt/FL: 450 ft 700ft
(QFE 1018mb) (NR)

Weather: VMC NR VMC NR

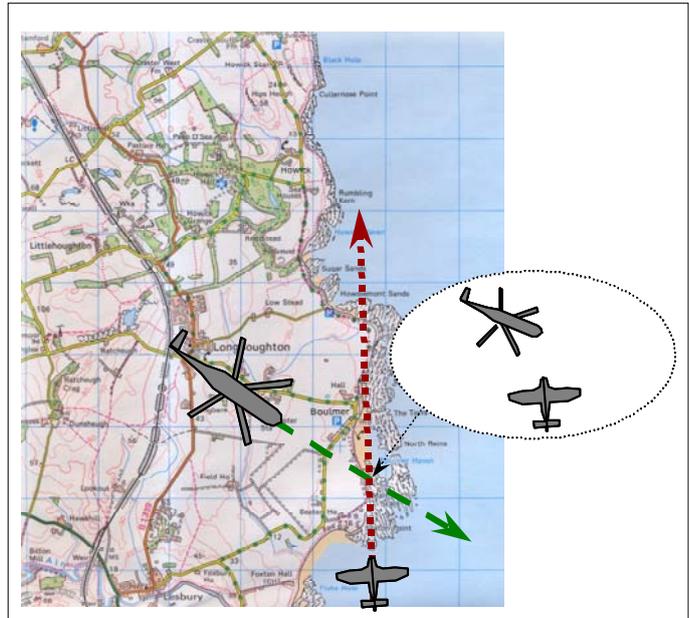
Visibility: 10km 50km

Reported Separation:

100ft V/0ft H 300ft V/0H

Recorded Separation:

N/R



PART A: SUMMARY OF INFORMATION REPORTED TO UKAB

THE SEA KING PILOT reports that he was scrambled to an incident near Middlesbrough and was in contact with Boulmer Radio and squawking with Mode C. During startup, a Microlight pilot called Boulmer Radio and stated his intention to transit along the coast. The Microlight pilot then stated that he would remain about 5nm clear of the field to the SE and climb to 1000ft to allow their safe departure; this was adhered to. The Sea King got airborne and the crew were in a very high workload situation just after the routine departure power check at 520ft amsl, while over the coast about ½nm E of Boulmer, heading 150° and accelerating to 100kt, when the Captain, in the RHS, briefly saw a second single-engined low wing light ac through the LHS lower bubble window: the ac had already crossed from right to left [along the coast] about 100ft directly below them. The Sea King declared an Airprox with Boulmer Radio and then with Newcastle Radar and then continued on the SAROP. He assessed the risk as being high.

THE ROBIN PILOT reports that he was flying VFR in a blue and white ac, squawking but with Mode C switched off, in receipt of a 'Radar Advisory Service' [actually a BS] from Newcastle Radar. While heading 360° along the Northumberland Coast, at 120kt and at a height of 700ft, 1nm SE of Boulmer he saw a yellow helicopter about 200ft above them on a South-Easterly heading. He immediately turned left and descended to 300ft to avoid the helicopter and to keep it in sight. In his opinion the helicopter crew had not seen them until they passed underneath it, as it appeared to take no avoiding action. He assessed the risk as being Medium.

UKAB Note (1): The incident took place below the base of recorded radar cover.

ATSI reports that this Airprox occurred in Class G airspace, 1.5nm to the SSE RAF Boulmer.

Newcastle MATS Pt2, Section 1, Chapter 9, page 4, paragraph 6.4, (dated 04/08/2009) states: 'Light aircraft should be advised to call Boulmer on 123.1 MHz if they are likely to infringe the site....'.

METAR EGNT 311350Z 08007KT 050V130 9999 FEW020 15/08 Q1022=
The Tyne Regional Pressure for the period 1400 to 1500 (UTC) was 1017mb.

The DR400 departed Newcastle Airport VFR at 1348, en-route to land at Eshott airfield, situated 15nm N. Newcastle TWR transferred the ac to Newcastle Radar and at 1353:55 and the pilot reported leaving CAS *"(DR400) C/S one mile east abeam Morpeth staying visual leaving the zone to the north"*. (Morpeth is situated on the N boundary of the Newcastle CTZ). A BS was agreed and the DR400 was passed the Tyne Regional Pressure setting 1022mb. The controller erroneously passed the airfield QNH 1022mb, instead of the Tyne Regional Pressure setting of 1017mb.

At 1357:25 radar recording shows the DR400 approach the coast 12nm NNE of Newcastle Airport and then disappear from radar coverage.

A change of controller then occurred and at 1400:53 the oncoming Radar controller requested a position check from the ac *"(DR400) C/S just check your position please"* and the pilot replied, *"(DR40) C/S just north of er Amble approaching er Alnmouth"*. (Alnmouth is situated 1.9nm SSW of RAF Boulmer).

The controller reported that he thought that the DR400 was manoeuvring in the Amble area and responded *"(DR400) C/S roger that's understood report when you're returning to Eshott to land please."*

At 1403:18 the Sea King pilot called Newcastle Radar and the controller acknowledged three times asking the Sea King to *".....pass your message"*. Then after a pause at 1403:37 the Sea King responded *"Er Newcastle er (Sea King) C/S we'd like to declare an Airprox er small white low fixed wing aircraft south to north he appeared to be about three hundred feet we're five P.O.B. squawking double oh two three and er routeing down the coast."* Newcastle Radar acknowledged and passed the Newcastle QNH 1022mb and the Tyne RPS of 1017mb.

The Newcastle Radar controller believed the ac involved to be the DR400 and at 1404:08 advised the DR400 *"....the Sea King's just called an Airprox with you I didn't have you on Radar he's just er filed an Airprox on you as you passed overhead the Boulmer site"* and the pilot replied *"Yeah that's understood we were in good visual contact there was no confliction"*. Newcastle Radar then asked the DR400 *"Roger did you have the helicopter in sight confirm"* and the pilot replied *"Affirm we had him in sight all the time from er about a minute out"*. Newcastle Radar then updated the Sea King *"(Sea King) C/S that aircraft is on my frequency I didn't have him in radar contact but he had you in sight and he did have all the way"* and the Sea King pilot responded *"Er that's copied he was below five hundred feet and he wasn't speaking to Boulmer so we would like to file the Airprox (Sea King) C/S."* Newcastle Radar advised the DR400 pilot *"and (DR400) C/S did you copy he will be filing an Airprox as you did not call the Boulmer site and you are very low level in his area."*

At 1418 the Sea King is transferred to Durham Radar and at 1424 the DR400 reported visual with Eshott and advised that he was leaving the frequency.

The DR400 was in receipt of a BS from Newcastle radar. The controller had not anticipated that the DR400 would continue N of Amble and therefore did not consider suggesting that the DR400 call Boulmer radio. The Sea King was not in receipt of a service from Newcastle Radar at the time and reported the Airprox when making the first call to establish RT contact. Newcastle Radar was unable to pass any warning to either ac.

CAP 493, MATS Pt1, Section 11, Page 4, (dated 01/07/2010) states:

3.1.1 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.

3.5.1 Pilots should not expect any form of traffic information from a controller, as there is no such obligation placed on the controller under a Basic Service outside an Aerodrome Traffic

Zone (ATZ), and the pilot remains responsible for collision avoidance at all times. However, on initial contact the controller may provide traffic information in general terms to assist with the pilot's situational awareness. This will not normally be updated by the controller 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 ac, 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 considers that a definite risk of collision exists, a warning may be issued to the pilot.

As a result of the Airprox Newcastle Airport have made an internal recommendation to remind all controllers that any ac operating in the Boulmer area should be asked to contact Boulmer Radio to make their intentions known.

HQ AIR (OPS) comments that the simple process of a courtesy call to Boulmer Radio iaw Newcastle MATS Pt2, Section 1, Chapter 9, page 4, paragraph 6.4, (dated 04/08/2009) could have prevented this Airprox. However, even under high workload situations, the responsibility to clear own flightpath remains and crews operating in Class G airspace must maintain a good lookout at all times.

PART B: SUMMARY OF THE BOARD'S DISCUSSIONS

Information available included reports from the pilots of both ac, a transcript of the Newcastle APR frequency, radar recordings, a report from the air traffic controller involved and reports from the appropriate ATC and operating authorities.

The Board considered that better communication could have prevented this incident. Members accepted, however, that there was no obligation on Newcastle APR to request the Robin pilot to call Boulmer Radio as the controller was not aware that the ac was operating in the Boulmer area; that being the case, the MATS Part 1 regulation did not apply and it was agreed that Newcastle ATC had not played a significant part in this incident.

The Robin pilot, however, was locally based, would have been familiar with the area and aware of the SAR operations at RAF Boulmer; Members therefore considered that, despite there being no mandatory avoidance or ATZ, good airmanship would have been to either avoid the area or to call Boulmer Radio (as the Microlight pilot had done when he approached slightly earlier). Further, Members observed that the Robin pilot reported that, although his ac was fitted with a transponder, Mode C was switched off, therefore denying controllers and pilots of ac equipped with TCAS valuable information that can be used to help prevent collisions; they agreed, that this is not considered good practice.

Since both ac had been operating legitimately in Class G airspace, the pilots had an equal and shared responsibility to see and avoid other ac. The Sea King crew, possibly due to their high workload immediately after takeoff, did not see the Robin until after it had passed below their ac. The Robin pilot, however, saw the Sea King but did not estimate or report how far away it was at first sighting, leaving Members to speculate based on other information. The Robin pilot reported seeing the helicopter when he was 1nm SE of Boulmer and this, in turn, is about ½nm from the incident position; that being the case, Members agreed that the Robin pilot's sighting of the helicopter had been later than optimum. Although the Robin pilot might have expected the Sea King to give way to his ac in accordance with the Rules of the Air (Rule 9 (3)), his report says that upon sighting the helicopter he immediately turned left and descended. Pilot Members agreed that pilots with the right of way should always assume that their aircraft has not been seen until there is positive evidence to the contrary; this incident provides a good example of a situation that frequently occurs, as the Sea King pilot (s) did not see the Robin until after the two ac had crossed.

In the absence of radar evidence, it was impossible to verify the separation between the aircraft at the CPA. Given that both pilots reported that the Robin passed directly beneath the helicopter, that the

estimated separation was between 100ft and 300ft, and the Sea King crew did not see the Robin before the CPA, the Board considered that normally accepted safety standards had been eroded.

PART C: ASSESSMENT OF CAUSE AND RISK

Cause: Effectively a non-sighting by the Sea King crew and a late sighting by the Robin pilot.

Degree of Risk: B.