

AIRPROX REPORT No 2010151

Date/Time: 5 Oct 2010 2004Z

Position: 5421N 00218W
(13nm E Kendal)

Airspace: UKNLFS (Class: G)

Reporting Ac Reported Ac

Type: Harrier T8 MC130H

Operator: HQ AIR (Ops) HQ 3 AF

Alt/FL: 250ft agl NK
(RPS 991mb) (NK)

Weather: VMC CLBC NK

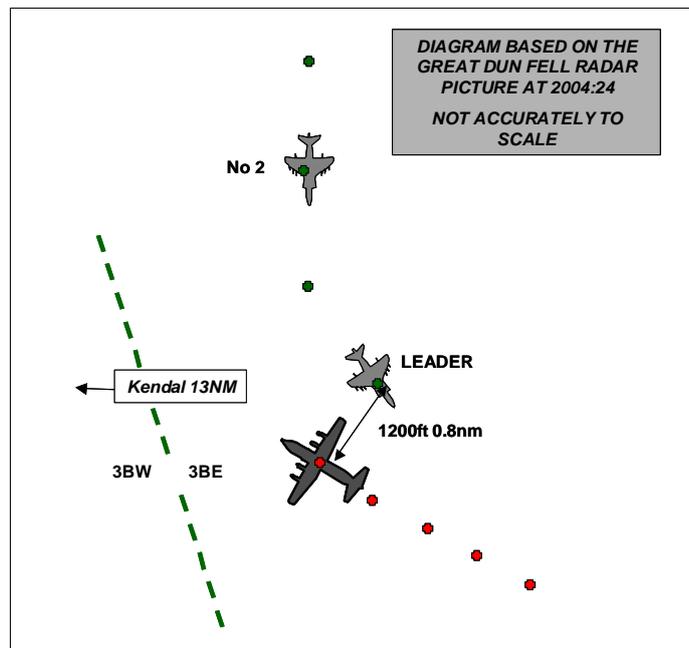
Visibility: 10km NK

Reported Separation:

500ft V / 0.5nm H NR

Recorded Separation:

1200ft V / 0.8nm H



PART A: SUMMARY OF INFORMATION REPORTED TO UKAB

THE HARRIER PILOT reports that he was flying dual as leader of a 2 ship of Harriers conducting a VFR night low level training sortie, booked into Night Low Flying Areas (NLFA) 3BE and 3BW. They were flying in 1.5nm trail heading 170° at 420kt and 250ft agl [using Night Vision Devices] when he saw a large multi-engine ac 2nm away at about 800ft agl, tracking N (the opposite direction) down the right hand side of their formation, about 0.5nm to the W of them. He made an information call to his wingman while breaking left to avoid the other ac; his wingman was also visual with the ac and turned left to avoid it. The ac was displaying standard strobe and nav lights.

While the risk of collision was not considered significant due to the lateral displacement and the difference in altitude, they were concerned to see another ac at low level in the same low flying area. The multi-engine aircraft was perceived visually to be at approximately 800ft agl.

THE MC130H PILOT did not provide a report. When followed up by HQ 3AF the crew had been posted to another theatre.

UKAB Note (1): Initially, the incident was thought to have taken place at 2004BST and this was passed to the MC130H Sqn. It was later discovered that the incident took place at 2004Z. The corrected incident time was then passed to MC130H Sqn but the error resulted in the Sqn initially identifying the wrong ac. Although the MC130H was displaying intermittent Mode S data, it was not displaying the correct callsign, but this was not revealed until NATS did a complete radar trace of the ac involved, from takeoff to landing. It is thought that this might have been as a result of a late airframe change for the flight.

THE MC130H UNIT stated that they have no reason to doubt the validity of the radar recording that indicates that a MC-130H was flying in airspace into which it was not allocated/booked. They had never previously encountered a crew/unit making such an error. All bookings are made in GMT, and the unit always operates in Zulu, regardless of whether or not BST is in effect. Although they consider it almost impossible that this could occur, the information available appears conclusive. The only possible explanation would be that the crew applied a BST correction to the booking sheet and entered into the low-level structure at 2030L (1930Z).

UKAB Note (2): The incident took place in NLFA 3BE at 2004Z. The C130 was tracking from 3BE to 3BW. Both 3BE and 3BW were allocated to RAF Cottesmore (the Harriers' Stn) from 1930-2030Z. The actual Low Level Booking showed the areas being used by the Harrier formation from 1930-2008Z. The Areas were allocated to the MC130H base from 1730-1930Z and again from 2030-2200Z.

UKAB Note (3): The incident shows clearly on the recording of the Great Dun Fell radar. The Harriers are squawking 7001 with Mode C, tracking 170° towards the CPA; the C130 is also squawking 7001 with Mode C and very intermittent Mode S and tracks about 300° towards the CPA. The CPA is at 2004:25 when the C130 (at FL032) passes 0.8nm to the SW of Harrier leader who is indicating FL020 in a level break to the left.

UKAB Note (4): The nearest Met reporting station to the incident position is Blackpool; the 1950 METAR was:

METAR EGNH 051950Z 16009KT 9999 FEW029 13/09 Q0999

HQ AIR (Ops) comments that the Harriers were visual in good time and avoided the MC130 by a safe margin. However, it is disappointing that the MC130 was operating within the NLFS outwith its booked time; equally disappointing is the lack of response to requests for information following the event.

HQ 3 AF comments that the absence of a report from the aircraft commander is regretted. That said, the evidence indicates that either there was a misunderstanding over which area was booked and when, or that an error was made BST vs Zulu.

PART B: SUMMARY OF THE BOARD'S DISCUSSIONS

Information available included reports from the lead Harrier pilot, radar recordings and reports from the ac operating authorities.

The Secretariat briefed the Board on the difficulties that led to the delay in identifying the MC130H involved in the incident. The HQ 3 AF Advisor informed the Board that he had spoken to the officer who was Sqn Cdr at the time of the incident and due to the time period that had elapsed since the incident and that the crew involved had been posted to another theatre so he was unable to provide any further information. He did however, believe that the flight might have been delayed or otherwise changed and that the crew had made a human error regarding their low flying allocation and booking. He was confident that the crew had been fully conversant with UK Night Low Flying regulations. The MoD Low Flying Advisor stated that an incorrect or conflicting booking would normally be picked up by his staff, but in this case, possibly due to the callsign confusion, they had no information whatsoever on the flight and had most likely assumed that it had not been flown; they had no record of a low flying booking being made for NLFA 3 for either correct or incorrect MC130H callsigns.

Members noted, however, deconfliction between users of the NLFS is purely procedural (time) and this is totally dependent on ac complying with the allocation and booking system in the UK Low Flying Handbook. Despite the procedures in place the UK NFLS lies in Class G Airspace where the 'see and avoid' principle applies; in this incident the Harrier Lead crew saw the MC130H with the aid of NVGs, early enough to determine that only modest avoidance was required, but it could not be determined if the MC130H cockpit crew, who were also using NVGs, had seen the Harriers.

PART C: ASSESSMENT OF CAUSE AND RISK

Cause: 1. Conflict in the UKNLFS resolved by the lead Harrier pilot.
2. The MC130H was low flying in an area not allocated to it.

Degree of Risk: C.