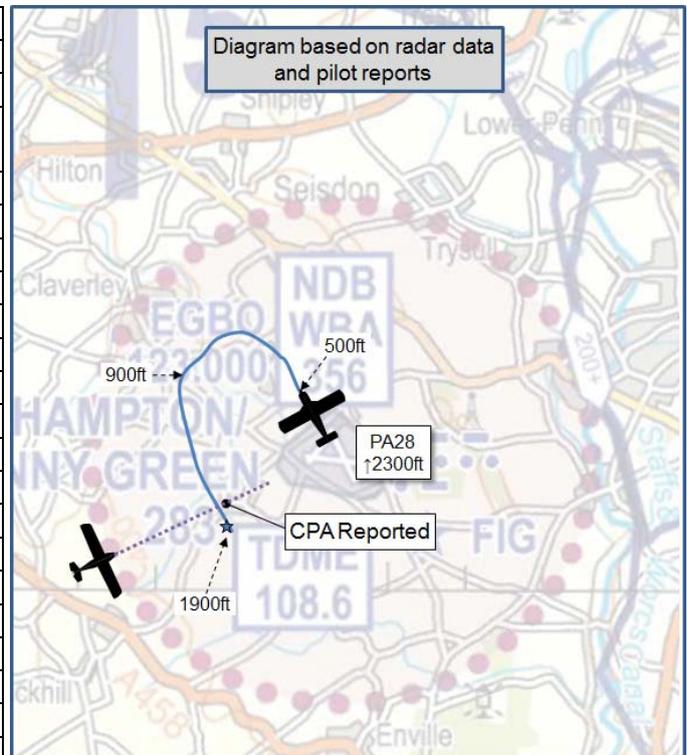


**AIRPROX REPORT No 2016055**

Date: 19 Apr 2016 Time: 0937Z Position: 5230N 00217W Location: Halfpenny Green Aerodrome

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

Recorded	Aircraft 1	Aircraft 2
Aircraft	PA28	C42
Operator	Civ Pte	Unknown
Airspace	Wolverhampton ATZ	Wolverhampton ATZ
Class	G	G
Rules	VFR	
Service	Information	
Provider	Wolverhampton	
Altitude/FL	1900ft AMSL	
Transponder	State/Modes	
<b>Reported</b>		Not Reported
Colours	Yellow	
Lighting	Strobe, Nav	
Conditions	VMC	
Visibility	>10km	
Altitude/FL	2300ft	
Altimeter	QNH (1029hPa)	
Heading	150°	
Speed	95kt	
ACAS/TAS	Not fitted	
Alert	N/A	
<b>Separation</b>		
Reported	100ft V/<0.1nm H	NK
Recorded	NK	



**THE PA28 PILOT** reports that he was climbing out from RWY34LH at Halfpenny Green aerodrome, in a left turn, onto a course of 150°, when he noticed a C42 pass underneath from his right to left.

He assessed the risk of collision as ‘High’.

**THE C42 PILOT** chose not to complete an Airprox report.

**Factual Background**

The weather at Birmingham was recorded as follows:

METAR EGBB 190820Z 34007KT 9999 FEW032 BKN042 09/01 Q1028

**Analysis and Investigation**

**CAA ATSI**

Area radar recordings were obtained but they only showed one aircraft which is consistent with the PA28 departing Halfpenny Green; it was not possible to positively identify the aircraft. A local radio recording was also obtained, together with a local uncertified transcription of the R/T exchanges.

At **0939:46**, the PA28 was given permission to take-off, and departed runway 34 with a left turn with the intention of tracking to the southeast.

At **0940:36** the C42 called Halfpenny Green Information requesting a standard overhead join approaching from the west.

At **0940:54** the Halfpenny Green AFISO asked the C42 to report overhead and to confirm again their position as the radio transmissions were difficult to read.

At **0941:02** the C42 reported they were approximately 2NM approaching from the direction of Chelmarsh. (Chelmarsh is approximately 5.5nm from Halfpenny Green Airport on a bearing of 255 degrees).

At **0943:28** the C42 reported in the overhead at Halfpenny Green. There was no mention of the Airprox on the frequency and no traffic information appears to have been issued.

Based on the report from the PA28 it would appear the Airprox occurred at approximately **0943:00**.

CAP797 The Flight Information Service Officer Manual para 8.8 states: *Whilst generic traffic information provided to a pilot may be useful to indicate how busy the aerodrome environment is, as the pilot gets closer to the aerodrome and is required to integrate with other traffic, specific traffic information is needed in order to achieve a safe, orderly and expeditious flow of air traffic and to assist pilots in preventing collisions.*

### **UKAB Secretariat**

The PA28 and C42 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>. An aircraft operated on or in the vicinity of an aerodrome shall conform with or avoid the pattern of traffic formed by other aircraft in operation<sup>2</sup>. If the incident geometry is considered as converging then the PA28 pilot was required to give way to the C42<sup>3</sup>.

### **Summary**

An Airprox was reported when a PA28 and an unknown aircraft flew into proximity at 0937 on Tuesday 19<sup>th</sup> April 2016. Both pilots were operating under VFR in VMC, the PA28 pilot in receipt of a Basic Service from Wolverhampton.

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

Information available consisted of a report from the PA28 pilot, transcripts of the relevant RT frequencies, radar video recordings and a report from the appropriate ATC authority.

The Board first discussed the position of both aircraft in the ATZ, debated their status in the visual circuit and the pattern of traffic, and who had right of way. Because the PA28 was leaving the circuit from the downwind position, and the C42 had yet to join the circuit by means of a standard overhead join, the Board opined that both were complying with the pattern of traffic and so the normal rules of the air applied as to who should give way to whom in a converging situation. As such, the PA28 pilot should have given way to the C42 had he seen it or been aware of its presence. In this latter respect, although the PA28 pilot may well not have seen the C42 until they had passed, members thought that it was not unreasonable that he should have been aware of its pilot's joining intentions given that the AFISO had been in communication with the C42 pilot to confirm the join type and direction whilst the PA28 was on the same frequency.

<sup>1</sup> SERA.3205 Proximity.

<sup>2</sup> SERA.3225 Operation on and in the Vicinity of an Aerodrome.

<sup>3</sup> SERA.3210 Right-of-way (c)(2) Converging.

Members commented that although the PA28 pilot should have heard the C42 pilot's joining call, the C42 pilot may not have been on frequency when the PA28 pilot had reported taking off. As a result, it was likely that the PA28 pilot would have had greater situational awareness than the C42 pilot. Unfortunately, they could not test this theory because there was no C42 pilot report. They were disappointed in this because it would have enabled them to ascertain a more accurate assessment of the factors involved in the Airprox. Members were at pains to reiterate that the Board's work was purely in the interests of enhancing flight safety for all, and that the apportionment of blame or liability did not feature in the process. Sadly, an opportunity for all to learn from the experiences of some had been somewhat lost in this incident as a result. The Board also wondered why the PA28 pilot had not reported the Airprox on the Wolverhampton frequency since this would have alerted the AFISO and C42 pilot to the incident, which, in turn, might have led to more fulsome and timely reporting of the circumstances.

Turning to the cause and risk, the Board pondered whether the C42 pilot had seen the PA28 or not, and whether the PA28 pilot had had an opportunity to be aware of the C42's likely presence. In the end, they concluded that the PA28 had ample opportunity to understand that the C42 was approaching from the WSW at around 2000ft or so above the airfield as its pilot approached the overhead. Noting that it was for the PA28 pilot to give way to the C42, the Board agreed therefore that the cause was that the PA28 pilot had flown into conflict with the C42. As for the risk, the Board quickly agreed that with the radar replay only showing the PA28, and in the absence of a report from the C42 pilot, there was insufficient information to determine the risk

### **PART C: ASSESSMENT OF CAUSE AND RISK**

Cause: The PA28 pilot flew into conflict with the C42.

Degree of Risk: D.