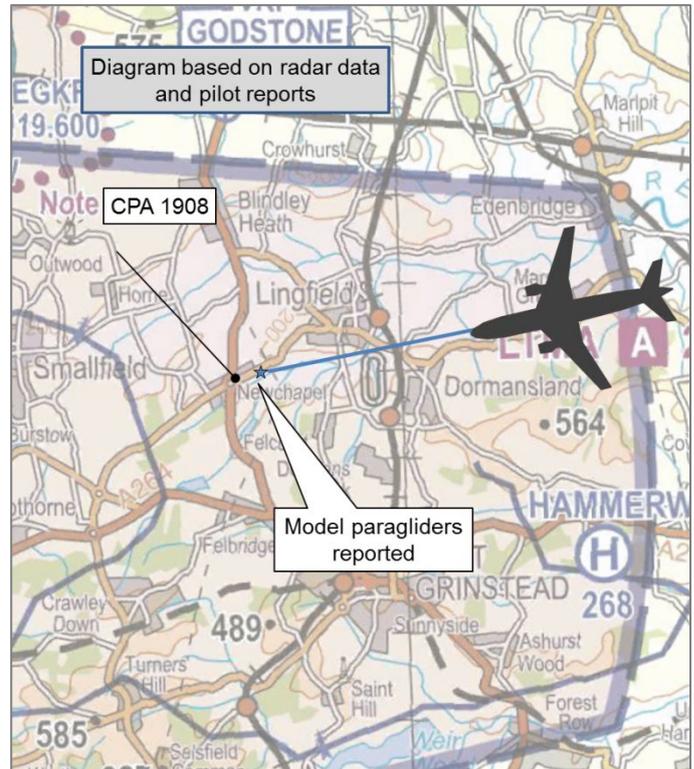


AIRPROX REPORT No 2016167

Date: 12 Aug 2016 Time: 1908Z Position: 5110N 00002W Location: 6nm E Gatwick Airport

PART A: SUMMARY OF INFORMATION REPORTED TO UKAB

Recorded	Aircraft 1	Aircraft 2
Aircraft	A320	Remote Controlled Paragliders
Operator	CAT	Civ Pte
Airspace	Gatwick CTR	Gatwick CTR
Class	D	D
Rules	IFR	
Service	Aerodrome	
Provider	Gatwick	
Altitude/FL		
Reported		
Colours	Company	
Lighting		
Conditions	VMC	
Visibility		
Altitude/FL	1800	
Heading	260°	
Speed	150kt	
ACAS/TAS	TCAS II	
Alert	None	
Separation		
Reported	200ft V/1nm H	NK
Recorded		NK



THE AIRBUS A320 PILOT reports that he was established on the ILS RW26L at Gatwick descending through 1800ft. He reported sighting 2 'remote controlled paragliders', one of which he thought had a red/blue canopy. He did not take avoiding action because he could see that they were going to pass down their left-hand side.

He assessed the risk of collision as 'Medium'.

THE REMOTE CONTROLLED PARAGLIDER OPERATORS could not be traced. There were no recognised model aircraft flying clubs operating in the vicinity of the Airprox location.

Factual Background

The weather at Gatwick was recorded as follows:

METAR EGKK 121850Z 23009KT CAVOK 20/15 Q1022=

UKAB Secretariat

There are no specific ANO regulations limiting the maximum height for the operation of drones or model aircraft that weigh 7kg or less other than if flown using FPV (with a maximum weight of 3.5kg) when 1000ft is the maximum height. Drones or models weighing between 7kg and 20kg are limited to 400ft unless in accordance with airspace requirements. Notwithstanding, there remains a requirement to maintain direct, unaided visual contact with the aircraft sufficient to monitor its flight path in relation to other aircraft, persons, vehicles, vessels and structures for the purpose of avoiding collisions. CAP 722 gives guidance that, within the UK, visual line of sight

(VLOS) operations are normally accepted to mean a maximum distance of 500m [1640ft] horizontally and 400ft [122m] vertically from the Remote Pilot.

Neither are there any specific ANO regulations limiting the operation of models or drones in controlled airspace if they weigh 7kg or less other than if flown using FPV (with a maximum weight of 3.5kg) when they must not be flown in Class A, C, D or E, or in an ATZ during notified hours, without ATC permission. Drones or models weighing between 7kg and 20kg must not be flown in Class A, C, D or E, or in an ATZ during notified hours, without ATC permission. CAP722 gives guidance that operators of drones of any weight must avoid and give way to manned aircraft at all times in controlled Airspace or ATZ. CAP722 gives further guidance that, in practical terms, drones of any mass could present a particular hazard when operating near an aerodrome or other landing site due to the presence of manned aircraft taking off and landing. Therefore, it strongly recommends that contact with the relevant ATS unit is made prior to conducting such a flight.

Notwithstanding the above, all drone and model operators are also required to observe ANO 2016 Article 94(2) which requires that the person in charge of a small unmanned aircraft may only fly the aircraft if reasonably satisfied that the flight can safely be made, and the ANO 2016 Article 241 requirement not to recklessly or negligently cause or permit an aircraft to endanger any person or property. Allowing that the term 'endanger' might be open to interpretation, drones and models of any size that are operated in close proximity to airfield approach, pattern of traffic or departure lanes, or above 1000ft agl (i.e. beyond VLOS (visual line of sight) and FPV (first-person-view) heights), can be considered to have endangered any aircraft that come into proximity. In such circumstances, or if other specific regulations have not been complied with as appropriate above, the drone operator will be judged to have caused the Airprox by having flown their drone into conflict with the aircraft.

A CAA web site¹ provides information and guidance associated with the operation of Unmanned Aircraft Systems (UASs) and Unmanned Aerial Vehicles (UAVs) and CAP722 (UAS Operations in UK Airspace) provides comprehensive guidance.

Additionally, the CAA has published Drone Aware² which states the responsibilities for flying unmanned aircraft. This includes:

'You are responsible for avoiding collisions with other people or objects - including aircraft.
Do not fly your unmanned aircraft in any way that could endanger people or property.
It is illegal to fly your unmanned aircraft over a congested area (streets, towns and cities).
..., stay well clear of airports and airfields'.

This has since been revised as follows:

A joint CAA/NATS web site³ provides information and guidance associated with the operation of Unmanned Aircraft Systems (UASs) and Unmanned Aerial Vehicles (UAVs) and CAP722 (UAS Operations in UK Airspace) provides comprehensive guidance.

Summary

An Airprox was reported when an Airbus A320 pilot and two remote controlled paragliders flew into proximity at 1908 on Friday 12th August 2016. The A320 pilot was operating under IFR in VMC inbound to Gatwick in receipt of an Aerodrome Control Service. The model paraglider operators could not be traced.

¹ www.caa.co.uk/uas

² CAP 1202

³ dronesafe.uk

PART B: SUMMARY OF THE BOARD'S DISCUSSIONS

Information available consisted of a report from the A320 pilot and radar recordings.

Members were aware that there were no recognised model aircraft flying clubs operating in the vicinity of the Airprox location and noted that the 'remote controlled paraglider' model aircraft was operating at 1800ft and therefore beyond practical VLOS conditions. Also, in flying as it was within Class D airspace without the permission of Swanwick ATC, the Board considered that the model operators had endangered the A320 and its occupants. Therefore, in assessing the cause, the Board agreed that the model had been flown into conflict with the A320. Turning to the risk, although the incident did not show on the NATS radars, the Board noted that the pilot had estimated the horizontal separation to be 1nm from the aircraft, at a vertical distance of 200ft, and that he had not needed to take avoiding action. It was considered that although safety had been degraded, there had not been a risk of a collision. Accordingly the Board determined the risk to be Category C.

PART C: ASSESSMENT OF CAUSE AND RISK

Cause: The remote controlled paragliders were flown into conflict with the A320.

Degree of Risk: C.