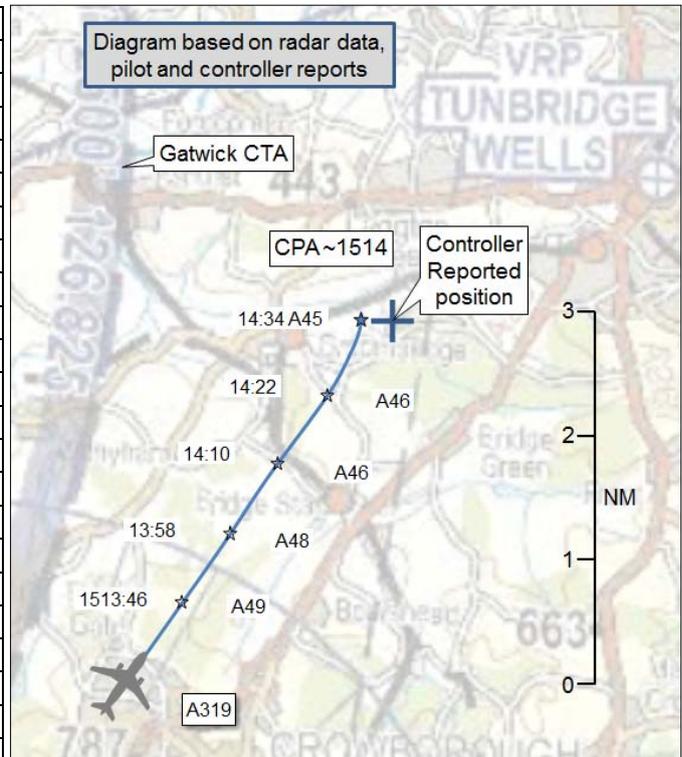


AIRPROX REPORT No 2016064

Date: 01 May 2016 Time: 1514Z Position: 5107N 00012E Location: 15nm E Gatwick

PART A: SUMMARY OF INFORMATION REPORTED TO UKAB

| Recorded | Aircraft 1 | Aircraft 2 |
|-------------------|-----------------|--------------|
| Aircraft | A319 | Drone |
| Operator | CAT | Unknown |
| Airspace | London TMA | London TMA |
| Class | A | A |
| Rules | IFR | |
| Service | Radar Control | |
| Provider | Gatwick | |
| Altitude/FL | ~4600ft | |
| Transponder | A, C, S | |
| Reported | | Not reported |
| Colours | Company | |
| Lighting | Beacon, strobes | |
| Conditions | VMC | |
| Visibility | >10km | |
| Altitude/FL | 4600ft | |
| Altimeter | QNH (1027hPa) | |
| Heading | 350° | |
| Speed | 185kt | |
| ACAS/TAS | TCAS II | |
| Alert | None | |
| Separation | | |
| Reported | 100ft V/100m H | NK |
| Recorded | | NK |



THE A319 PILOT reports descending on a left-base for RW26L at Gatwick when the crew saw a black and silver coloured drone pass above and to the right of their aircraft. The incident was reported to ATC

The A319 pilot assessed the risk of collision as 'High'.

THE DRONE OPERATOR: The drone operator could not be traced.

THE GATWICK GROUP SUPERVISOR AIRPORTS reports that, whilst training on position, the Gatwick Finals controller informed him of a suspected drone encounter in the Tunbridge Wells area. The pilot reported seeing a silver drone within 200m of the aircraft. The event was reported to Kent Police.

Factual Background

The weather at Gatwick was recorded as follows:

METAR EGKK 011520Z 23011KT 190V260 9999 FEW035 13/05 Q1027=
 METAR EGKK 011450Z 22010KT 170V250 9999 FEW035 14/05 Q1027=

Analysis and Investigation

UKAB Secretariat

The Air Navigation Order 2009 (as amended), Article 138¹ states:

‘A person must not recklessly or negligently cause or permit an aircraft to endanger any person or property.’

Article 166, paragraphs 2, 3 and 4 state:

‘(2) The person in charge of a small unmanned aircraft may only fly the aircraft if reasonably satisfied that the flight can safely be made.

(3) The person in charge of a small unmanned aircraft must 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.’

(4) The person in charge of a small unmanned aircraft which has a mass of more than 7kg excluding its fuel but including any articles or equipment installed in or attached to the aircraft at the commencement of its flight, must not fly the aircraft

(a) in Class A, C, D or E airspace unless the permission of the appropriate air traffic control unit has been obtained;

(b) within an aerodrome traffic zone ...; or

(c) at a height of more than 400 feet above the surface unless it is flying in airspace described in sub-paragraph (a) or (b) and in accordance with the requirements for that airspace.’

A CAA web site² provides information and guidance associated with the operation of Unmanned Aircraft Systems (UASs) and Unmanned Aerial Vehicles (UAVs).

Additionally, the CAA has published a UAV Safety Notice³ 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’.

Summary

An Airprox was reported when an Airbus A319 and a drone flew into proximity at about 1514 on Sunday 1st May 2016. The A319 pilot was operating under IFR in VMC in receipt of a Radar Control Service from the Gatwick Finals Controller. The drone operator could not be traced.

PART B: SUMMARY OF THE BOARD'S DISCUSSIONS

Information available consisted of a report from the A319 pilot, radar photographs/video recordings and a report from the appropriate ATC authority.

The Board first noted that, as for other aviators, drone operators are fundamentally required to avoid collisions with all other aircraft and must not recklessly or negligently cause or permit an aircraft to endanger any person or property. More specifically, drone flight above 400ft in CAS is prohibited without the permission of the appropriate air traffic control unit. The crew of the A319 reported seeing the drone at 4600ft, and the drone operator was not entitled to operate in this location. Members therefore quickly agreed that the drone was being operated within the Class A airspace of the London TMA and that the drone operator should not have done so. Noting the difficulty in accurately

¹ Article 253 of the ANO details which Articles apply to small unmanned aircraft. Article 255 defines ‘small unmanned aircraft’. The ANO is available to view at <http://www.legislation.gov.uk>.

² www.caa.co.uk/uas

³ CAP 1202

assessing range in these circumstances, but also aware that the object had been close enough for the crew to positively describe it, the Board felt that the reported separation was such that the safety of the aircraft may have been compromised to the extent that safety had not been assured in this incident.

PART C: ASSESSMENT OF CAUSE AND RISK

Cause: The drone was flown into conflict with the A319

Degree of Risk: B.