

HM Government consultation

# Aviation 2050

## The future of UK aviation

### British Microlight Aircraft Association response

#### Introduction

This Consultation response is made on behalf of the members of the British Microlight Aircraft Association (BMAA). The BMAA represents over 3,600 members who either fly, or have a significant interest in, microlight aircraft. The BMAA is managed by a volunteer Board of Directors and run on a daily basis by employed staff. The members have been made aware of this Consultation and invited to contribute to this response as well as making their own.

Microlight aircraft are principally flown for recreation; although there are in the region of 200 flight instructors teaching student pilots to achieve a pilot's licence on a commercial basis. The UK CAA issues approximately 365 microlight pilot's licenses each year<sup>1</sup>. The BMAA holds a NPPL Organisation Approval issued by the CAA which entitles us to make recommendations to the CAA for the issue of pilot licenses to enable pilots to fly microlight aircraft. The BMAA also provides an information and administration service for microlight instructors and examiners, maintains the pilot training syllabus and writes the pilot licence examinations.

The airworthiness of microlight aircraft is subject to National regulation, falling outside the scope of EASA regulation (UK microlights are Annex 1 aircraft by definition). The BMAA holds a CAA BCAR A8-26 Sporting Organisation Approval which entitles us to assess the airworthiness of microlight and VLA aircraft from design concept to production, and also for repairs and modifications.

Ongoing airworthiness of the BMAA aircraft fleet is overseen by the BMAA and appointed Inspectors who also provide information and guidance to owners and operators. The current UK fleet of microlight aircraft overseen by the BMAA has an extremely good airworthiness related safety record.

#### Consultation response

The scope of the Consultation document is wide ranging. The BMAA response considers only those parts of the document that affect, or are likely to affect, our sector of recreational aviation.

#### General Aviation's place in UK aviation

We understand that civil aviation is important in many ways to the UK. It makes an important financial contribution to the UK economy; it connects the UK to the rest of the world enhancing our

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<sup>1</sup> Ten year average to October 2018.

influence in economic and political matters; it contributes towards recreational satisfaction by providing both leisure transport and the direct involvement of recreational pilots.

We also recognise that a balance must be struck to meet the varying needs and influence of the differing sectors. However, if the needs are to be met without undue negative impact on individual sectors, strategies to meet policies must be clear and their implementation achievable and positively managed.

We believe that there needs to be a significant change in attitude to ensure that aviation is properly managed, not simply regulated. The current strategies rely upon the aviation industry to follow rules, usually safety based, without any overall management for development. This must change. The Government must take the lead to proactively manage the development of aviation in the UK.

The Consultation document is highly influenced by addressing the needs and forecast growth of the Commercial Air Transport (CAT) sector. This is understood, as it is this sector that has the greatest financial and social impact. However the document does recognise the values, financial, educational and recreational, of General Aviation and as representatives of part of that sector we encourage the Government to ensure that these values are taken into consideration when planning how aviation will be managed for the future. The consultation itself values General and Business Aviation together at £2 billion employing 10,000 people. As a comparison, the UK fishing industry is worth just £980 million, employing 11,700<sup>2</sup>. General Aviation has demonstrated that it is important to the UK economy.

**The Government should take the lead to proactively manage the development of aviation in the UK.**

### **Lighter regulation and devolved responsibility**

We fully support the intent to reduce regulation where it is safe to do so and to devolve responsibility to organisations such as ours if the outcome maintains or improves safety and improves efficiency and the “customer” experience.

In our sector of aviation, microlight flying, we have developed specialist understanding that makes our knowledge of the sector significantly greater than that of the Regulator. We deal on a day-to-day basis with practical licensing and airworthiness issues and have built a capacity to service applications and queries in a significantly shorter timescale than the Regulator.

For example, under our NPPL Organisation Approval we scrutinise applications for the National Private Pilot’s Licence (NPPL) and make recommendation to the CAA to issue the document. Our turnaround target for these applications is 24 hours. The CAA’s target is 10 working days and at the time of writing, January 2019, actual time is 26 working days. This poor service is not a blip caused by Brexit preparations, the CAA have continually missed their target time for many years. The CAA has agreed the principle that the BMAA may, from 1 May 2019, issue NPPL licenses for microlight pilots.

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<sup>2</sup> UK Government UK sea fisheries annual statistics report 2017 <https://www.gov.uk/government/statistics/uk-sea-fisheries-annual-statistics-report-2017>

We welcome this further opportunity of devolved responsibility to improve the service for our members.

Under our A8-26 Sporting Organisation airworthiness approval we are able to approve the airworthiness of complete aircraft designs and modifications or repairs to those designs. Our most recent organisation audit by the CAA resulted in no findings. Similar to our NPPL activities we aim for same day service for routine applications. We are constantly frustrated by poor processing times for routine applications and projects through the CAA. For example the issue of new Permits to Fly have been delayed by up to four weeks. It was agreed in 2017 that we may maintain the Type Acceptance Data Sheets for aircraft for which we have responsibility, because the CAA are unable to do so. We are still waiting for the process to be handed to us. This delay is typical of the Regulator and an impelling reason for further delegation.

## Airspace

Of particular importance to all aviation is the availability of airspace in which to operate. We fully support the concept of managed air traffic movements for commercial traffic to ensure the safety of air users and those on the ground. However, significant improvements in aircraft performance and airspace management technology mean that the airspace could be used more efficiently and to a greater capacity than at present. The 2011 Future Airspace Strategy and the more recent 2018 Airspace Modernisation Strategy proclaim great changes to the airspace structure taking these technical advances into account. We have yet to see any change following 2011 and unless some proper management of airspace, particularly the lower airspace, is applied there is unlikely to be a significant effect of the 2018 document either.

The Government must take control of the management of UK airspace. Currently it is left to those that have been granted airspace to manage it with no requirement to operate it efficiently or justify its continued existence. The CAA has demonstrated its lack of management power by reporting in its Post Implementation Review (PIR) of Doncaster airspace.<sup>3</sup>

*Taking into account all of the information and comments received, it is the CAA's regulatory conclusion that, whilst not as efficiently or flexibly designed as it might have been if the ACP decision was taken today, the Class D airspace implemented at RHADS has achieved its stated aims in the original ACP submission. Therefore there are no requirements for modification from this PIR process, and the airspace should remain as it has been since implementation on 31 July 2008.*

So, following the PIR it is recognised that the airspace does not satisfy the requirement for efficiency, or to be available to other airspace users as it could be, but the CAA are happy for the situation to exist claiming that they have no powers to insist that the airspace is used more efficiently. If the CAA is not managing the airspace, then some organisation or group must be tasked and empowered to do it.

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<sup>3</sup> CAA CONCLUSIONS ROBIN HOOD AIRPORT DONCASTER SHEFFIELD (RHADS) POST IMPLEMENTATION REVIEW (PIR)  
[https://www.caa.co.uk/uploadedFiles/CAA/Content/Standard\\_Content/Commercial\\_industry/Airspace/Files/Robin\\_Hood\\_PIR/20170512%20Doncaster%20PIR.pdf](https://www.caa.co.uk/uploadedFiles/CAA/Content/Standard_Content/Commercial_industry/Airspace/Files/Robin_Hood_PIR/20170512%20Doncaster%20PIR.pdf)

**The Government should take an active responsibility for the development and management of UK airspace rather than leave it to self-centred industry interests who have no interest in an overall airspace plan which could benefit all users.**

## **Electronic conspicuity**

We accept the benefits of Electronic Conspicuity (EC); a tool to assist with collision avoidance; and potentially also giving better access to regulated airspace.

The BMAA was represented on the CAA Electronic Conspicuity Working Group (ECWG) in 2013. The group reported with conclusions that year. Whilst the advantages of EC might be obvious to some for many they may be overshadowed by a reluctance to commit to any one system whilst there is so much confusion over the best system to choose for interoperability and longevity. No one wants to choose the Betamax of the EC world. Pilots need to have a clear understanding of the Government's chosen system so that they can equip with the correct device.

Although the Government has said that it will mandate the carriage of EC devices the best approach is to educate and encourage equipage. For this to happen there have to be devices which can be fitted to all aircraft types. The recommended parameters were included within the ECWG report. These include: low power usage so that they may be used by aircraft with limited or no on-board electrical supply, such as hang gliders; light weight and preferably portable, again for use in very light weight aircraft such as paragliders; inexpensive to encourage equipage; and scalable, so that a unit can be transmit only or transmit and receive.

Until there is a commitment to a single operating platform and development of low cost devices that will encourage equipage even mandating equipage will not succeed because the devices don't exist that can be used by all aircraft types. It is possible that the Government mandate might stop development of affordable devices as the manufacturers see a captive market.

**The Government should make a decision and confirm the EC platform so that widespread development and equipage can begin.**

## **An Aerodrome Network**

As important as airspace, every flight needs a take-off and landing point. Aerodrome owners are often under financial pressure, General Aviation doesn't make many people wealthy and combined with the apparently unsatisfiable need for housing development, the lure of wealth from developers has created significant temptation and pressure to turn aerodromes into homes.

The York report<sup>4</sup>, commissioned by the Department for Transport, recognises both the need for aerodromes that support General Aviation and the pressures on them as housing space opportunities.

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<sup>4</sup> York Aviation Research Into a Strategic Network of General Aviation Aerodromes  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/763057/ga-strategic-network-york-aviation.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/763057/ga-strategic-network-york-aviation.pdf)

Ultimately the decision to pursue a change of use of an area of land from aerodrome to housing is that of the landowner. Planning legislation will ultimately decide whether each application is successful or not. The planning process must be directed to take into account the “*Government’s vision is of the UK being the best place in the world for GA as a flourishing, wealth generating and job producing sector of the economy.*” (DfT General Aviation Strategy 2015<sup>5</sup>). This would be helped by encouraging local authorities to treat aerodromes as potentially valuable community assets for recreational and employment purposes. The value to local economies and local wellbeing that airfields as areas of recreation and open space provide must be emphasised.

The recent changes to the National Planning Policy Framework<sup>6</sup> which requires planners to “*recognise the importance of maintaining a national network of GA airfields, and their need to adapt and change over time – taking into account their economic value in serving business, leisure, training and emergency service needs, and the government’s General Aviation Strategy.*” is welcomed by General Aviation. **However, we believe that the dissemination of this requirement and the oversight of its implementation must be robust and that it falls to the Government to take this responsibility.**

Aerodrome owners must also recognise that they may be able to more to protect themselves. Very few aerodromes have Safeguarding plans in place. This may be due to a head-in-the-sand feeling that “it won’t happen to me” with regard to local development or that many private aerodromes operate in the shadows trying not to draw attention to themselves and so avoid potential problems from anti-aviation neighbours. Aerodrome operators must be encouraged to safeguard their aerodromes to protect their interests against potential threat from local development.

## Environmental impact of GA

The BMAA is very aware that for non-flyers recreational aircraft are often seen as a nuisance, particularly a noise nuisance. Our aircraft are subject to stringent noise certification requirements, more so than many other recreational aircraft classes, due to historic levels of noise in the early days of microlight flying. Our aircraft are now much quieter and due to performance improvements generally have a much lower noise footprint and impact than in previous years.

The BMAA encourages its members to fly with due consideration for others. We publish guidelines for operations in our document the BMAA Code of Good Practice for Microlight Clubs<sup>7</sup>. We specifically refer to noise in that document openly recognising our responsibility to others as demonstrated by these extracts.

*Noise is perhaps aviation’s biggest enemy and microlights, rightly or wrongly, are seen to be among the worst culprits when it comes to generating it. Considerate pilots will do all they can to minimise the effect that the noise of their aircraft has on the residents of their local area.*

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<sup>5</sup> DfT General Aviation Strategy 2015

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/417334/General\\_Aviation\\_Strategy.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/417334/General_Aviation_Strategy.pdf)

<sup>6</sup> National Planning Policy Framework

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/740441/National\\_Planning\\_Policy\\_Framework\\_web\\_accessible\\_version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/740441/National_Planning_Policy_Framework_web_accessible_version.pdf)

<sup>7</sup> BMAA Code of Good Practice for Microlight Clubs

[https://www.bmaa.org/files/bmaa\\_code\\_of\\_practice\\_for\\_microlight\\_clubs\\_web\\_2018.pdf](https://www.bmaa.org/files/bmaa_code_of_practice_for_microlight_clubs_web_2018.pdf)

*The BMAA does not expect its members to cease flying altogether just because their aircraft produce noise but would hope that members and clubs are considerate towards their neighbours and show respect for the privileges of other people.*

Most microlight aircraft are powered by internal combustion engines, but like many other forms of powered transport there is an interest in developing electric powered aircraft. Electric powered aircraft are generally a future aspiration, but electric microlights have flown already and as with road vehicles as technology develops we expect to see more of these aircraft.

## Safety

Safety is very important to the BMAA. We respect the right of un-associated third parties to be protected from all risks that might result from aviation. We also believe that developing a culture of safety within participants is extremely important.

The BMAA employs a Flight Training Liaison and Safety Officer whose role is to raise safety standards within our membership through education. The education starts by working with the Flight Instructor Examiners to improve instructor standards. This in turn should improve pilot training and the standard of pilots trained. Further continuous education of pilots through safety articles, seminars and events is undertaken by the BMAA.

The BMAA has recently launched its pilot improvement programme, the BMAA Wings Scheme<sup>8</sup>. This is aimed at improving a microlight pilot's planning and flight skills as well as their knowledge and understanding of matters that will help improve safety. The Wings scheme is open to all levels of pilot and is free for our members to participate in.

The BMAA also publishes safety advice in its Code of Good Practice for Microlight Clubs.<sup>9</sup>

The BMAA is also an active supporter of the General Aviation Safety Council (GASCo) as well as supporting industry and regulatory activities such as the Airspace Infringement Working Group (AIWG), and membership of the Confidential Reporting Programme for Aviation (CHIRP).

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<sup>8</sup> BMAA Wings Award Scheme <https://www.bmaa.org/information-library/bmaa-wings-awards>

<sup>9</sup> BMAA Code of Good Practice for Microlight Clubs

[https://www.bmaa.org/files/bmaa\\_code\\_of\\_practice\\_for\\_microlight\\_clubs\\_web\\_2018.pdf](https://www.bmaa.org/files/bmaa_code_of_practice_for_microlight_clubs_web_2018.pdf)