29 October 2008

Applying AIP to the aeronautical and maritime sectors

This is an individual response to the Consultation Document. It is, collectively, intended to address all the questions in that Document.

I hold and exercise a Private Pilot's Licence (first issued 1970), currently flying Single Engine Piston Landplane aircraft Day and under Visual Flight Rules only, but with previous military, glider, float and ski experience in UK, Canada (including bush flying), USA and France. I have been an Air Cadet instructor (including in radio and radar) since 1972. I am currently in a 20-person group operating 2 Certified aircraft from a licensed airfield, but also fly or fly in other General Aviation (GA) aircraft (including Permit, glider and microlight). I regularly fly to and from unlicensed strips. I have also been trained in military radio operations and have been a professional (High Frequency) radio operator. I have civil aircraft radio licences from UK, USA and Canada. I am a member of the Light Aircraft Association (LAA) and of the UK Branch of the Aircraft Operators' and Pilots' Association (AOPA-UK). I am a volunteer pilot with 'Sky Watch Civil Air Patrol', through which private pilots make themselves available as to all the emergency services to assist in search and other safety functions (such as to look for a missing child or an overdue boat or aircraft, if no dedicated force helicopter is available).

First, I endorse the LAA response to your Consultation. I amplify this again at the end of this response.

Then: it seems to me that the attempt to seek a basis for charging for aircraft radio use of radio frequencies (RFs) is fundamentally illogical. Under International Civil Aviation Organisation (ICAO, a UN agency) agreements, essential for the safety of flight all over the world, the VHF 'air band' in which all civil air-ground voice and VOR beacon emissions operate are, properly, reserved for such usage; as is much of the MF/HF band in which airfield NDBs emit, and the DME and ILS parts of their RF bands. Therefore, the 'opportunity cost' of an airfield or other aeronautical service in the UK relinquishing such RFs would not enable that RF to be sold or auctioned to another, non-aviation, RF user; any such non-aviation use would violate ICAO rules and hinder or imperil civil aviation. Rather, under the same international agreements, a neighbouring ICAO State such as France or Eire or Belgium could immediately allocate and promulgate that RF for the use of airfields or air services in its territory, with no benefit accruing to OfCom or the UK Treasury. Therefore, the 'opportunity cost' is zero.

Let me give some examples, specific to my own flying (I have impertinently assumed that those reading this response may be less familiar with aviation operations than with radio; if this is incorrect I apologise):

a. my home airfield, Gloucestershire is one of the busiest GA airfields in the country. The high quality, competence, and safety of its operations has

attracted a great many flying schools (training up to airline pilot standards on fixed-wing aircraft and helicopters), an air traffic controller school, and major GA maintenance facilities. All these are used by aircraft operators and students from all over the world. It is thus a major employer, enabler of employment, and earner of foreign exchange for the UK economy. It usually operates 3 VHF RFs, and may also occasionally use others which are reserved to it; one each for

i. 'ATIS', the continuous broadcast of recently-recorded and regularly-updated airfield-related safety information, to which all pilots tune and listen before first transmitting (before starting to taxi if departing Gloucestershire, before first contact if arriving)

ii. 'Tower', on which pilots taxiing and flying within or very close to the airport, in its 'circuit', talk and listen to the Airfield Controller

iii. 'Approach', in which pilots slightly further from the airfield vertically or horizontally, talk and listen to the Approach Controller; this will include pilots en route near but possibly not planning to land at Gloucestershire but merely wishing to announce their position and intentions and to hear about other aircraft – a great safety feature.

At quiet times the Controllers may choose to have both Tower and Approach functions active on one RF, and only one controller on duty; but this is made clear to all pilots on the ATIS recording. Similarly, a failure or maintenance of either main transmitter will bring into use one of the other reserved RFs, also announced on the ATIS.

Meanwhile, for safe navigation and homing in poor weather (or simulations of it for pilots under training), the airfield has a NDB beacon and a DME apparatus. The management is planning to install an ILS.

Obviously, all the emitting equipments have to be regularly maintained and calibrated, for which the engineers must be paid, and checked and licenced by the CAA, for which the CAA charge. Similarly, all the (UK-registered) aircraft owners have to pay engineers' fees and CAA charges for each piece of associated apparatus on the aircraft.

When I first started flying at the airfield in 1971, when it was much quieter, there was one VHF RF and the NDB. If the airport were now also to be charged by OfCom for the use of each RF, the airport management could save a great deal in OfCom charges by reverting to this state. But that would leave the one RF much busier, with associated frequent frustration of calls by one pilot waiting for another's exchanges with the controller to cease; while poor weather approaches and training would, with the NDB alone, be much less precise. Both would severely impact safety. The inability of a passing GA pilot to find a quiet moment to call the Approach function

could lead to a Proximity or worse incident between that GA aircraft and an airliner climbing out of the protection of the airfield's Control Zone into the uncontrolled airspace above, neither pilot nor the Controller being aware of the exact position or intentions of the other pilot.

b. Like several local pilots, I offer myself and my aircraft to help at Youth Aviation Camps organized by the LAA, the Air Scouts, and similar youth organizations. The youngsters camp at a farm which has its own airstrip for the weekend. Local pilots instruct them in air subjects such as navigation (eg for the Scouts' 'aviation' badge), and then take the flying from the strip on a navigation exercise. These take place a few times each year at a number of local strips, each of which for that weekend is much busier than usual – it would normally be used mostly by a few resident aircraft and a few visitors arriving by permission of the strip owner.

i. at one such local strip, the owner has invested in equipment for a VHF air/ground facility, and had a VHF RF assigned for its own exclusive use in the area (that is, the nearest other user of that RF will be so far away that only aircraft flying much higher than GA aircraft do could hear both ground stations, so no confusion arises). Obviously, this ground equipment is also properly maintained and then CAA-inspected, which costs the strip owner.

If OfCom were, additionally, to charge the strip owner for use of the RF, he might, understandably decide to withdraw the VHF facility. For normal flying by the relatively few strip residents this might not matter; pilots would merely have to get used to more missed approaches because of other aircraft seen too close ahead in the circuit but not heard on the radio (the wasteful extra fuel burn is bad for the environment, but that is another issue). However, during the busy Youth Camp weekends the many extra movements would be difficult to accommodate safely without radio use, especially because so many of the aircraft pilots (like me) would be 'visitors' seeking up-to-date information on local conditions on first arrival.

ii. at another, they already do what the earlier strip might have to: have no dedicated RF, but expect all pilots to use the nationwide 'SafetyCom' RF. Again, for this much quieter strip, for its normal denizens, that suffices. But on Youth Camp weekends, the vastly increased traffic, plus the fact that many other strips in the area which also have no dedicated RF yield confusing transmissions from pilots using SafetyCom to call them, can give rise to safety-compromising confusion.

Finally, I urge you both to study carefully the much fuller and wider arguments and evidence provided to you in the LAA response, which addresses each of your paragraphs in turn; and to accept that response not as comparable to those from an individual like me but as deserving to be weighted in accordance with the number of its 8000 members who own and operate some 2000 recreational and homebuilt aircraft. The vast majority of UK pilots are not airline pilots; the vast majority of UK aircraft are not airliners; the vast

majority of flights in UK airspace are not by airliners. The proper availability and use of voice radio and radio navigation aids in the bands assigned exclusively to aviation by ICAO are essential to the safety of all aircraft, their crew and passengers, and those on the ground below. Your fellow-citizens do not expect fiscal decisions by a Government agency driven by an apparently ideological fiscal doctrine directly to imperil their lives and homes. OfCom policy must not be predicated on the financial impact of its decisions on major airports and airlines alone.

Michael Fortescue.