

14 Jan 16

## **MAA/RN/2016/01 (D MAA) – SAFETY REGULATION OVERSIGHT OF CIVIL AVIATION ACTIVITY AT GOVERNMENT AERODROMES**

### **Issue**

1. The MAA has signed a Memorandum of Understanding (MoU) with the Civil Aviation Authority (CAA) formalising arrangements to ensure appropriate safety regulation oversight of civil aviation activity at government aerodromes by the CAA. Importantly, the MoU is formalising processes that already exist and should not place additional staffing burden on the Regulated Community (RC) over and above their existing engagement with the MAA on routine regulatory matters.

### **Scope**

2. This Regulatory Notice (RN) clarifies how the contents of the MoU will be discharged and the impact on the RC. This guidance is supplementary to the existing requirements laid down in Regulatory Article (RA) 1026 Aerodrome Operator.

### **Aim**

3. The aim of this RN is to outline the intent of the MoU regarding notification of government aerodromes, in order to fulfil the regulatory intent of both Regulators, whilst minimising the administrative burden placed on the RC in line with the Hampton Principles<sup>1</sup>.

### **Implementation**

4. This RN is effective immediately.

### **Background**

5. The MOD welcomed the ruling on the RAF Northolt Judicial Review (JR)<sup>2</sup> in which the application for JR into the increase in commercial aircraft moves at RAF Northolt was dismissed. The ruling highlighted the responsibility vested in the CAA for civil aircraft operating at government aerodromes. The result also confirmed that the MOD could continue fully with plans to offer up to 12,000 commercial business aviation movements at RAF Northolt and that no changes were required to current operating limitations and physical infrastructure at RAF Northolt.

6. The JR also confirmed that there was no power to force the application of civil aerodrome design infrastructure standards on those government aerodromes which accept civil aviation activity. The MAA aerodrome design standards remain correctly applied. However, the ruling clarified that the CAA does have the power to impose conditions on civil aircraft operating into government aerodromes should it see fit.

7. The ruling led to the creation of an MoU formalising arrangements to enable the CAA to maintain an appropriate level of safety regulatory oversight on the conduct of civil aviation activity

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<sup>1</sup> [The Hampton Review Report published in Mar 05 \(Reducing Administrative Burdens: Effective Inspection and Enforcement\)](#)

<sup>2</sup> [20150123-RAF Northolt JR](#)

taking place at government aerodromes in the UK. This agreement ensures that the CAA is able to discharge its function in relation to the notification process as required by Article 210 of the Air Navigation Order 2009 (The ANO)<sup>3</sup>.

## Applicability of the MoU

8. **Aerodromes.** All government aerodromes in the UK are potentially within the scope of the MoU. However, the MAA has narrowed down the scope to include aerodromes where Air Traffic Services (ATS) are provided and where commercial air transport (CAT) is most likely to operate. Annex A provides the detail in 3 Tranches of aerodromes:

- a. **Tranche 1.** In scope. Aerodromes with ATS provision and regular civil aircraft moves. CAA assurance complete – no conditions applied.
- b. **Tranche 2.** In scope. Aerodromes with ATS provision and potential for civil aircraft moves. CAA assurance on going.
- c. **Tranche 3.** Out of scope<sup>4</sup>. Limited or no ATS provision. CAA assurance not required.

9. **Civil Aviation Activity.** The MoU covers the following categories of civil aviation activity:

- a. CAT (as defined by a CAA Air Operations Certificate holder).
- b. Aircraft size in excess of 2730kgs.
- c. Aircraft size less than 2730kgs conducting CAT.
- d. Civil aircraft contracted to the MoD.

10. **Assurance Process.** The CAA has already undertaken an initial review of Defence Aerodrome Manuals (DAMs), Aeronautical Information Publication (AIP) entries and other relevant regulatory documents for Tranche 1 aerodromes listed at Annex A of the MoU. Tranche 2 will be completed within 12 months of the MoU signatory date and the MAA and CAA will continue to meet quarterly to share assurance information, including occurrence reporting data and planned infrastructure change.

11. **Aeronautical Information.** A key element in supporting the CAA to notify government aerodromes for civil aviation activity is the effective management of aerodrome hazards and publishing details within the Aerodrome Operators Hazard Log (AOHL). The assurance process is reliant on Aerodrome Operators publishing accurate and timely DAM and AIP information that can be easily accessed by civil operators. The CAA has issued Safety Notice SN-2015/007<sup>5</sup> to remind civil operators that additional factors may need to be taken into account when contemplating operations at government aerodromes.

12. **Management of Conditions.** Should the CAA elect to place an operating limitation on a civil operator utilizing a government aerodrome (through placing a 'condition'); the CAA will correspond direct with the civil operator and the MAA. The MAA will in turn notify the Aerodrome Operator so that the DAM and AIP entry can be amended to reflect any specific restrictions. Importantly, the condition will be placed on the civil operator not the government aerodrome itself. However should a civil operator be precluded or limited in its operation from a specific aerodrome for a safety reason, the Head of Establishment is not to subsequently approve the operation of such flights.

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<sup>3</sup> [CAP 393 The ANO 2009. Article 210 Use of Government Aerodromes](#) provides detail on the CAA's ability to notify a Government aerodrome as an aerodrome available for the take-off and landing of aircraft flying for the purpose of CAT of passengers, public transport of passengers or instruction in flying or any classes of such aircraft.

<sup>4</sup> The MoU has been crafted to ensure that aerodromes can be moved into Scope if the nature of their civil aviation activity changes.

<sup>5</sup> [SN-2015/007 Use of Government/Military Aerodromes by Civil Aircraft Operators](#)

## **Queries**

13. The RC are invited and encouraged to engage with the MAA on any issues related to the content of this RN. Any queries or requests for further guidance should be submitted to the ATM Regulations Branch Head [DSA-MAA-Reg-ATM@mod.uk](mailto:DSA-MAA-Reg-ATM@mod.uk) or 0306 79 82544.

## **Director Military Aviation Authority**

Annex:

A. List of current government aerodromes which are within the potential scope of the MOU.

**LIST OF CURRENT GOVERNMENT AERODROMES WHICH ARE WITHIN THE POTENTIAL SCOPE OF THE MoU**

**Tranche 1**

RAF Brize Norton  
RAF Northolt  
RAF Valley  
RNAS Yeovilton

**Tranche 2**

RAF Boscombe Down	RAF Waddington
RAF Coningsby	RAF Leuchars
RAF Leeming	RAF Lossiemouth
RAF Marham	RAF Linton on Ouse
RNAS Culdrose	RAF Cranwell
RAF Benson	RAF Odiham
Wattisham Airfield	RAF Shawbury
RAF Scampton	Dishforth Airfield
MoD St Athan	RAF Cosford
RAF Woodvale	RAF Colerne
RAF Barkston Heath	RAF Topcliffe
RAF Mona	RAF Wittering

**Out of Scope**

Middle Wallop Airfield	Netheravon Airfield
Upavon Airfield	RAF Kinloss
RAF Wyton	RAF Henlow
RAF Honington	RAF Chetwynd
RAF Halton	RAF Little Rissington
RAF Syerston	RAF Tern Hill
RAF Weston-on-the Green	RAF Boulmer
RAF Spadeadam	RAF Leconfield
RNAS Merryfield	RNAS Predannack
Credenhill	HMS Raleigh
RM Condor	RMB Chivenor
MoD Stafford	Keevil Airfield
RAF Kenley	Kirknewton
Wethersfield	Dalton Barracks, Abingdon
Buckley Barracks, Hullavington	MoD Fleetlands

Notes:

1. Aerodromes occupied by visiting forces are excluded from the MoU. The only applicable aerodromes are RAF Mildenhall, RAF Lakenheath and RAF Fairford; they are occupied by United States forces, and overseen by US military regulatory authorities.