

## CIVIL USE OF GOVERNMENT AERODROMES



Image: RAF Northolt (MOD Crown Copyright)

The Military Aviation Authority (MAA) recently co-ordinated activity whereby Civilian Aviation Authority (CAA) Aerodrome Inspectors audited RAF Northolt and RAF Brize Norton from a 'safe place to operate' perspective. These audits were specifically conducted in order to assist the CAA in meeting their responsibility to maintain an appropriate level of safety regulatory oversight on the conduct of civil aviation activity taking place at Government Aerodromes in the UK.<sup>1</sup> To date, assuring the CAA in this respect has been a function of the cross-regulator Government Aerodromes Co-ordination Group which has focused on the exchange of information on safety-related data that may affect civil aircraft operations. However, recent CAA requests to expand this activity into aerodrome audits by CAA Inspectors, to provide a more detailed and accurate level of assurance, is a logical progression that the MAA fully supports.

This initiative should be viewed as an independent health check of our aerodrome infrastructure standards and is not to be feared. The MAA remains the Defence Regulator for military aviation activity and standards, including regulatory waivers and exemptions; any observations the CAA makes should not impact directly on MAA-regulated operations. Nevertheless, a degree of confusion and nervousness continues to exist and, with activity likely to be rolled-out progressively across all Government Aerodromes, including overseas aerodromes<sup>2</sup> where civil aircraft operate, there is a requirement to fully understand the context and potential implications associated with this activity. Therefore, the answers provided to the following FAQs are aimed at improving education and clarification on this subject:

### ***Can civil flying take place at Government Aerodromes?***

*Yes - In general there are 3 main types of civil flying operations that take place at Government Aerodromes: General Aviation including Service Flying Clubs; Commercial Operators utilising Government Aerodromes for activity that is not for the benefit of defence;<sup>3</sup> and Commercial Operators that are required to utilise Government Aerodromes under contract and in direct support of defence business.*

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<sup>1</sup> This is a requirement following the [RAF Northolt Judicial Review - Judgement, dated 23 Jan 15.](#)

<sup>2</sup> This activity would be undertaken by [Air Safety Support International](#) or [CAA International](#) under contract to individual Directors of Civil Aviation.

<sup>3</sup> [CAP 393 - The Air Navigation Orders and Regulations.](#) Article 208 refers.

## **What is the Policy regarding civil use of Government Aerodromes?**

Government policy for the civil use of Government Aerodromes by General Aviation was set out in the Government's General Aviation Strategy of 2015.<sup>4</sup> The policy is to encourage the civilian sector to have access to Government Aerodromes wherever possible and remains a tenet of the Department for Transport's current Green Paper on the strategy for the future of UK aviation.<sup>5</sup> Beyond General Aviation, it is MOD policy to encourage the civil use of defence facilities wherever possible,<sup>6</sup> provided that this is consistent with defence requirements, the interests of existing tenants and licensees, and does not unreasonably affect local amenities. Indeed, MOD airfields represent a valuable national asset and the income from civil flying provides a useful contribution to the defence budget. From a CAA perspective, the Air Navigation Order<sup>7</sup> authorises civil aviation to use Government Aerodromes that have been notified as being available, or when approval has been granted by the Head of Establishment of the Government Aerodrome.

## **Which Government Aerodromes are available for civil use?**

All Government Aerodromes are potentially available to civil aircraft operators, either through the CAA notification process or following approval by the Head of Establishment.

## **What is the CAA Notification Process?**

The use of Government Aerodromes by civil aircraft operators is detailed within the UK Aeronautical Information Publications, Aerodrome Section, AD1.1.<sup>8</sup> Para 2.12 details those Government Aerodromes that have been notified for use for the purposes of the UK Air Navigation Order.

## **Who is responsible for maintaining aerodrome design, safeguarding and infrastructure standards?**

The Head of Establishment of a Government Aerodrome is required to actively manage aerodromes for which they are responsible. This is normally achieved through the appointment of an Aerodrome Operator<sup>9</sup> who will carry out this function in support of the Head of Establishment. Aerodrome facilities and standards at a particular aerodrome are published in the Defence Aerodrome Manual<sup>10</sup> and assured in accordance with the associated Defence Aerodrome Assurance Framework.<sup>11</sup> Government Aerodrome design and maintenance standards are published in the MAA Regulatory Publications<sup>12</sup> and are broadly similar to those of civil licenced aerodromes,<sup>13</sup> however, it is acknowledged that, for a number of valid reasons, infrastructure and maintenance standards at a Government Aerodrome may not be identical to those required of a similar civilian licenced aerodrome.<sup>14</sup>

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<sup>4</sup> [General Aviation Strategy, dated 26 March 2015](#)

<sup>5</sup> [Aviation 2050: The future of UK Aviation, dated 17 December 2018.](#)

<sup>6</sup> 'Use of British Military Airfields by British and Foreign Civil Aircraft' (previously JSP 360).

<sup>7</sup> [CAP 393 - The Air Navigation Orders and Regulations.](#) Article 207(2)(c) refers.

<sup>8</sup> [UK AIP, AD1.1 Aerodrome/Heliport Availability.](#)

<sup>9</sup> [RA 1026 - Roles and Responsibilities: Aerodrome Operator.](#)

<sup>10</sup> [Defence aerodrome manual \(DAM\)](#)

<sup>11</sup> [Defence aerodrome assurance framework \(DAAF\)](#)

<sup>12</sup> [RA 3500-3599 Series.](#)

<sup>13</sup> [CAP 168 - Licencing of Aerodromes.](#)

<sup>14</sup> This is due to 'grandfather rights', regulatory Waivers and regulatory Exemptions and requires Aerodrome Operators to publish discrepancies to Aircraft Operators.

### **Who is responsible for ensuring that a Government Aerodrome is suitable for civil use?**

*The CAA has a responsibility to maintain an appropriate level of safety regulatory oversight on the conduct of civil aviation activity taking place at Government Aerodromes in the UK. Should the CAA have concerns that a Government Aerodrome cannot achieve suitable levels of safety, Conditions<sup>15</sup> may be imposed by the CAA on civil operators. Ultimately, this may lead to certain Government Aerodromes being rendered unavailable for civil use.*

*Notwithstanding whether or not any CAA Conditions have been applied to a Government Aerodrome, it remains for the civil aircraft operator to determine, as part of their safety assessment process, that the Government Aerodrome is suitable for use in accordance with their own safety management system.*

### **What is the MAA's role in respect to civil use of Government Aerodromes?**

*The MAA regulates<sup>16</sup> Military Air Traffic Management, airfield standards and procedures and Government Aerodromes to a standard that produces outcomes that are, so far as reasonably practicable, at least as good as those required by UK legislation.<sup>17</sup> Nevertheless, due to legacy infrastructure standards and the requirement for Heads of Establishment generally to apply only published standards at the point of new construction, modification or restoration of aerodrome facilities, some aspects of Government Aerodromes may currently fall short of the regulated standards. The MAA provides assurance that, where standards have not been met, suitable mitigations are in place and variances published in the relevant Defence Aerodrome Manual. Any associated Risk to Life should be considered by all Government Aerodrome users prior to use. Variances are made available to the CAA through the Government Aerodromes Co-ordination Group and it is the responsibility of the CAA to consider this information before reaching a decision as to whether a Government Aerodrome is suitable for civil aircraft and whether any Conditions should apply to its notification.*

### **What does this mean in practice for Heads of Establishment?**

*In order to assist the CAA in meeting their obligations to maintain an appropriate level of safety regulatory oversight on the conduct of civil aviation activity taking place at Government Aerodromes, the MAA may initiate co-ordinated oversight/audit activity that enables CAA Inspectors to visit Government Aerodromes to assure themselves that standards remain suitable for civil operations. Post-visit assurance reports will undoubtedly highlight observations on aerodrome standards or services that are of relevance to the CAA, the MAA or both. Where observations are made that highlight non-compliance or non-conformity against military regulation or policy, the MAA may issue corrective actions and negative observations that will be followed-up in the same manner as if the MAA made the observation. This will require a Corrective Action Plan.<sup>18</sup>*

*Additionally, there may be occasions where the CAA make observations against standards that the MAA are content to provide regulatory waivers or exemptions against. These observations will not require MAA corrective actions; however, unless resolved to the satisfaction of the CAA, they may lead to Conditions being imposed on civil operators*

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<sup>15</sup> [CAP 393 - The Air Navigation Orders and Regulations](#). Article 210 refers.

<sup>16</sup> [MAA 01: Military Aviation Authority Regulatory Policy](#). Para 8 refers.

<sup>17</sup> [Policy Statement by the Secretary of State for Defence, dated 20 Jun 18](#).

<sup>18</sup> [MAA 01: Military Aviation Authority Regulatory Policy](#). Para 21 refers.

*regarding the use or availability of the Government Aerodrome. Heads of Establishment should be aware that this may lead to the prohibition of use of their aerodrome to civil aircraft. In some cases, this may be acceptable to Defence; however, in many cases, Commercial Operators are contracted in direct support of defence business and the impact of CAA Conditions may cause significant issues. Therefore, Heads of Establishment may choose to prioritise resource to ensure compliance to the satisfaction of the CAA. Observations that fall into this category will be co-ordinated through the Government Aerodromes Co-ordination Group.*

*Should the CAA impose Conditions on the civil use of a Government Aerodrome, the Head of Establishment should not approve subsequently the operation of such flights.*

Hopefully this article has clarified why the CAA has started to request access to Government Aerodromes for audit purposes. Should Heads of Establishment or Aviation Duty Holders have any specific concerns regarding this activity, or for more information, the MAA can be contacted through the MAA Enquiries Team: [DSA-MAA-MRPEnquiries@mod.gov.uk](mailto:DSA-MAA-MRPEnquiries@mod.gov.uk).