

Consultation: Regulation (EU) 923/2012 Standardised European Rules of the Air - Visibility and Distance from Cloud Minima within Class D Airspace

CAP 1779

Published by the Civil Aviation Authority, 2019

Civil Aviation Authority
Aviation House
Gatwick Airport South
West Sussex
RH6 0YR

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Published 2019

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Chapter 1

Executive Summary

Since the introduction of Commission Implementing Regulation (EU) No 923/2012 (the Standardised European Rules of the Air (SERA)), the UK has exempted any aircraft being flown within the UK at or below 3,000 feet (ft) above mean sea level (AMSL) and within class D airspace from the requirements of SERA.5001 (VMC visibility and distance from cloud minima) Table S5-1 and SERA.5005(a) (visual flight rules), subject to specific conditions. The SERA requirements are derived from ICAO Annex 2 'Rules of the Air' Chapter 4, Section 4.1. The UK exemption applies when the aircraft is flying in accordance with specific conditions listed in Official Record Series 4 (ORS4) [No 1302](#), which is effective until 12th September.

In October 2018 the Department for Transport (DfT) agreed to a continuation of the exemption whilst the CAA undertook activity to comply in full with SERA.5001.

Consequently, the CAA is proposing that the Visual Meteorological Conditions (VMC)¹ distance from cloud minima defined in SERA 5001 are applied to class D airspace in the UK below 3000 ft.

VFR flight within class D airspace will therefore be required to comply with the SERA (and therefore ICAO) vertical distance from cloud. The revision does not preclude special VFR (SVFR) flight in Control Zones (CTRs)^{2, 3, 4}, and the CAA has identified a means of mitigating the impacts upon affected air traffic control (ATC) units of a likely increase in the number of SVFR clearance requests through a change to current SVFR separation requirements. Namely refinement of the current requirement for ATC units to provide separation between SVFR flights in a class D CTR providing certain conditions are met.

Stakeholders are invited to submit their views on the CAA's proposals and are invited to respond to questions posed in this document.

Further information regarding SERA in the UK can be found at www.caa.co.uk/sera.

¹ SERA Article 2(142): 'visual meteorological conditions' mean meteorological conditions expressed in terms of visibility, distance from cloud, and ceiling, equal to or better than specified minima;

² SERA Article 2(122): 'special VFR flight' means a VFR flight cleared by air traffic control to operate within a control zone in meteorological conditions below VMC;

³ ICAO Annex 11, ICAO PANS-ATM Doc 4444, SERA Article 2(122) and SERA.5010 Special VFR in control zones

⁴ SERA Article 2(61): 'control zone' means a controlled airspace extending upwards from the surface of the earth to a specified upper limit;

Why are we consulting?

- 1.1 The CAA is consulting on its intention to adopt the VMC minima prescribed within Regulation (EU) No 923/2012 (the Standardised European Rules of the Air (SERA)) for flights conducted in accordance with the visual flight rules (VFR)^{5,6} within class D airspace. This will mean a change to the prescribed weather minima for which VFR flight can be conducted, specifically the applicable vertical distance from cloud. The CAA proposes a mitigation to minimise impacts upon air traffic control (ATC)⁷ unit workloads and airspace access. The CAA is of the view that the proposed mitigation will maintain safety, have no adverse effect upon flights in class D airspace conducted in accordance with the instrument flight rules (IFR)⁸, ensure compliance with legislation (and consequential alignment with neighbouring European states) plus see the removal of a long-standing Difference from ICAO Annex 2. This latter outcome additionally satisfies industry expectations regarding reductions in UK Differences from ICAO requirements.

What are we proposing?

- 1.2 We are proposing that the UK adopts the SERA (and therefore ICAO) class D VMC below 3000 feet (ft). The CAA has identified mitigation through a change to current special VFR (SVFR) separation requirements, namely refinement of the requirement for ATC units to provide separation between SVFR flights in a control zone (CTR) (Special VFR may only be applied in a CTR) providing certain conditions are met.

What has been considered?

- 1.3 The CAA has considered the impact of introducing these changes and has identified a number of options for transitioning to the SERA VMC. It has also considered aircraft movement data from affected ATC units in order to establish the potential impact on ATC unit workload and airspace users.

Affected stakeholders

- 1.4 The proposals primarily affect VFR operations and those ATC units acting as CTR/CTA controlling authorities.

Who is being consulted?

- 1.5 The CAA is conducting an open consultation on this change.

⁵ SERA Article 2(139) 'VFR' means the symbol used to designate the visual flight rules;

⁶ See SERA.5005 Visual flight rules

⁷ SERA Article 2(30): 'air traffic control service' means a service provided for the purpose of:

(a) preventing collisions:

(1) between aircraft; and

(2) on the manoeuvring area between aircraft and obstructions; and

(b) expediting and maintaining an orderly flow of air traffic;

⁸ SERA.5015 Instrument flight rules (IFR) — Rules applicable to all IFR flights

How can stakeholders respond?

- 1.6 Stakeholders are invited to submit their views on the CAA's proposals and to respond to questions posed in the document. Responses can be submitted either through the online survey form⁹, or in writing using the template provided to SERA@caa.co.uk by no later than 31 May 2019. Any enquiries regarding this consultation should be submitted via email.

⁹ <https://consultations.caa.co.uk/future-safety/proposed-changes-to-vmc-minima-in-class-d-airspace>

Chapter 2

The current situation

Aircraft flying VFR in class C, D or E airspace are required by SERA and ICAO Annex 2 to be flown at least 1500 m horizontally and 1000 ft vertically away from cloud and in a flight visibility of at least 5 kilometres (km) at all times.

These rules are detailed within [SERA.5001 VMC \(visibility and distance from cloud minima\)](#) and [SERA.5005\(a\) \(visual flight rules\)](#)¹⁰.

In accordance with [ORS4 No 1302](#) an aircraft flying within class D airspace within the UK shall be deemed to have complied with SERA.5001 if the aircraft is flown:

- by day only;
- at or below 3000 ft AMSL.
- at a speed which, according to its airspeed indicator, is 140 knots (kts) or less, to give adequate opportunity to observe other traffic and any obstacles in time to avoid a collision; and;
- clear of cloud, with the surface in sight and:
 - o if the aircraft is not a helicopter, in a flight visibility of at least 5 km; or
 - o if the aircraft is a helicopter, in a flight visibility of at least 1,500 m.

Aircraft flying in a CTR can still request a special VFR clearance when they are unable to comply with these criteria.

Current UK requirements are depicted in figures 2a and 2b.

¹⁰ <https://www.easa.europa.eu/document-library/general-publications/easy-access-rules-standardised-european-rules-air-sera>.
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