

JERSEY DIRECTOR OF CIVIL AVIATION

Annual Report for 2009

Presented to the States on 20th April 2010
by the Chief Minister



Foreword, by the Director of Civil Aviation – Fergus Woods

This report is delivered in accordance with Article 9 of the Civil Aviation (Jersey) Law 2008.

2009 saw the establishment of the Office of the Director of Civil Aviation under Jersey Law.

The year has been characterised by realigning the functions of Jersey Airport to incorporate the concept of an independent aviation safety regulator for the Island. I have been heartened by the warmth and openness of the Airport management and staff, who have provided a most positive and co-operative atmosphere in which to conduct our shared business of assuring aviation safety for all those who use the aerodrome in Jersey and operate in the airspace around it.

The recent refurbishment of the runway was completed prior to the appointment of the DCA. However, there remain a number of big projects that demand the attention of the Airport staff and the regulator. The development of the new Air Traffic Control Centre is so much more than simply a large construction project. It involves the transfer of some existing systems and the replacement of others with new, high-tech solutions. The new environment will bring challenges to management and staff alike to implement appropriate training and procedures to assure the safe and efficient handover to the new facility and subsequent operation during 2010.

Jersey Air Traffic Service's ambition to be an Air Navigation Service Provider under the Single European Skies regulations has resulted in a unique arrangement in terms of the tripartite dealings with the French and UK aviation safety authorities. It has also brought significant challenges in the development of procedures and processes for the implementation of Quality and Safety Management Systems at the Airport. These are now maturing well and are key supporting elements in the ATCC project and ANSP certification processes mentioned above.

I believe that 2009 was a successful introductory year for the office of the DCA. I look forward to continuing the momentum in 2010.

A handwritten signature in blue ink, which appears to read 'Fergus Woods'. The signature is stylized and cursive.

Director of Civil Aviation for Jersey

1. Executive Summary

2009 was a successful first year for the Office of the Director of Civil Aviation. The Law under which the office was established and the Order specifying the detailed air navigation requirements both came into effect on 1st January 2009. This was a key fact in demonstrating Jersey's compliance with the International Civil Aviation Organisation's Standards and Recommended Practices. The ICAO audit of the UK and Crown Dependencies passed successfully during February. In March, Jersey appointed the DCA for Guernsey to act for Jersey also. This collaborative arrangement has proved to be both successful and efficient. It provides for a consistent approach to aviation safety regulation across the Channel Islands whilst saving each jurisdiction approximately £50,000 annually compared to each having its own DCA.

The DCA has been active in facilitating General Aviation activity in the Channel Islands in 3 key areas: providing a general permission for UK registered Permit to Fly Aircraft; the recognition of UK National Private Pilot Licences and providing the Approvals and Permissions necessary for the safe conduct of the Jersey International Air Display. In addition, the DCA has been active in his key functions assuring the safety oversight of Jersey Airport and its associated Air Traffic Service.

2. Establishment of the Office of DCA

The Office of the Director of Civil Aviation (DCA) was established, as a corporation sole, under the Civil Aviation (Jersey) Law 2008, which came into effect on 1st January 2009. The then holder of the post of DCA, who had been acting as DCA (designate) since his appointment late in 2007, chose to retire with effect from March 2009. He was replaced by the current DCA who also fulfils the function of DCA for the Bailiwick of Guernsey (see paragraph 4).

3. ICAO Compliance

The International Civil Aviation Organisation (ICAO), a Specialised Agency of the United Nations, is the global forum for civil aviation. Its vision is to achieve the safe, secure and sustainable development of civil aviation through co-operation amongst its member states. Evidence of its achievements in this regard is delivered, in part, through its Universal Safety Oversight Audit Programme (USOAP), a rolling series of audit visits to ICAO Contracting States.

During February 2009, ICAO conducted its USOAP visit to the United Kingdom and its Crown Dependencies and Overseas Territories. Whilst the auditors did not actually visit Jersey (nor Guernsey), the fact that Jersey had developed and brought into effect its own Aviation Law and had appointed a DCA were both seen as strong indicators that we were on the right track to take full responsibility for the safety oversight of civil aviation activities independently from the United Kingdom.

In fact, the outcome of the audit for both the UK and the Crown Dependencies was very positive. A Corrective Action Plan has been agreed with ICAO and will be implemented progressively in the coming 12 to 24 months. The items affecting Jersey largely relate to formalising our processes to demonstrate compliance with ICAO Standards and Recommended Practices in a few specific areas; they are not judged to be overly onerous or difficult to implement within the existing framework of our law.

In October, the DCA joined colleagues from the Isle of Man and Gibraltar for a seminar on the development of a State Safety Programme. The seminar was organised and run by the UK Commissioner to ICAO in collaboration with the UK Department for Transport. The anticipated outcome of that work shall be the development of a State Safety Programme for Jersey (and one for Guernsey, also) by the end of 2010.

4. Co-operation with Guernsey

In March 2009, the opportunity arose for Jersey and Guernsey to collaborate in the provision of DCA services to both jurisdictions on the retirement of the then DCA for Jersey. A 6 month trial period of joint working ran from March until August 2009. At that point, the success of the collaboration was evident and the arrangement was then formalised, initially, for a further 2 year period (with the possibility to extend the arrangement subsequently).

There have been clear benefits for both jurisdictions: annual cost savings in the order of £50,000 each, a more consistent and efficient approach to aviation safety regulation through a single regulator and a demonstration that joint working between the Islands is certainly possible and can be successful.

5. General Aviation

The DCA took 2 significant steps to encourage General Aviation during the year. First, in August, he issued a general exemption allowing UK registered Permit to Fly aircraft to operate in all Channel Islands airspace without the need to apply for an individual permission. This significantly reduced the administrative burden both for himself and for the many applicants seeking the chance to fly here in the summer months.

Second, following a consultation with interested parties during June and July 2009, he issued a general exemption which allows holders of a UK National Private Pilot Licence (NPPL) to operate in all Channel Islands airspace subject to a number of conditions. (The UK NPPL is a sub-ICAO private pilot licence which was developed in the UK in 2003. It enables the light aircraft leisure pilot to obtain and maintain a pilot licence by undergoing a slightly reduced training regime compared to the standard Private Pilot Licence. It has proved very popular and is the licence of choice for many private flyers due to the reduced cost of obtaining and maintaining it.)

Both initiatives were received very positively by the General Aviation sector and media both locally and in the UK.

6. Jersey International Air Display

The Jersey International Air Display (JIAD) 2009 was held on 10th September. 2009 was the first year when the Air Navigation (Jersey) Order 2008 was applicable. All approvals, permissions and exemptions facilitating the flying displays were issued by the DCA in the run-up to the event. The Economic Development Department formed a Planning Committee with responsibility for the various aspects of oversight of the JIAD. This has become an established process; enabling all of the JIAD stakeholders to be well-informed of planning and progress towards the key air display date. The DCA participates in that committee.

7. DCA – Prime Functions

a. Safety of Aerodromes and Air Traffic

Aerodrome – The main concern from a safety compliance perspective has been the Airport's plan for the removal of or mitigation of obstacles on and in the vicinity of the aerodrome that encroach into the "obstacle free surfaces". Jersey aerodrome suffers from a number of such obstacles. The DCA has been satisfied with the Airport's proposals and actions in this regard. In a number of cases progress will be slow because some structures cannot be dealt with until negotiations with the owners have been concluded satisfactorily.

Air Traffic – Jersey Airport's new Air Traffic Control Centre project progressed well during the year. The DCA was involved in preparing the approvals process for the transfer of existing equipment to the new facility and for the new equipment, which will be fitted as part of the upgrade. The approvals work will be conducted during 2010 with advice and assistance of air traffic systems experts from the UK Civil Aviation Authority.

b. Licensing of Aerodromes

The DCA issued a Licence to Jersey Airport effective from 1st January 2009 and valid for one year, initially. The Licence was issued on the basis of the Airport's compliance with ICAO Annex 14 as evidenced through the procedures and guidance contained in the Civil Aviation Publication CAP 168. An audit of the aerodrome was conducted by the DCA during November 2009 with the advice and support of aerodrome experts from the UK CAA. As is usual on such visits, the audit team made a number of comments for consideration. However, there were no major findings.

c. Approval of Air Traffic Controllers

All of the Air Traffic Controllers at Jersey Airport hold licences issued by the UK CAA. Under what is normal practice for smaller jurisdictions, the DCA issued a general validation in accordance with ICAO Annex 1 to recognise the licences for use in Jersey.

d. Safety Regulation of the Channel Islands Control Zone (CICZ)

The management of the en-route aspect of the CICZ is conducted by the Jersey Air Traffic Service on behalf of the French Authorities up to Flight Level 195 during the operating hours of Jersey Airport. Under the Single European Skies (SES) Regulations, Jersey applied for Air Navigation Service Provider (ANSP) status. This was achieved under a collaborative arrangement whereby the French National Safety Authority agreed to accept the reports of the UK CAA with respect to Jersey's compliance. The UK CAA conducted a comprehensive audit of Jersey's service in October 2008. The visit was successful and the French accepted the findings of the audit. However, the issue of the approval by the French is still in progress, awaiting a statement of the agreement between all parties (Jersey Airport, UK CAA, French DGAC and the DCA) as to how the approval will be managed. This work is ongoing and is anticipated to be resolved during 2010 before the biennial audit visit is due in November.

e. Aviation Meteorological Services

Currently, aviation meteorological services are provided to the Airport by the Jersey Meteorological Office, which has its offices located at the Airport, under the terms of a Service Level Agreement between the parties. Under his responsibility as the aviation Meteorological Authority, the DCA commissioned an audit of the Jersey Met Office in June 2009 to confirm compliance with ICAO Annex 3 and the associated CAPs 782 and 746. The outcome was entirely satisfactory with a number of minor comments and findings. These are in progress with the Met Office.

f. Aviation Advice

The DCA has provided information and advice to the Chief Minister's Department on 2 subjects associated with aviation. First, wind-farms: there have been a number of approaches by French sustainable energy companies regarding the potential development of offshore wind-farms in the littoral area between Jersey and the French mainland. Whilst these are at an early stage, it is important that all potential impacts on Jersey are considered and appropriately handled during the feasibility and planning stages. Of particular concern in the aviation sphere is the potentially significant impact of such wind-farms on the performance and capability of the air traffic control radar and the consequential impact on air traffic procedures.

Second, Aviation Emissions Trading Scheme: The UK Department for Transport conducted a consultation exercise on this subject during April and May. There will be an impact on air traffic routing from Jersey to any airport in any EU Member State. There is little that we can do about the scheme, since it is being developed under EU legislation. However, we provided comments relevant to our concerns about the scope of the regulation (the threshold at which aircraft would be liable to be in the scheme) and the methodology for providing evidence of usage of hydrocarbons. We favoured a simple process for smaller operators.