



RADIO CONTROL FLYING UNDER THREAT - CALL TO ACTION – PLEASE ACT NOW!

On Friday 25th April 2019 the CAA published a consultation (CAP1775) on their proposed charges for the registration of all operators of all unmanned aircraft with a mass between 250 grams and 20 kilograms. This change also mandates online competency testing and age restrictions for flying unmanned aircraft.

The proposed fee for registration is **£16.50 per annum** which we consider to be excessive and a barrier to participation in the hobby.

Full details of the consultation and how to respond can be found here:

<https://consultations.caa.co.uk/finance/drone-registration/>

The consultation closes 7 June 2019. Please respond, and ask every other flyer you know to respond!

An interesting direct comparison (which the consultation doesn't mention) is France where their equivalent registration scheme is completely free and is valid for five years. Registration in Ireland is €5 (£4.30) and in the USA registration is \$5 (£3.83).

There are significant ongoing costs associated with the CAA registration system which you are being asked to pay for. The CAA's predicted number of users registering in the system is a complete guess, with the consequence that fewer users will result in even higher costs per user in subsequent years.

CAP1775 appears to close the door firmly on what we and the other three UK radio control flying associations have been fighting for on behalf of our members. It also seems to explain why the DfT and CAA have been evasive, refusing to engage with us on policy matters in 2019.

We believe that the drone registration scheme will be detrimental to the future of unmanned aircraft flying in the UK and place requirements on us which are excessive and more onerous than those for manned aviation – despite the DfT/CAA acknowledging that radio control flying has established an excellent record over the last century.

Most importantly, the consultation reveals that key policy decisions (such as age limits, not allowing us to register members on their behalf and repeat competency test requirements) appear to have been imposed on us in the absence of either consultation or the further discussions the DfT/ CAA publicly promised. This is inconsistent with the EASA Regulations for radio control flying associations, because it mandates requirements which should instead be subject to negotiation and agreement with us prior to incorporation into our operational authorisation. As the consultation is limited in scope to the fee arrangements, it gives no real opportunity for comment on the wider policy issues.

What can you do to help the FPV UK fight this disproportionate regulation by the CAA?

The CAA state that they “*drive to be a transparent, fair and effective regulator, which is reflected in our recent work to streamline our processes, identify and remove regulatory burdens and become more risk-focussed. We are keen to ensure that our policy proposals are prepared to take account of the value, costs and benefits of alternative options for all stakeholders*”.

Our view is that the proposals published in their consultation document (CAP1775) are inconsistent with these aims. In terms of flying conducted within associations, they create a significant new regulatory burden (and ongoing cost) for our members, are neither risk-based nor focussed and no alternative options have been offered or discussed.

The CAA operates within the government's Better Regulation framework and its Regulators' Code, to

which all UK regulators must comply. We will address each core principle in turn and explain why we believe that the CAA has failed us on every count: The Code's core principles are:

Proportionality – *Regulators should intervene only when necessary; remedies should be appropriate to the risk posed, and costs identified and minimised.*

We contend that the CAA regulations being imposed on FPV UK members do not comply with this principle. It has previously been acknowledged by the DfT/CAA (and recognised by EASA in their regulations) that the radio control community has established an excellent track record over almost a century of operations (a decade of that for FPV UK). The remedy proposed is entirely disproportionate to the risk posed and maximises rather than minimises cost. It represents 'gold plating' of regulations which the CAA is committed to avoid.

Consistency – *Government rules and standards must be joined up and implemented fairly.*

The proposed regulations are not consistent with the requirements imposed on other forms of aviation (some of which do not have the excellent safety record achieved by our community). No other recreational aviation activity requires the pilot to register annually or repeat a theory test every 3 years.

Transparency – *Regulators should be open and keep regulations simple and user-friendly*

The CAA have not been 'open' with us in the development of the regulations proposed in CAP1775. They have repeatedly evaded answering questions posed by the UK model flying associations seeking clarification of what they have in store for our members. The recent requirements for Flight Restriction Zones and their proposals for registration fees in CAP1775 were sprung on us with no prior notice/discussion.

In CAP1123 (the response to the 'Red Tape Challenge'), the CAA emphasised the "*value that we place on an open and meaningful dialogue with the general aviation community. We have many areas of work and options to explore but we recognise that it is critically important that we fully engage with stakeholders to determine their priority and appetite and to incorporate their ideas as well*".

It is unfortunate that along with the DfT they have employed a 'high handed approach' resulting in a lack of engagement with the UK model flying associations (especially unfortunate given that members of the four UK associations will ultimately be the largest single stakeholder group captured by their regulations).

Targeting – *Regulation should be focussed on the problem and minimise side effects.*

The perceived 'problem' is apparently rogue unlawful multi-rotor drone operations. Not flying within the framework of an association. The EASA regulations acknowledge this by removing flying within the framework of associations from their regulations (other than registration – which EASA state may be carried out by associations on behalf of their members).

The CAA proposals apply blanket regulations with no targeting whatsoever, disregarding the concessions granted to radio control flying within the framework of associations within the EASA regulations and ignoring our track record; established with over a decade of safe operation within FPV UK and a century including radio control flying associations overall.

Accountability – *Regulators should be able to justify decisions and be subject to public scrutiny.*

This is your chance to hold the CAA to account and ask them why they are not applying their own core principles to the regulation of recreational unmanned aircraft/ model flying. We would suggest that you address your letter to Richard Moriarty, the CAA CEO at the following address:

Civil Aviation Authority, 45-59 Kingsway, Holborn, London WC2B 6TE.

Email: richard.moriarty@caa.co.uk

The Aviation Minister at the DfT - As the CAA are implementing policy developed by the Department for Transport, we would also encourage members to raise their concerns directly with the new Aviation Minister, Baroness Vere of Norbiton who you can write to at the following address:

The Aviation Minister - Baroness Vere of Norbiton, House of Lords, London SW1A 0PW

Email: baroness.vere@dft.gov.uk

The DfT have disregarded the concessions made within the EASA regulations for recreational radio control flying through associations in their own policy development. They have previously commented on our excellent track record for safe operation but have not recognised this by granting any concessions to us whatsoever on the policy decisions contained within CAP1775 (unlike EASA!).

In their 'Taking Flight' document published in January, the DfT referred to some matters which would be '*subject to further discussion between the model aircraft flying associations and the Department for Transport*'. However, we can confirm that the promised discussions did not occur and the DfT have subsequently evaded any further meaningful engagement with us at all in 2019. It would be entirely reasonable to ask the Aviation Minister for an explanation for the poor treatment we have received from her Department and why they broke their publicly stated promise of further discussions.

Your local MP - We would also recommend writing to your local MP to raise your concerns (you can find their details here: <https://www.parliament.uk/mps-lords-and-offices/mps/>). Please ask them to write to the Aviation Minister to question why the Government has not been actively engaged with the largest stakeholder group so far this year and is disregarding the concessions made within the EASA regulations for unmanned aircraft/ model aircraft flying conducted within the framework of associations.

We accept that members may have strong views on this situation, but please ensure that any emails or letters sent are polite and avoid being rude or abusive. This will not help! Individually written letters are a must. Standard template letters will not count.

The UK Model Flying Associations will continue to work with the CAA & DfT and bring political pressure to bear to try and minimise the impact of excessive regulation on our members, but we need your support to show the strength of feeling, so please respond to the consultation and also raise your concerns directly with Richard Moriarty at the CAA, the Aviation Minister Baroness Vere of Norbiton and your local MP.

It is a source of regret that we have been put in a position where it is necessary to seek help directly from our members in this way, but please accept our thanks in advance for your support.

The last time FPV UK asked for direct action from members in this way was in 2009 (when we had around 20 members) and it did lead to us securing the FPV exemption (which has been in place ever since). We now have 4,000 members, and with the other three associations we have more than 40,000 members. Let's hope that we can also have success this time.

This call to action is just one element of a wider coordinated campaign. There is still a long way to go with this and please be assured it is by no means the end of the story.

Simon Dale

FPV UK

(Thanks to Dave Phipps for permission to re-use his work)