



Miscellaneous

No:

1157

SERA and the Rules of the Air Regulations 2015

Publication date: 4 March 2016

General Permission and Exemption No: E 4162

Balloon Pilots - Congested Area Take-Off, Becalmed Landing & Open-Air Assembly

- 1)
 - a) Subject to the conditions specified in paragraph 2) the Civil Aviation Authority, pursuant to SERA.3105 and SERA.5005(f) of the Annex to Commission Regulation (EU) No 923/2012, permits:
 - i) any hot-air balloon (the 'balloon') to take-off or land within, and to fly over, a congested area of a city, town or settlement below a height of 1,000 feet above the highest fixed obstacle within a horizontal radius of 600 metres of the aircraft;
 - ii) to take off or land within 1,000 metres of an organised open-air assembly of more than 1,000 persons and, pursuant to article 242 of the Air Navigation Order 2009.
 - b) Subject to the conditions specified in paragraph 2) the Civil Aviation Authority, pursuant to article 242 of the Air Navigation Order 2009, exempts the balloon operator and pilot-in-command from Rule 5(1)(b) and Rule 5(2)(b) of the Rules of the Air Regulations 2015 (Statutory Instrument 2015 No.840, and published in CAP 393).
- 2) Except in the event that the balloon is landing within a congested area because the balloon is becalmed, this permission and exemption is granted subject to the following conditions:
 - a) The balloon is:
 - i) taking off from within or adjacent to a congested area;
 - ii) taking off or landing within 1,000 metres of an organised open-air assembly of more than 1,000 persons.
 - b) The pilot in command of the balloon must be the holder of either:
 - i) a valid UK Commercial Pilot's Licence (Balloons) with experience which includes at least three ascents in a balloon from a congested area site under supervision from another pilot-in-command of that balloon, as detailed in sub-paragraph c); or
 - ii) valid UK Private Pilot's Licence (Balloons), a valid Part-FCL Balloon Pilot Licence or a valid Light Aircraft Pilot Licence (Balloons) with a minimum total flying experience in command of balloons exceeding 35 hours which includes three ascents from a congested area site under supervision from another pilot-in-command of that balloon, as detailed in sub-paragraph c).

- c) The pilot in command supervising those ascents must:
 - i) be the holder of a valid UK Commercial Pilot's Licence (Balloon), a valid UK Private Pilot's Licence (Balloons), a valid Part-FCL Balloon Pilot Licence, or a valid Light Aircraft Pilot Licence (Balloons);
 - ii) have a minimum total flying experience in command of balloons of not less than 75 hours and which includes six ascents from a congested area site; and
 - iii) be approved by either the Civil Aviation Authority or by the British Balloon and Airship Club.
 - d) Flights must only take place with the prior permission in writing of the owner of the take-off site and, when applicable, the organiser of the assembly.
 - e) Before any flight:
 - i) the operator of the balloon must notify the local police authority of the intended flights; and
 - ii) the pilot in command of the balloon must reasonably satisfy himself that the height of any fixed object within the sector 45 degrees each side of a line vertically below the intended flight path does not exceed 30% of the horizontal distance between the fixed object and the point of take-off.
 - f) The balloon must not be flown during take-off or landing within 60 metres of any vessel, vehicle or structure except the balloon recovery vehicle(s).
 - g) The flight must only be made by day and in weather conditions which will enable the balloon to remain clear of cloud, in sight of the surface, with a visibility of at least 3 kilometres and which will ensure that the landing will be clear of any congested area, except in the case of the balloon becoming becalmed.
 - h) Following a take-off this permission and exemption applies only to the first 5 minutes of any flight during the climb immediately after take-off and within 1.5 kilometres of the launch site. Thereafter the balloon must not be flown over any congested area of a city, town or settlement below 1,000 feet above the highest fixed obstacle within a horizontal radius of 600 metres of the balloon.
- 3) This permission and exemption supersedes Official Record Series 4 No. 1057, which is revoked.
 - 4) This permission and exemption has effect from the date it is signed unless and until it is revoked.

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for the Civil Aviation Authority

4 March 2016

Explanatory Note:

As defined in Article 255 of the Air Navigation Order 2009, a congested area in relation to a city, town or settlement means any area which is substantially used for residential, industrial, commercial or recreational purposes.