



Miscellaneous

No: 1397

SERA and the Rules of the Air Regulations 2015 Publication date: 18 June 2020

General Permission and Exemption No: E 5097

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 266 of the Air Navigation Order 2016.
 - b) Subject to the conditions specified in paragraph 2) the Civil Aviation Authority, pursuant to article 266 of the Air Navigation Order 2016, 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 and Airships) or a valid Part-BFCL Balloon Pilot Licence 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 and Airships), or a valid Part-BFCL Balloon Pilot Licence;
 - 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 themselves 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. 1307, which is revoked.
- 4) This permission and exemption has effect from the date it is signed until varied, suspended or revoked.

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for the Civil Aviation Authority

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Explanatory Note:

As defined in Schedule 1 of the Air Navigation Order 2016, 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.

What does it cover?

This permission and exemption applies to balloon pilots who hold either a UK Commercial Pilot's Licence (Balloons), a UK Private Pilot's Licence (Balloons and Airships) or a Part-BFCL Balloon Pilot Licence. It covers congested area take-offs, becalmed landings and take-offs or landings near an open-air assembly in hot-air balloons.

What does it mean?

The permission and exemption allows a pilot of a hot-air balloon, following specific supervision and permission, to take off from a congested area, and to take off and land near to an open-air assembly. The permission and exemption also allows a pilot of a hot-air balloon to land in a congested area if becalmed.

What action do I need to take?

If planning to use the benefits of the permission and exemption detailed in paragraph 1, the conditions given in paragraph 2 must be complied with.