



Fact Sheet 4 – Preventing Trespass on Aerodromes

Aerodrome operators are often troubled by trespassers. While some trespassers have felonious intent others may trespass with the intent of disrupting operations because they object to the activity taking place. The following advice is offered to assist in dealing with the latter.

Firstly and most importantly, it is best not to act aggressively or to enter into an argument. The object of the exercise must be to dissuade the trespasser, an aggressive reaction on your part will only encourage him to come back at some time when you are not there and cause damage. You are in a vulnerable position and there is no way in which you can secure your property 24 hours a day against damage. A dispute increases the danger of obstructions being placed on the manoeuvring area or aircraft being damaged, you should consider the implications and if necessary carry out additional inspections.

An understanding of the law and deployment of suitable warning notices can greatly assist in dissuading normally law-abiding people from misbehaviour and will also assist you in requesting Police co-operation. Policemen are not experts in aviation law and will need to be led to the relevant legislation. If making a complaint to Police you should provide them with evidence, e.g. dated photographs of the signage mentioned below and of the person or vehicle on the land.

The legislation is the [Civil Aviation Act 1982](#), together with Orders and Regulations made under the Act.

Definition of an Aerodrome

s105 of the Act defines "aerodrome"

"aerodrome" means any area of land or water designed, equipped, set apart or commonly used for affording facilities for the landing and departure of aircraft and includes any area or space, whether on the ground, on the roof of a building or elsewhere, which is designed, equipped or set apart for affording facilities for the landing and departure of aircraft capable of descending or climbing vertically;

Operator Details

As it is an offence under the Act to enter the land without permission of the person in charge you should provide contact details so that permission may be sought. It is suggested that suitable signs are maintained at the principal entrance(s) worded as follows.

WARNING

This land is an aerodrome within the meaning of the Civil Aviation Act 1982

It is an offence to enter without permission.

The operator is (insert name and contact details of operator)

You may wish to consider using a business address, or a Post Office box rather than a home address on the sign. For a more friendly approach you might wish to add something along the lines of "Visitors are welcome, please keep clear of aircraft and do not go on to the landing area. Children should be closely supervised and dogs must be



kept on a lead. Horses and livestock must be kept clear. Aircraft may land at any time, even if the site appears deserted."

Licensed Aerodromes (Airfields)

Trespass on a licensed aerodrome is an offence under s39 of the Act

39 Trespassing on licensed aerodromes

(1) Subject to subsection (2) below, if any person trespasses on any land forming part of an aerodrome licensed in pursuance of an Air Navigation Order, he shall be liable on summary conviction to a fine not exceeding [F1level 3 on the standard scale].

(2) No person shall be liable under this section unless it is proved that, at the material time, notices warning trespassers of their liability under this section were posted so as to be readily seen and read by members of the public, in such positions on or near the boundary of the aerodrome as appear to the court to be proper.

At the time of writing Level 3 is a maximum fine of £1,000.

[The Air Navigation Order 2016 can be viewed here.](#)

The following wording is suggested for the boundary notices.

Civil Aviation Act 1982

Trespass on this land is an offence punishable by a fine of up to £1,000

Unlicensed Aerodromes

Unlicensed aerodromes and farm strips are not protected against trespass in the same way, however they do have protection under the [The Rules of the Air Regulations 2015](#), Section 3 Paragraph 13.

(1) Unless there is a public right of way over it, a person or vehicle must

(a) not go onto any part of an aerodrome without the permission of the person in charge of that part of the aerodrome; and

(b) comply with any conditions subject to which that permission may be granted.

(2) A person or vehicle must

(a) not go onto or move on the manoeuvring area of an aerodrome which provides an air traffic control service or a flight information service without the permission of the person providing that service; and

(b) comply with any conditions subject to which that permission may be granted.

Access to and movement of persons and vehicles on the aerodrome:

41 (1) Unless there is a public right of way over it, a person or vehicle shall:



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(a) not go onto any part of an aerodrome without the permission of the person in charge of that part of the aerodrome; and

(b) comply with any conditions subject to which that permission may be granted.

(2) A person or vehicle shall:

(a) not go onto or move on the manoeuvring area of an aerodrome which has an air traffic control unit or an aerodrome flight information service unit without the permission of that unit; and

(b) comply with any conditions subject to which that permission may be granted.

(3) Any permission granted for the purposes of this rule may be granted in respect of persons or vehicles generally, or in respect of any particular person or vehicle or any class of person or vehicle.

The suggested wording for warning signs at an unlicensed aerodrome is

Civil Aviation Act 1982

It is an offence for any person or vehicle to go onto this land without the permission of the person in charge. Maximum Penalty £2,500

It is suggested that signs be posted in accordance with the requirements of s39(2) of the Civil Aviation Act:

2) No person shall be liable under this section unless it is proved that, at the material time, notices warning trespassers of their liability under this section were posted so as to be readily seen and read by members of the public, in such positions on or near the boundary of the aerodrome as appear to the court to be proper.

Warning Note

Aviation legislation is subject to frequent amendment. You should not rely on this information without first satisfying yourself as to its validity by reference to current legislation.