

## BGA Technical Committee - Technical News Sheet

TNS 9/10/95

### **PART 1**     Airworthiness "AGGRO" (Please add to the 1995 Blue Pages)

- 1.1     L'Hotellier Connectors - this time K-21 Elevator Drive. Whilst conducting a POSITIVE control check, it was observed that the locking wedge moved in the direction of unlocking but was constrained by the safety pin from becoming unlocked. This connector was replaced. Please check all L'Hotelliers for this movement under representative operating load. (Reported by London Gliding Club)
- 1.2     K-8 (and K series generally) Failure of pilots speed brake lever at bearing hole (see sketch). Remove the paint and inspect a.s.a.p. (Reported by A. Brindley, Shalbourne Soaring Society)
- 1.3     SZD 55-1. Flight Manual Revisions are introduced by Bulletin BE8/55-1/95 associated with the optional fit of PR-4005 airspeed indicator with STALL WARNING MONITOR. Available from UK Agents. Increase of service life to 3,000 hours is also proposed.
- 1.4     Stemme S-10 LBA A/D 95-273 introduces inspection of fuel filters and amendments to FLIGHT MANUAL - SB A31-10-021 refers (see attached A/D)

### **PART 2**     General Matters

- 2.1     Weak Link Ratings. DG-100 and Libelle may be launched on the Tost (or equivalent) BLUE (No4 600 daN - 1320 lbs)
- 2.2     Health and Safety at Work Act 1974 - Application to Private Clubs  
The attached statement by the HSE is significant, in that a BGA club has had a Prohibition Order placed on its winch, following a fatal accident. (The fatality was caused by failing to prevent a spin following a cable failure) The club (and the BGA) are appealing the Prohibition Order.
- 2.3     Inspector Renewals - Have you actioned?

Dick Stratton  
Chief Technical Officer



Reference no: HSC(G)1  
 Commission date: 11/11/95

## HEALTH AND SAFETY AT WORK ETC ACT 1974: APPLICATION TO PRIVATE CLUBS

### Introduction

1 This guidance gives advice on the application of the Health and Safety at Work etc Act 1974 (HSWA) to private clubs; and sets out the view of the Health and Safety Commission on the approach which should be taken to enforcement.

2 There is no statutory definition of a private club. This guidance applies to private clubs, such as sailing clubs, where there is activity or recreation by subscribing members making regular use of the facilities.

3 It will usually be possible to draw a distinction between a private club and an activity centre for the public, run on commercial lines. This guidance applies only to the former.

### Application of the Act

4 Many private clubs provide employment, either in connection with their main activities or as a sideline. Others are run by members, on a voluntary basis. Where there is employment, Sections 2 and 3 of the HSWA place duties on the employer to ensure, so far as is reasonably practicable, the health and safety of his employees and other persons who may be affected by the undertaking.

5 Section 4 protects those who are not employees in certain specified circumstances. It places duties on persons in control of non-domestic premises where those premises are made available to people as a place of work or where people may use plant or substances provided there for their use. Reasonable measures must be taken by those in control to ensure, so far as is reasonably practicable, that the premises and any plant or substance in the premises, or provided for use there, are safe and without risks to health.

### Role of Governing Bodies

6 Sporting activities recognised as potentially dangerous - eg diving, sailing, horse-riding - are often subject to governing bodies which regulate safety in the sport. The Commission recognises the important role these bodies play in self-regulation. HSE often works with them at national level to develop guidance on the approach to risks likely to affect employees or members of the public, including club members.

However, since it is the governing bodies which issue the guidance, in some cases it may go beyond what is required to comply with the law.

7 Enforcing authorities should take account of any advice and guidance available from the governing body responsible for a sport before deciding on enforcement action in connection with risks to health and safety which arise from participation in that sport.

### Approach to Enforcement

8 The Health and Safety at Work etc Act 1974 (HSWA) should not be used to cut across the freedom of individuals voluntarily to take risks outside their working environment. Where there is no employment, there should be no intervention by an enforcing authority in the sporting or other activities of private clubs as described in paragraph 2 above, except in reaction to serious incidents or follow-up of complaints.

9 Where there are known to be employed or self-employed persons working in a private club, plans for any preventive inspection should be based solely on the risks arising from the employment activities, eg in the restaurant of a sailing club's premises or work undertaken by instructors; and should not take account of other risks club members or their invited guests choose to take, eg in racing dinghies on the open sea.

10 The general principles set out above need to be qualified where members of the public who are not club members (as described in paragraph 2), or their invited guests, are put at risk by the club's activities. For example, some ostensibly private clubs offer their facilities for use by non-members under short-term membership arrangements. Some have 'open days' where large numbers of the public are admitted to view the facilities or as spectators of club competitions, etc. considering whether preventive inspection under the HSWA appropriate in the circumstances, an enforcing authority should take account of the nature and extent of the risks and the degree of control which the club can be expected to exercise and whether there is any other legislation which offers a more appropriate basis for enforcement.

### Enquiries

11 Enquiries on this guidance may be raised with The Local Authority Unit, HSE (0171 717 6442).

**STEMME S10 SERIES MOTOR GLIDERS**

**PART 1 – LUFTFAHRT-BUNDESAMT AIRWORTHINESS DIRECTIVES**

<i>LBA AD No.</i>	<i>Description</i>	<i>Applicability – Compliance – Requirement</i>
92-197	Replacement of the front O-ring at the mounting part of the pitot tube.	Applicable to S10 serial numbers up to 35. Compliance is required as detailed in AD. Stemme Technical Bulletin No. 31-10-003 also refers.
94-260	Flight Controls – Inspection of the turn buckle eye bolt in the rudder control cable system.	Applicable to S10 serial numbers 10-03 to 10-58. Compliance is required as detailed in AD. Stemme Service Bulletin No. A31-10-018 also refers.
95-177	Exchange, Inspection and Modification of the propeller blade suspension fork.	Applicable to S10-V aircraft serial numbers 14-001 onwards including all conversions 14-xxxM. Compliance required as detailed in AD. Stemme Service Bulletin No. A31-10-020 also refers.
95-273	Inspection of the engine and fuel filters and amendment to the flight manual.	Applicable to S10 aircraft serial numbers 10-12 to 10-60 and S10-V aircraft serial numbers 14-002 to 14-022 and converted aircraft serial numbers 14-012M to 14-060M. Compliance required as detailed in AD. Stemme Service Bulletin No. A31-10-021 and Limbach Service Bulletin No. 47 also refer.

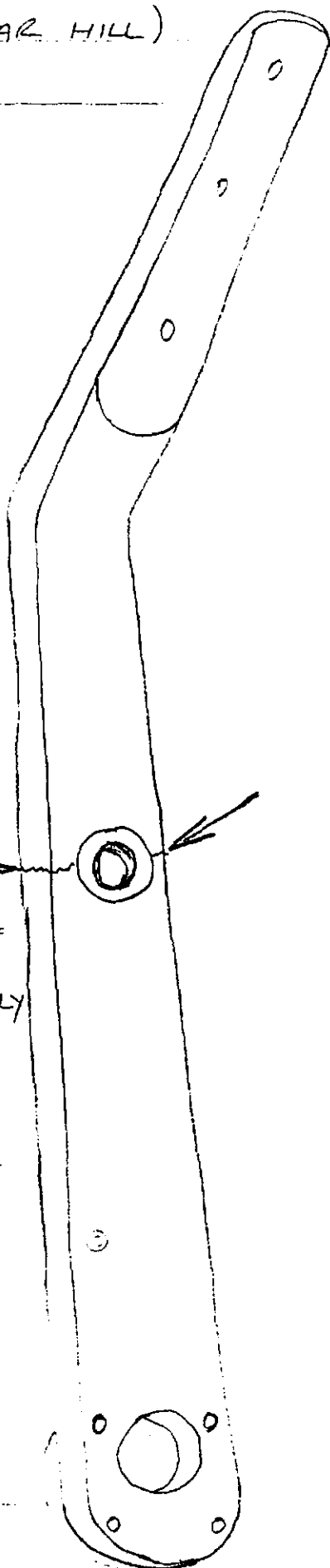
K8 BRAKE LEVER FAILURE REPORTED BY SHALBOURNE

SOARING SOCIETY (RIVAR HILL)

A BRIND 28/8/95.

POINT OF FAILURE THROUGH  
LEVER AT BEARING  
HOLE, IN FLIGHT  
FAILURE UNDER NORMAL  
USE LEVER BROKE COMPLETELY  
OFF AT THIS POINT.

SECOND CLUB K8 INSPECTED  
AND FOUND TO HAVE A  
SMALL CRACK STARTING AT  
AN IDENTICAL POSITION.  
SUGGESTED THAT LEVERS ARE  
REMOVED ANY PAINT CLEANED  
OFF AND CAREFULLY INSPECTED.



TAS 9/10/95.