



South East Wales Hang Gliding and Paragliding Club Ltd

Document Title:	Land Out Policy Rev 0		
Reference Number:	MP0005	Rev:	Initial

1 Purpose

The purpose of this policy is to explain the process of landing out on land that with no prior arrangement.

2 Scope

This policy contains the following sections:

- 3.1 Trespass
- 3.2 Meeting the Farmer
- 3.3 Damage to the Field or other Property
- 3.4 Landing Fee
- 3.5 British Gliding Association info and advice
- 3.6 In the unlikely event of the situation getting difficult
- 3.7 Finally

3 Policy

It is the responsibility of the Member to ensure they have read and understood the policy prior to landing out.

Firstly select a safe landing field avoiding publically crowded areas, livestock, horses, cropped areas, farm machinery and property. Try to select an appropriate exit route to a pick up point from the air.

Goal fields should be declared to the land owner/farmer and access permission granted prior to use.

All the following content concerning guidance after a field landing has been taken from the British Gliding Association and made applicable to Hang Gliding and Paragliding as the BHPA does not have an official policy.

Hang Glider & Paraglider pilots setting off on an XC flight will potentially result in landing out in a location that is not the takeoff site. This can result in a field landing/landing on someone's property. So Hang Glider & Paraglider pilots need the co-operation of farmers and landowners. Their goodwill is imperative for the future of our sport.

3.1 Trespass

By landing in a field without first gaining the landowners permission, a pilot is committing an actionable civil wrong. In the eyes of the law the pilot is trespassing. With this in mind, it is clearly appropriate to be humble, polite and apologetic having landed uninvited on someone's land. Think about how you would feel if someone appeared uninvited in your back garden.

3.2 Meeting the Farmer

First impressions count and your being there is going to cost the farmer time if nothing else. Farmers are very busy people. Bear this in mind when introducing yourself. Stress that your landing in his field was not planned. Explain what you were trying to do. Let the farmer know that you will try to ensure you will be as little trouble to him as possible and that with his permission you can remove your Hang Glider or Paraglider with the minimum of fuss and trouble.



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3.3 Damage to the Field or other Property

If damage has been caused to crop etc. Your BHPA third party insurance will cover any related costs. Do not offer to pay compensation there and then and do not admit any liability. The landowner or farmer may quickly estimate the value of any damage and demand that you pay up. Accurately valuing crop or other damage is a job for a professional assessor and your insurance company will make the arrangements. Exchange addresses and insurance company names with the land owner, and contact your insurance company as soon as possible. The insurer will assess the damage and if appropriate, will reimburse the farmer. If possible, take photos of any damage as this may help in the event of a dispute

3.4 Landing Fee

Farmers have been known to request a landing fee for both balloons and gliders. Balloons are mostly commercial ventures and may have up to 20 people on board all paying their way. The farmer quite understandably expects a slice of the action. Hang Gliders and Paragliders are different—we are not commercially operated unless working under a BHPA registered school. If the farmer wants a landing fee from you;

-Do not dismiss him out-of-hand

-Ask why he thinks it is necessary

If you have not damaged anything, and do not require the farmers' services to remove your Hang Glider or Paraglider, no landing fee should be paid.

3.5 British Gliding Association info and advice

“Several years ago the BGA and the National Farmers Union agreed a code of conduct for glider pilots landing in fields (the code is described in BGA Laws and Rules). At that time a maximum landing fee for gliders of £3.50 was agreed. As people’s expectations and farming overheads move on over time, consider offering an absolute maximum of £20 as a goodwill gesture for the farmer’s trouble and hospitality. It’s worth noting that the balloonists (mainly commercial, remember) recommend a maximum of £80 paid when a large passenger carrying balloon lands in a farmers field. If your farmer doesn’t accept your offer and demands more, refuse politely and refer him to his local NFU representative. You will not know who that is, but he most certainly will”.

3.6 In the unlikely event of the situation getting difficult

Legally, you cannot be prevented from leaving a property or from taking your Hang Glider or Paraglider with you. You may be expelled by force, but no more than is reasonably necessary and not before you are asked to leave. Your Hang Glider or Paraglider may not be confiscated or impounded—that is a form of theft. If you have been prevented from reasonably retrieving your equipment, the person preventing you has effectively taken charge of the safe keeping of the Hang Glider or Paraglider. Politely explain this to that person and point out to him or her the value of the equipment that he or she has just impounded. If anyone threatens you or if you feel threatened, call the police. They will not wish to get involved in a case of trespass as this is a civil offence. But in cases where you have been personally threatened, a criminal offence may have taken place and the police will get involved.

3.7 Finally

Regardless of your reception, be polite and stay calm. Always leave the farm knowing that you could land back there again tomorrow. Always consider following up your experience with a thank you.