

15 February 2011
FOIA reference: E0001117

Dear XXXX

I am writing in respect of your recent application, of 31 January 2011, for the release of information held by the Civil Aviation Authority (CAA).

Your request:

“Stobart Air Limited, the Licensee identified in Licence P855, has submitted a planning application to Carlisle City Council for an air freight distribution centre for the handling of air freight and road haulage including an integrated + 3°C chiller chamber, and + 12°C chiller chamber, workshop and office, uses B1 and B8, gatehouse, canteen/welfare facilities, landscaping, new access, parking and other infrastructure works (such as auxiliary fire station, package/treatment works, a fire sprinkler system and electric sub-station and resurfacing of the existing runway 07/25). Planning reference No. 10/1116

Condition 3 of Licence P855 states “Changes in the physical characteristics of the aerodrome including the erection of new buildings and alterations to existing buildings or to visual aids shall not be made without prior approval of the CAA.” Condition 4 states “the Licensee shall, by the quickest means available, notify the CAA of any material change in the circuit of the landing area, or in the obstruction of the characteristics of the approach, take off or circuit in relation to the aerodrome.”

We shall be grateful if the following information is disclosed to us in relation to the conditions outlined above:-

- 1. Has the Licensee notified the CAA of the third planning application submitted to Carlisle City Council and validated by the City Council on 16 December 2010?*
- 2. Has any information regarding the proposed works pursuant to this third planning application to the existing runway been given to the CAA, if so, please specify what information was given?*
- 3. How much notice does the CAA in fact require prior to any works being undertaken at the Airport?*
- 4. If the works to the runway 07/25 means a larger and different type of aircraft can land at the Airport (for example as part of the second application Stobart Air Limited entered into a planning agreement which required works to bring the existing runway*

Civil Aviation Authority

07/25 to a value of not less than a PCN of 31) would Stobart Air have to apply for a new Licence to take this into account? At present, condition 8 of Licence P855 includes a maximum MTWA of 12.5 tonnes.

5. *If the Licensee plans to use the Airport for airfreight purposes, would it have to apply for a fresh Licence. Licence P855 is limited to public transport of passengers. If a fresh Licence is required, has the Licensee requested a fresh Licence, and when?"*

Our response:

In assessing your request in line with the provisions of the Environmental Information Regulations 2004, we are pleased to be able to provide the information below.

You requested information with regards to Stobart Air Limited, the Aerodrome Licence Holder identified in Aerodrome Licence P855, in relation to Carlisle City Council planning reference No. 10/1116.

It is a condition of every Aerodrome Licence that any proposed physical change within the licensed area must be subject to the CAA's prior approval. Whether or not such a proposed change forms part of an application for planning permission is not relevant.

The CAA is not involved in the process of determining planning applications. Consequently the CAA may be aware of a proposed change to a licensed area without knowing the detail of associated planning applications. It follows that the CAA has no need to be aware of the differences of detail between different planning applications and does not seek out this information.

As a result your questions have been treated as being questions about proposals that have been brought to the attention of the CAA rather than questions about the comparative aspects of different applications for planning permission.

Further information on the CAA process is contained in CAP791 [Procedures for Changes to Aerodrome Infrastructure](#)

- 1) On 11 February 2010 Carlisle aerodrome submitted, in accordance with a condition of the licence as described above, details for the introduction of a 300,000 sq ft Distribution Centre (which includes two small internal offices; a 23,000 sq ft chiller area including 10 No. Dock levellers; a 30,000 sq ft plant maintenance area, with the remaining area for external storage; a separate gatehouse building; a separate welfare/canteen building; a new roundabout off the A689 highway; a new access road from the A689 highway to the distribution centre, and upgrading of the current runway).

However, we are unable to confirm whether it mirrored the 'third planning application' submitted to Carlisle City Council as the information received did not include a planning reference number.

- 2) Over the past few years, a number of items have been brought to our attention regarding potential runway development at Carlisle Airport.

As we are unaware which of these might relate to the 'third planning application', we have provided a list of the information regarding the recent proposed works to the existing runway, in addition to that mentioned as a response to the previous question, as follows:

Letter from Carlisle Council re Application No 08/1052	Application for Planning Permission: Notice of Approval	Date of Application: 14 October 2008
Email from Carlisle Airport	Update on plans	Email dated 27 August 2008
Letter from Carlisle City Council to CAA	Notice of Decision: Application Ref 08/1052	Letter dated 2 March 2009
Carlisle Airport Brief to CAA	Brief, including selection of drawings and Planning Obligation by Agreement (Section 106)	Brief dated 17 March 2009
CAA File Note (Scoping Meeting)	Meeting between CAA and Carlisle Airport. Although 3 options were considered at the scoping meeting, no decision has been notified to CAA.	File note dated 25 March 2010

Although it has been agreed that Carlisle aerodrome will consult with the CAA regarding the upgrading of the current runway, to date they have not submitted a formal proposal to the CAA relating to the information submitted on 11th February 2010 (as detailed in our response to Q1).

- 3) The CAA does not stipulate how much notice is required prior to any works being undertaken, as each project is unique and will be assessed on its own merit. We do advise, however, that developments involving navigation aids, instrument flight procedure changes, Air Traffic Control (ATC) facilities and aeronautical ground lighting might require a lead-time of six months.
- 4) Following an inspection of the runway and the submission of an acceptable safety case by the aerodrome licence holder, the CAA would consider a change to the current aerodrome licence to remove Condition 8. A new licence would not be required.
- 5) No change to the aerodrome licence would be required. Flights for the public transport of passengers, and for the purpose of instruction in flying in fixed wing aircraft over 2730 kg and helicopters over 3175 kg are required to use either a Government aerodrome or a licensed aerodrome. There is no requirement for cargo/freight flights to use a licensed aerodrome.

Flights which must use a licensed or Government aerodrome are detailed in Article 208 of the Air Navigation Order 2009 at <http://www.caa.co.uk/cap393>.

If you are not satisfied with how we have dealt with your request in the first instance you should approach the CAA in writing at:-

Mark Stevens
External Response Manager
Civil Aviation Authority
Aviation House
Gatwick Airport South
West Sussex
RH6 0YR

mark.stevens@caa.co.uk

The CAA has a formal internal review process for dealing with appeals or complaints in connection with Freedom of Information requests. The key steps in this process are set in the attachment.

Should you remain dissatisfied with the outcome you have a right under Section 50 of the Freedom of Information Act to appeal against the decision by contacting the Information Commissioner at:-

Information Commissioner's Office
FOI/EIR Complaints Resolution
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
www.ico.gov.uk/complaints.aspx

Should you wish to make further Freedom of Information requests, please use the e-form at <http://www.caa.co.uk/foi>.

Yours sincerely

Rick Chatfield
FOIA & EIR Case Manager

CAA INTERNAL REVIEW & COMPLAINTS PROCEDURE

- The original case to which the appeal or complaint relates is identified and the case file is made available;
- The appeal or complaint is allocated to an Appeal Manager, the appeal is acknowledged and the details of the Appeal Manager are provided to the applicant;
- The Appeal Manager reviews the case to understand the nature of the appeal or complaint, reviews the actions and decisions taken in connection with the original case and takes account of any new information that may have been received. This will typically require contact with those persons involved in the original case and consultation with the CAA Legal Department;
- The Appeal Manager concludes the review and, after consultation with those involved with the case, and with the CAA Legal Department, agrees on the course of action to be taken;
- The Appeal Manager prepares the necessary response and collates any information to be provided to the applicant;
- The response and any necessary information is sent to the applicant, together with information about further rights of appeal to the Information Commissioners Office, including full contact details.