

16 July 2013
FOIA reference: F0001569

DearXXXX

I am writing in respect of your recent application dated 23 June 2013, for the release of information held by the Civil Aviation Authority (CAA).

Your request:

"I would like to request, under the Freedom of Information Act 2002, information regarding delays in arrivals and departures of all EU flights since February 2005. Please be sure to include the flight name, the date and time the flight was intending to arrive or depart, the margin by which it was delayed and if possible the reason for delay. I would like this information to be in electronic form and emailed to me".

Our response:

In assessing your request in line with the provisions of the Freedom of Information Act 2000 (FOIA), we are able to provide the information below.

The CAA publishes monthly punctuality statistics on our website and these can be found using the following link:

<http://www.caa.co.uk/default.aspx?catid=80&pagetype=88&pageid=12&sglid=12>

We understand that you have already spoken to one of our colleagues within the Aviation Intelligence team and they have explained that they can provide bespoke reports but this will only include flights to and from the UK and will not contain the reason for delay as this is not held. The CAA has also explained that there is a fee for this service. Therefore, this information is exempt from disclosure under section 21(1) (a copy of this exemption can found enclosed).

The CAA are unable to provide information at lower than monthly level as this information is collected on a confidential basis. This information is therefore exempt from disclosure under section 41 of the FOIA (a copy of this exemption can be found enclosed).

Should you wish the CAA's Aviation Intelligence team to provide a report, you can obtain this by applying directly to:

Ms D McLean

Civil Aviation Authority

Aviation House GW Gatwick Airport South Crawley West Sussex England RH6 0YR www.caa.co.uk

Telephone 01293 768512 rick.chatfield@caa.co.uk

Aviation Intelligence
Regulatory Policy Group
K4, CAA House
45-59 Kingsway
London
WC2B 6TE

Tel: 020 7453 6258

Email: debbie.mclean@caa.co.uk

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
Information Rights and Enquiries Officer

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.

Freedom of Information Act: Section 21

(1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

(2) For the purposes of subsection (1)-

(a) information may be reasonably accessible to the applicant even though it is accessible only on payment, and

(b) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.

(3) For the purposes of subsection (1), information which is held by a public authority and does not fall within subsection (2)(b) is not to be regarded as reasonably accessible to the applicant merely because the information is available from the public authority itself on request, unless the information is made available in accordance with the authority's publication scheme and any payment required is specified in, or determined in accordance with, the scheme.

Freedom of Information Act: Section 41

(1) Information is exempt information if-

(a) it was obtained by the public authority from any other person (including another public authority), and

(b) the disclosure of the information to the public (otherwise than under this Act) by the public authority holding it would constitute a breach of confidence actionable by that or any other person.

(2) The duty to confirm or deny does not arise if, or to the extent that, the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) constitute an actionable breach of confidence.