

5 February 2014  
FOIA reference: F0001803

Dear XXXX

I am writing in respect of your recent request dated 28 January 2014 for the release of information held by the Civil Aviation Authority (CAA).

Your request:

*“copies of Farnborough Airport (EGLF) operated by TAG current Aerodrome Licence and survey report Annex A - survey declaration providing obstical listing relating to departure runway 06”.*

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.

A copy of the current aerodrome licence is published on the CAA website at [http://www.caa.co.uk/docs/375/srg\\_asd\\_ordinarylicencesandmapsFtoJ.pdf](http://www.caa.co.uk/docs/375/srg_asd_ordinarylicencesandmapsFtoJ.pdf).

The grant of an aerodrome licence is governed by Article 211 of the Air Navigation Order 2009 (ANO), which requires the CAA to grant a licence in respect of any aerodrome in the United Kingdom if it is satisfied that the requirements detailed in Article 211(1) are met.

In particular:

**211 (1)** *The CAA must grant a licence for any aerodrome in the United Kingdom if it is satisfied that:.....*

*(d) the aerodrome manual submitted under paragraph (7) is adequate.*

Paragraph 7 as referred to above states:

**211 (7)** *An aerodrome manual required under this article must contain all such information and instructions as may be necessary to enable the aerodrome operating staff to perform their duties as such including, in particular, information and instructions relating to the matters specified in Schedule 12.*

**Civil Aviation Authority**

Aviation House GW Gatwick Airport South Crawley West Sussex England RH6 0YR [www.caa.co.uk](http://www.caa.co.uk)  
Telephone 01293 768512 rick.chatfield@caa.co.uk

Schedule 12, which details the information and instructions which must be included in an aerodrome manual, stipulates in paragraph 11:

*Description, height and location of obstacles which infringe standard obstacle limitation surfaces, and whether they are lit.*

Aerodrome survey data is therefore submitted to the CAA as part of the licensing process in order to satisfy the requirements of Article 211 of the ANO.

Under Section 23 of the Civil Aviation Act 1982, information supplied to the CAA pursuant to an Air Navigation Order, and which relates to a particular individual or organisation, is prohibited from disclosure. Section 44(1)(a) of the FOIA provides that information is exempt if its disclosure is prohibited by, or under any enactment, and Section 23 of the Civil Aviation Act is such a statutory prohibition. Therefore, the survey data you have requested is exempt from release under FOIA Section 44(1)(a). A copy of this exemption can be found below.

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](mailto: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](http://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 44**

(1) Information is exempt information if its disclosure (otherwise than under this Act) by the public authority holding it-

- (a) is prohibited by or under any enactment,
- (b) is incompatible with any Community obligation, or
- (c) would constitute or be punishable as a contempt of court.

(2) The duty to confirm or deny does not arise if the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) fall within any of paragraphs (a) to (c) of subsection (1).