

22 September 2015 Reference: F0002450

Dear XXXX

I am writing in respect of your recent request of 24 August 2015 for the release of information held by the Civil Aviation Authority (CAA).

#### Your request:

I am writing to make a request under the Freedom of Information Act for copies of all correspondence between the CAA and Shoreham Air Show written since January 1 2007 and today's date that made reference to flying zones at the Shoreham Air Show, including the proximity of spectators outside the air field and nearby roads.

Our response:

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

Each display needs an individual approval from the CAA pursuant to Article 162 of the Air Navigation Order 2009 (ANO). This is based on an extensive set of requirements designed to minimise risk to spectators, and includes requirements such as where the crowd should be located in relation to the display line and the experience of the flying display director. At all displays there is a minimum separation distance between the crowd line and the display line. This separation depends upon the speed of the aircraft and the type of display being flown (flypast or aerobatic). Normally, display aircraft are not allowed to overfly the crowd or any of the associated car parks.

Relevant correspondence held by the CAA consists of application forms and supporting documentation. Reference to the flying zones forms part of the application for each event, and indicates the positions of the crowd line on the airfield and the display line. An application may also contain reference to no fly zones within the vicinity of the display site. Beyond any such reference, there has been no specific correspondence between the CAA and the organisers of the Shoreham air show about the proximity of spectators outside the airfield or nearby roads.

We have provided copies of the permissions issued to the organisers of the Shoreham air show since 1 January 2007. We have redacted some personal data in accordance with section 40(2) of the FOIA as to release the information would be unfair to the individuals concerned and would therefore contravene the first data protection principle that personal

#### **Civil Aviation Authority**

Aviation House Gatwick Airport South Gatwick RH6 0YR. <u>www.caa.co.uk</u> Telephone: 01293 768512. foi.requests@caa.co.uk data shall be processed fairly and lawfully. A copy of this exemption can be found enclosed.

We are unable to provide copies of application forms or any related correspondence as such information is exempt from disclosure under section 44(1)(a) of the FOIA.

Section 44 (1)(a) provides that information is exempt information if its disclosure is prohibited by, or under, any enactment. Under Section 23 of the Civil Aviation Act 1982, information which relates to a particular person (which includes a company or organisation) and has been supplied to the CAA pursuant to an ANO is prohibited from disclosure (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:-

Caroline Chalk Head of External Information Services Civil Aviation Authority Aviation House Gatwick Airport South Gatwick RH6 0YR

caroline.chalk@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 FOIA to appeal against the decision by contacting the Information Commissioner at:-

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

If you wish to request further information from the CAA, please use the form on the CAA website at http://www.caa.co.uk/application.aspx?catid=286&pagetype=65&appid=24.

Yours sincerely

Mark Stevens External Response 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.

#### 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).

#### Freedom of Information Act: Section 40

(1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.

- (2) Any information to which a request for information relates is also exempt information if (a) it constitutes personal data which do not fall within subsection (1), and
  - (b) either the first or the second condition below is satisfied.
- (3) The first condition is-
  - (a) in a case where the information falls within any of paragraphs (a) to (d) of the definition of "data" in section 1(1) of the Data Protection Act 1998, that the disclosure of the information to a member of the public otherwise than under this Act would contravene-
    - (i) any of the data protection principles, or

(ii) section 10 of that Act (right to prevent processing likely to cause damage or distress), and

(b) in any other case, that the disclosure of the information to a member of the public otherwise than under this Act would contravene any of the data protection principles if the exemptions in section 33A(1) of the Data Protection Act 1998 (which relate to manual data held by public authorities) were disregarded.

(4) The second condition is that by virtue of any provision of Part IV of the Data Protection Act 1998 the information is exempt from section 7(1)(c) of that Act (data subject's right of access to personal data).

- (5) The duty to confirm or deny-
  - (a) does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1), and
  - (b) does not arise in relation to other information if or to the extent that either-
    - (i) the giving to a member of the public of the confirmation or denial that would have to be given to comply with section 1(1)(a) would (apart from this Act) contravene any of the data protection principles or section 10 of the Data Protection Act 1998 or would do so if the exemptions in section 33A(1) of that Act were disregarded, or
    - (ii) by virtue of any provision of Part IV of the Data Protection Act 1998 the information is exempt from section 7(1)(a) of that Act (data subject's right to be informed whether personal data being processed).

(6) In determining for the purposes of this section whether anything done before 24<sup>th</sup> October 2007 would contravene any of the data protection principles, the exemptions in Part III of Schedule 8 to the Data Protection Act 1998 shall be disregarded.

(7) In this section-

"the data protection principles" means the principles set out in Part I of Schedule 1 to the Data Protection Act 1998, as read subject to Part II of that Schedule and section 27(1) of that Act; "data subject" has the same meaning as in section 1(1) of that Act;

"personal data" has the same meaning as in section 1(1) of that Act.



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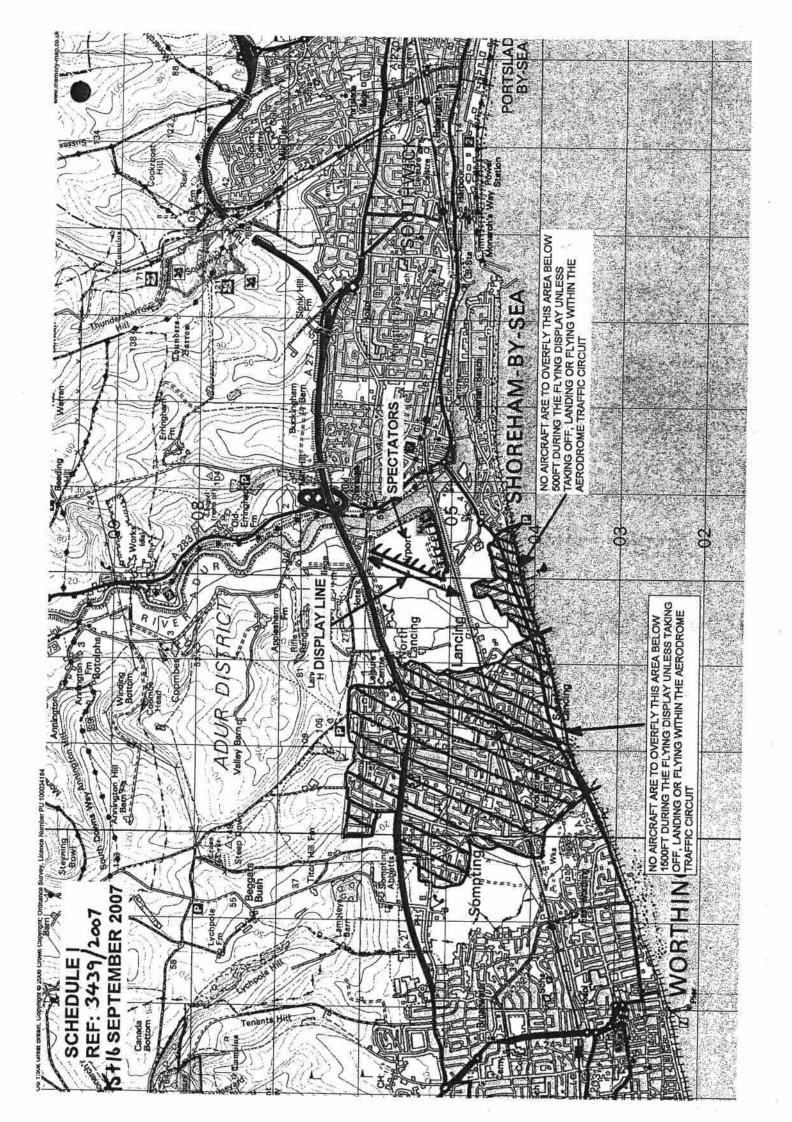
- Civil Aviation Authority
- 1. The Civil Aviation Authority, pursuant to Article 80 of the Air Navigation Order 2005, as amended, hereby permits Peter Eager to act as the Flying Display Director of a Flying Display.
- 2. This Permission is granted subject to the following conditions:
  - (a) the Flying Display carried out pursuant to this Permission shall take place only over the display line or area delineated on the attached Schedule I centred upon Shoreham Airport.
    - Grid Reference: TQ 200 055
  - (b) the Flying Display may only consist of a maximum of 24 aircraft display items;
  - (c) no aircraft shall take part in a Flying Display pursuant to this Permission:
    - (i) unless meteorological conditions are such as to allow flight under Visual Flight Rules;
    - (ii) at a height above ground level less than that specified in the commander's Display Authorisation;
    - (iii) above any point on the surface closer to any area occupied by spectators or their vehicles than that specified in the attached Schedule II as appropriate to the maximum display speed of the aircraft;
    - (iv) over any building which the commander has reason to believe is occupied by persons;
    - (v) unless that in the event of a failure of a power unit the aircraft can be landed without danger to persons or property on the surface.
  - (d) no military aircraft shall take part in a flying Display pursuant to this Permission without the prior approval of the Ministry of Defence.
  - The breach in relation to any aircraft of any condition of the Permission shall render this Permission invalid for that aircraft but for no other during the continuance of the breach.
  - This Permission shall have effect between 1100 and 1730 hrs BST on 15 & 16 September 2007 unless previously revoked.



Date: 5 September 2007 Reference: PAndE3439/2007 Flight Operations Inspectorate General Aviation 01293 573510

Distribution: AUS; Police Air Support Unit; Peter Eager [File] Attachment(s): Schedule I & II

G. DUNCAN





		Type of Display			
Aircraft Display Speed	Flypast	Aerobatics	V/STOL aircraft only (Flypast or Hovering)		
Less than 100 kts IAS	50 metres	100 metres	150 metres		
100 – 200 kts IAS	100 metres	150 metres	150 metres		
200 – 300 kts IAS	150 metres	200 metres	150 metres		
Greater than 300 kts IAS	200 metres	230 metres	200 metres		

Helicopters with Com	posite Rotor Blades Only
Aircraft Display Speed	Minimum Distance From Crowd
Less than 100 kts IAS	150 metres
Greater than 100 kts IAS	200 metres

#### PERMISSION

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- 2. This Permission is granted subject to the following conditions:
  - (a) the Flying Display carried out pursuant to this Permission shall take place only over the display line or area delineated on the attached Schedule I centred upon Shoreham Airport.

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- (c) no aircraft shall take part in a Flying Display pursuant to this Permission:
  - (i) unless meteorological conditions are such as to allow flight under Visual Flight Rules;
  - (ii) at a height above ground level less than that specified in the commander's Display Authorisation;
  - above any point on the surface closer to any area occupied by spectators or their vehicles than that specified in the attached Schedule II as appropriate to the maximum display speed of the aircraft;
  - (iv) over any building which the commander has reason to believe is occupied by persons;
  - (v) unless that in the event of a failure of a power unit the aircraft can be landed without danger to persons or property on the surface.
- (d) no military aircraft shall take part in a flying Display pursuant to this Permission without the prior approval of the Ministry of Defence.
- The breach in relation to any aircraft of any condition of the Permission shall render this Permission invalid for that aircraft but for no other during the continuance of the breach.
- This Permission shall have effect between 1100 and 1730 hrs BST on 30 & 31 August 2008 unless previously revoked and a state of the second state o

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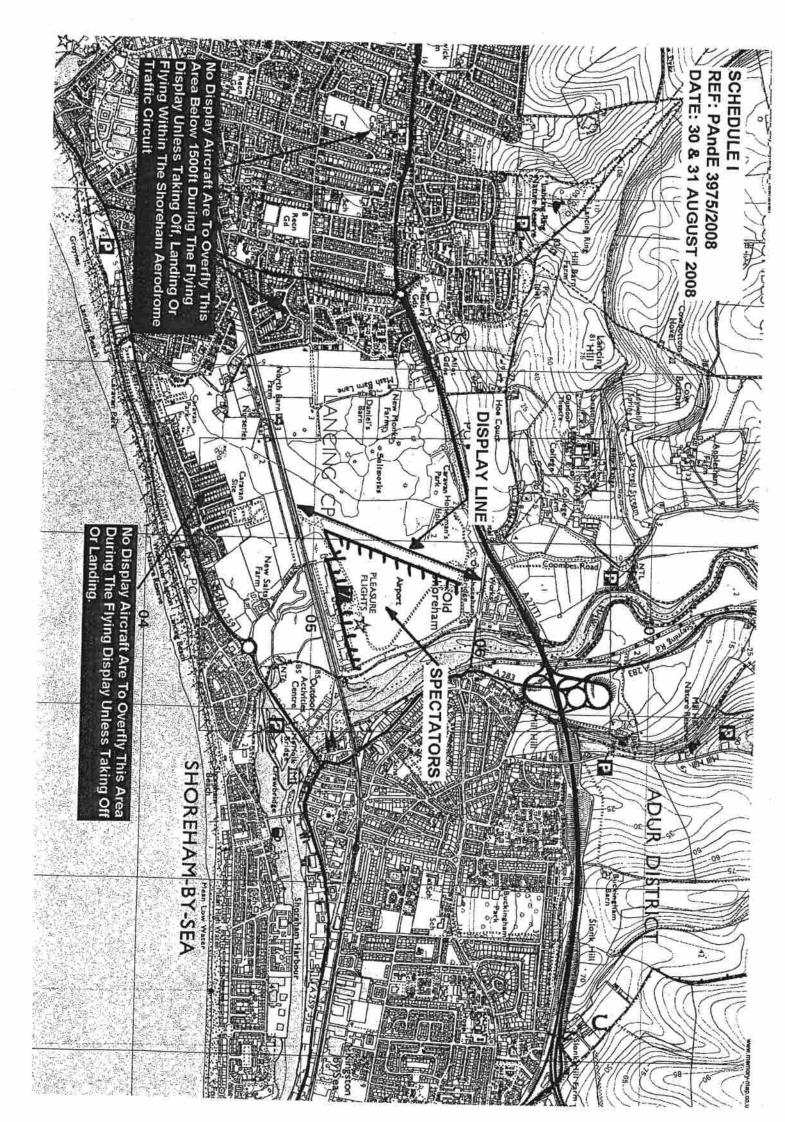
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K. D. THOMAS

Distribution: AUS; Police Air Support Unit; Peter Eager [File]

Attachment(s): Schedule | & II

Date: 21 August 2008 Reference: PAndE3975/2008 Flight Operations Inspectorate General Aviation 01293 573510





# MINIMUM DISTANCE BETWEEN DISPLAY AXIS AND CROWD LINE

Airoraft Dia L. O.	Type of Display		
Aircraft Display Speed	Flypast	Aerobatics	V/STOL aircraft only (Flypast or Hovering)
Less than 100 kts IAS	50 metres	100 metres	150 metres
100 – 200 kts IAS	100 metres	150 metres	150 metres
200 – 300 kts IAS	150 metres	200 metres	150 metres
Greater than 300 kts IAS	200 metres	230 metres	200 metres

 Helicopters with Composite Rotor Blades Only.

 Aircraft Display Speed
 Minimum Distance From Crowd

 Less than 100 kts IAS
 150 metres

 Greater than 100 kts IAS
 200 metres

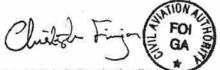


#### PERMISSION

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- 2. This Permission is granted subject to the following conditions:
  - (a) the Flying Display carried out pursuant to this Permission shall take place only over the display line or area delineated on the attached Schedule I centred upon Shoreham Airport.

Grid Reference: TQ 202 054

- (b) the Flying Display may only consist of a maximum of 24 aircraft display items;
- (c) no aircraft shall take part in a Flying Display pursuant to this Permission:
  - (i) unless meteorological conditions are such as to allow flight under Visual Flight Rules;
  - (ii) at a height above ground level less than that specified in the commander's Display Authorisation;
  - (iii) above any point on the surface closer to any area occupied by spectators or their vehicles than that specified in the attached Schedule II as appropriate to the maximum display speed of the aircraft;
  - (iv) over any building which the commander has reason to believe is occupied by persons;
  - (v) unless that in the event of a failure of a power unit the aircraft can be landed without danger to persons or property on the surface.
- (d) no military aircraft shall take part in a flying Display pursuant to this Permission without the prior approval of the Ministry of Defence.
- 3. The breach in relation to any aircraft of any condition of the Permission shall render this Permission invalid for that aircraft but for no other during the continuance of the breach.
- 4. This Permission shall have effect between 1100 and 1730 hrs BST on 22 & 23 August 2009 unless previously revoked.

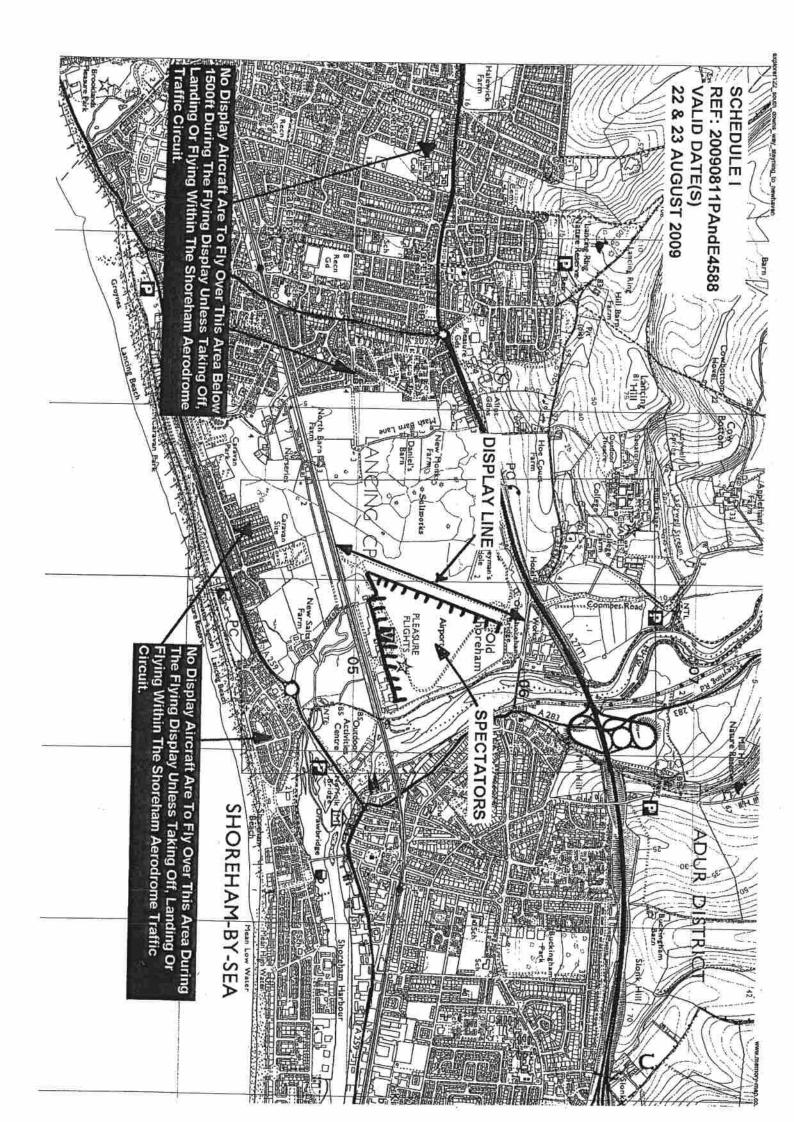


for Civil Aviation Authority

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Date: 17 July 2009 Reference: 20090717PAndE4588 Flight Operations Inspectorate General Aviation 01293 573510

Distribution: AUS; Police Air Support Unit; Peter Eager [File] Attachment(s): Schedule I & II





	All Airc	raft		
	Type of Display			
Aircraft Display Speed	Flypast	Aerobatics	V/STOL aircraft only (Flypast or Hovering)	
Less than 100 kts IAS	50 metres	100 metres	150 metres	
100 – 200 kts IAS	100 metres	150 metres	150 metres	
200 – 300 kts IAS	150 metres	200 metres	150 metres	
Greater than 300 kts IAS	200 metres	230 metres	200 metres	

#### PERMISSION

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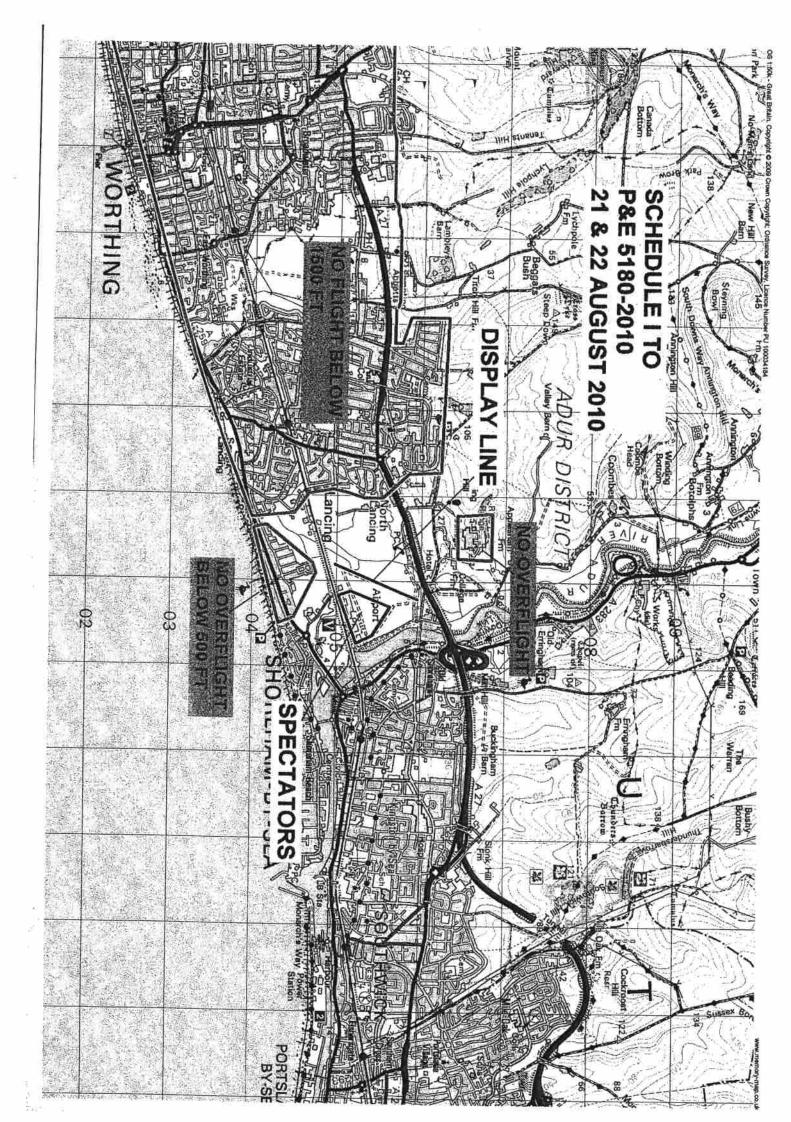
- **Civil Aviation** Authority
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- This Permission is granted subject to the following conditions:
  - the Flying Display carried out pursuant to this Permission shall take place only over the display line (a) or area delineated on the attached Schedule I centred upon Shoreham.
    - Grid Reference: TQ 202 054
  - (b) the Flying Display may only consist of a maximum of 24 aircraft display items;
  - no aircraft shall take part in a Flying Display pursuant to this Permission: (c)
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Distribution: AUS; Police Air Support Unit; Peter Eager

Attachment(s): Schedule I & II





All Aircraft				
		Type of Display		
Aircraft Display Speed	Flypast	Aerobatics	V/STOL aircraft only (Flypast or Hovering)	
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#### **PERMISSION – Flying Displays**

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- The Civil Aviation Authority, pursuant to Article 162 of the Air Navigation Order 2009, as amended, hereby permits Peter Eager to act as the Flying Display Director of a Flying Display.
- This Permission is granted subject to the following conditions:
  - (a) the Flying Display carried out pursuant to this Permission shall take place only over the display line or area delineated on the attached Schedule I centred upon Shoreham Airport.

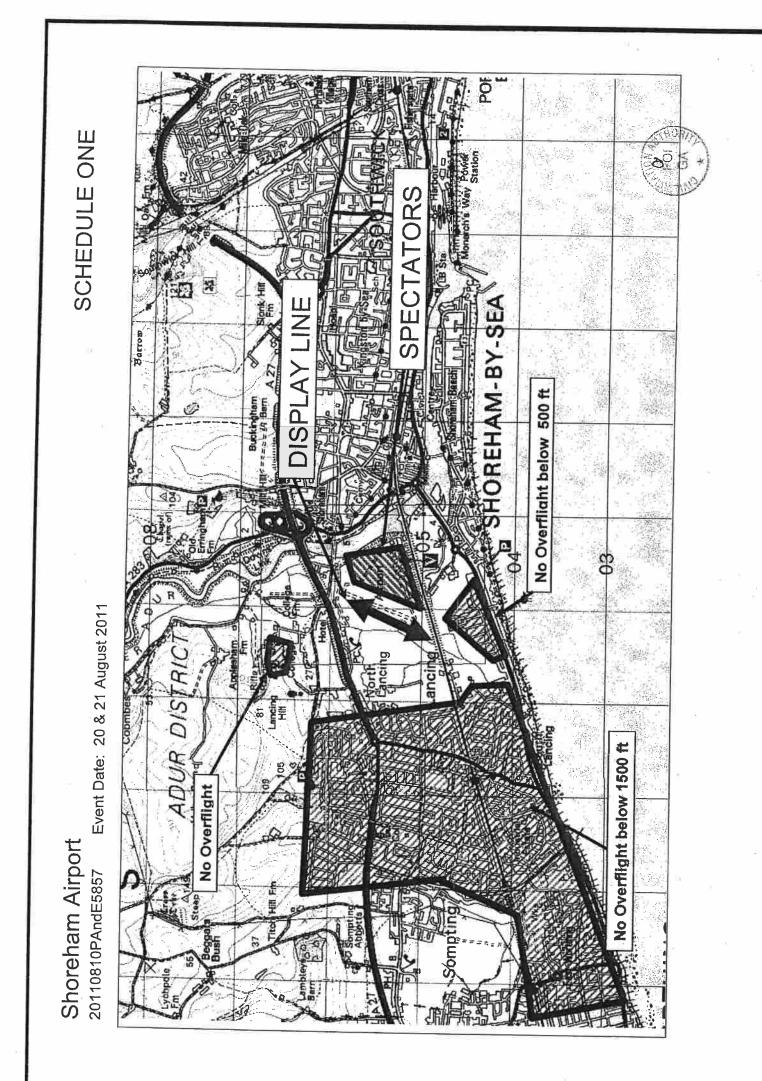
Grid Reference: TQ 202 054

- (b) the Flying Display may only consist of a maximum of 24 aircraft display items;
- (c) no aircraft shall take part in a Flying Display pursuant to this Permission:
  - (i) unless meteorological conditions are such as to allow flight under Visual Flight Rules;

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Distribution: AUS; Police Air Support Unit; Peter Eager [File]

Attachment(s): Schedule I & II





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All Aircraft			
	Type of Display		
Aircraft Display Speed	Flypast	Aerobatics	V/STOL aircraft only (Flypast or Hovering)
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#### **PERMISSION** – Flying Displays

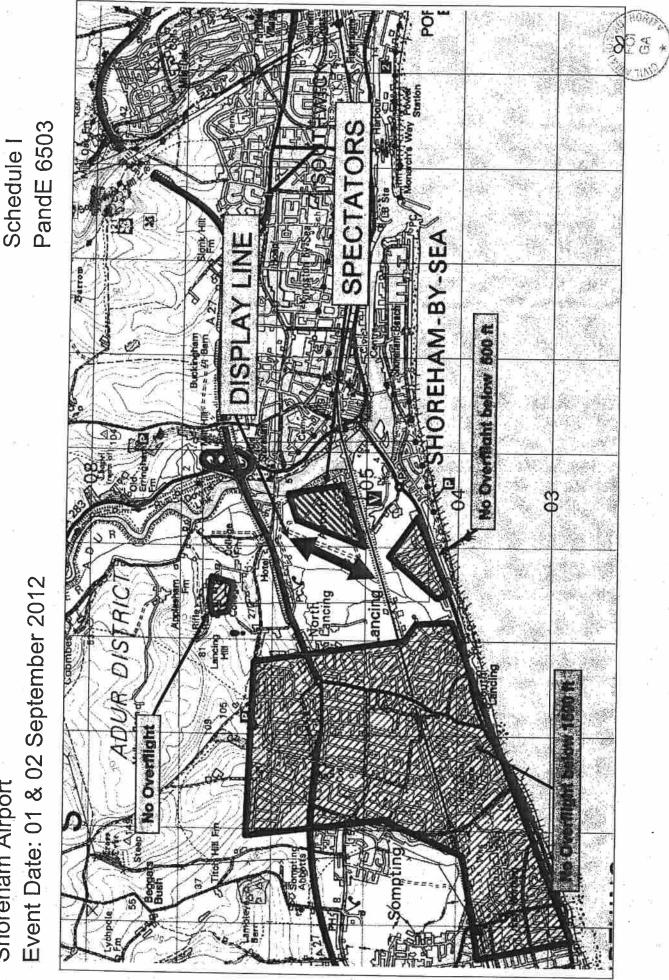
2.

- 1. The Civil Aviation Authority, pursuant to Article 162 of the Air Navigation Order 2009, as amended, hereby permits Peter Eager and Deputy FDD Rod Dean to act as the Flying Display Director of a Flying Display.
  - This Permission is granted subject to the following conditions:
    - (a) the Flying Display carried out pursuant to this Permission shall take place only over the display line or area delineated on the attached Schedule I centred upon Shoreham Airport.
      - Grid Reference: TQ 202 054
    - (b) the Flying Display may only consist of a maximum of 24 aircraft display items;
    - (c) no aircraft shall take part in a Flying Display pursuant to this Permission:
      - (i) unless meteorological conditions are such as to allow flight under Visual Flight Rules;

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Distribu	tion: AUS: Police Air Support Unit: Peter Fager and Deputy FDD Rod Dean	

[File]

Attachment(s): Schedule I and II



Shoreham Airport



	Type of Display		
Aircraft Display Speed	Flypast	Aerobatics	V/STOL aircraft only (Flypast or Hovering)
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#### **PERMISSION – Flying Displays**

- The Civil Aviation Authority, pursuant to Article 162 of the Air Navigation Order 2009, as amended, hereby permits Rod Dean to act as the Flying Display Director of a Flying Display.
- This Permission is granted subject to the following conditions.
  - (a) the Flying Display carried out pursuant to this Permission shall take place only over the display line or area delineated on the attached Schedule I centred upon Shoreham Airport.

Grid Reference: TQ 202 054

- (b) the Flying Display may only consist of a maximum of 30 aircraft display items.
- (c) no aircraft shall take part in a Flying Display pursuant to this Permission.
  - (i) unless meteorological conditions are such as to allow flight under Visual Flight Rules,
  - at a height above ground level less than that specified in the commander's Display Authorisation.
  - above any point on the surface closer to any area occupied by spectators or their vehicles than that specified in the attached Schedule II as appropriate to the maximum display speed of the aircraft;
  - (iv) over any building which the commander has reason to believe is occupied by persons,
  - unless that in the event of a failure of a power unit the aircraft can be landed without danger to persons or property on the surface.
- (d) no military aircraft shall take part in a Flying Display pursuant to this Permission without the prior approval of the Ministry of Defence.
- The breach in relation to any aircraft of any condition of the Permission shall render this Permission invalid for that aircraft but for no other during the continuance of the breach.
- This Permission shall-have effect between 1030 1800 hours BST on 31 August and 01 September 2013 unless previously revoked

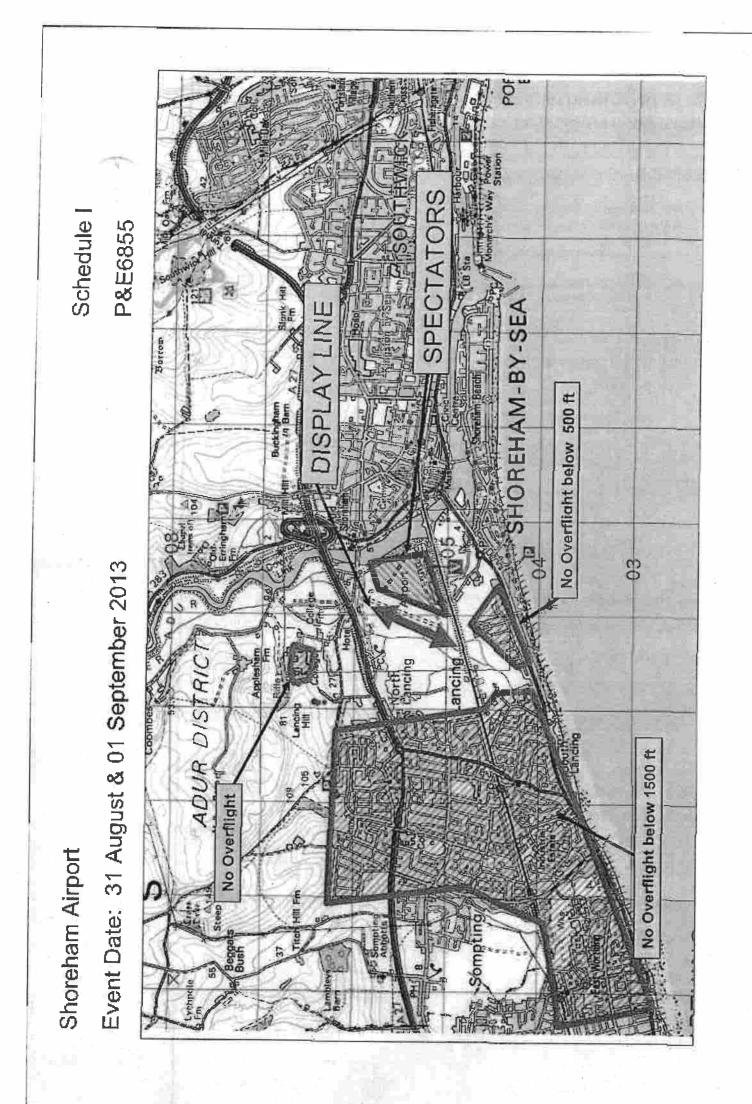
for Civil Aviation Authority

3

4

Date: 04 July 2013 Reference: 20130704PAndE6855 Flight Operations Inspectorate General Aviation 01293 573510

Distribution: AUS, Police Air Support Unit: Deputy FDD Rod Dean [File] Attachment(s): Schedule I and II





All Aircraft			
	Type of Display		
Aircraft Display Speed	Flypast	Aerobatics	V/STOL aircraft only (Flypast or Hovering)
Less than 100 kts IAS	50 metres	100 metres	150 metres
100 – 200 kts IAS	100 metres	150 metres	150 metres
200 – 300 kts IAS	150 metres	200 metres	150 metres
Greater than 300 kts IAS	200 metres	230 metres	200 metres



#### **PERMISSION – Flying Displays**

3

for Civil Aviation Authority

- 1. The Civil Aviation Authority, pursuant to Article 162 of the Air Navigation Order 2009, as amended, hereby permits Rod Dean to act as the Flying Display Director of a Flying Display.
- 2. This Permission is granted subject to the following conditions:
  - (a) the Flying Display carried out pursuant to this Permission shall take place only over the display line or area delineated on the attached Schedule I centred upon **Shoreham Airport**.

Grid Reference: TQ 202 054

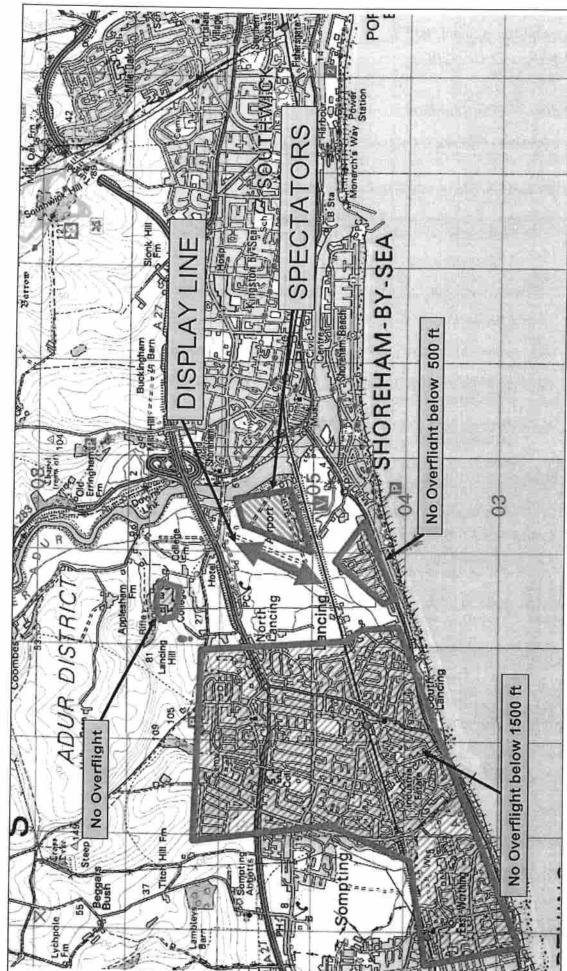
- (b) the Flying Display may only consist of a maximum of 24 aircraft display items;
- (c) no aircraft shall take part in a Flying Display pursuant to this Permission:
  - (i) unless meteorological conditions are such as to allow flight under Visual Flight Rules;
  - (ii) at a height above ground level less than that specified in the commander's Display Authorisation,
  - (iii) above any point on the surface closer to any area occupied by spectators or their vehicles than that specified in the attached Schedule II as appropriate to the maximum display speed of the aircraft;
  - (iv) over any building which the commander has reason to believe is occupied by persons;
  - (v) unless that in the event of a failure of a power unit the aircraft can be landed without danger to persons or property on the surface;
- (d) no military aircraft shall take part in a Flying Display pursuant to this Permission without the prior approval of the Ministry of Defence.
- The breach in relation to any aircraft of any condition of the Permission shall render this Permission invalid for that aircraft but for no other during the continuance of the breach.
  - This Permission shall have effect between 1100 1730 hours BST on 30 & 31 August 2014 unless previously revoked.

Date: 28 February 2014 Reference: 20140228PandE7309 Flight Operations Inspectorate General Aviation 01293 573510

Distribution: AUS; Police Air Support Unit; Deputy FDD Rod Dean [File] Attachment(s): Schedule I and II

Shoreham Airport Event Date: 30 & 31 September 2014

Schedule I P& E 7309





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## SCHEDULE II

	Type of Display		
Aircraft Display Speed	Flypast	Aerobatics	V/STOL aircraft only (Flypast or Hovering)
Less than 100 kts IAS	50 metres	100 metres	150 metres
100 – 200 kts IAS	100 metres	150 metres	150 metres
200 – 300 kts IAS	150 metres	200 metres	150 metres
Greater than 300 kts IAS	200 metres	230 metres	200 metres



#### **PERMISSION – Flying Displays**

- 1. The Civil Aviation Authority, pursuant to Article 162 of the Air Navigation Order 2009, as amended, hereby permits **Rod Dean** to act as the Flying Display Director of a Flying Display.
- 2. This Permission is granted subject to the following conditions:
  - (a) the Flying Display carried out pursuant to this Permission shall take place only over the display line or area delineated on the attached Schedule I centred upon **Shoreham Airport**.

Grid Reference: TQ 202 540

- (b) the Flying Display may only consist of a maximum of <u>30</u> aircraft display items;
- (c) no aircraft shall take part in a Flying Display pursuant to this Permission:
  - (i) unless meteorological conditions are such as to allow flight under Visual Flight Rules;
  - (ii) at a height above ground level less than that specified in the commander's Display Authorisation;
  - above any point on the surface closer to any area occupied by spectators or their vehicles than that specified in the attached Schedule II as appropriate to the maximum display speed of the aircraft;
  - (iv) over any building which the commander has reason to believe is occupied by persons;
  - (v) unless that in the event of a failure of a power unit the aircraft can be landed without danger to persons or property on the surface;
- (d) no military aircraft shall take part in a Flying Display pursuant to this Permission without the prior approval of the Ministry of Defence.
- 3. The breach in relation to any aircraft of any condition of the Permission shall render this Permission invalid for that aircraft but for no other during the continuance of the breach.
- 4. This Permission shall have effect between 1030-1800 hours BST on 22 & 23 August 2015 unless previously revoked.

for Civil Aviation Authority

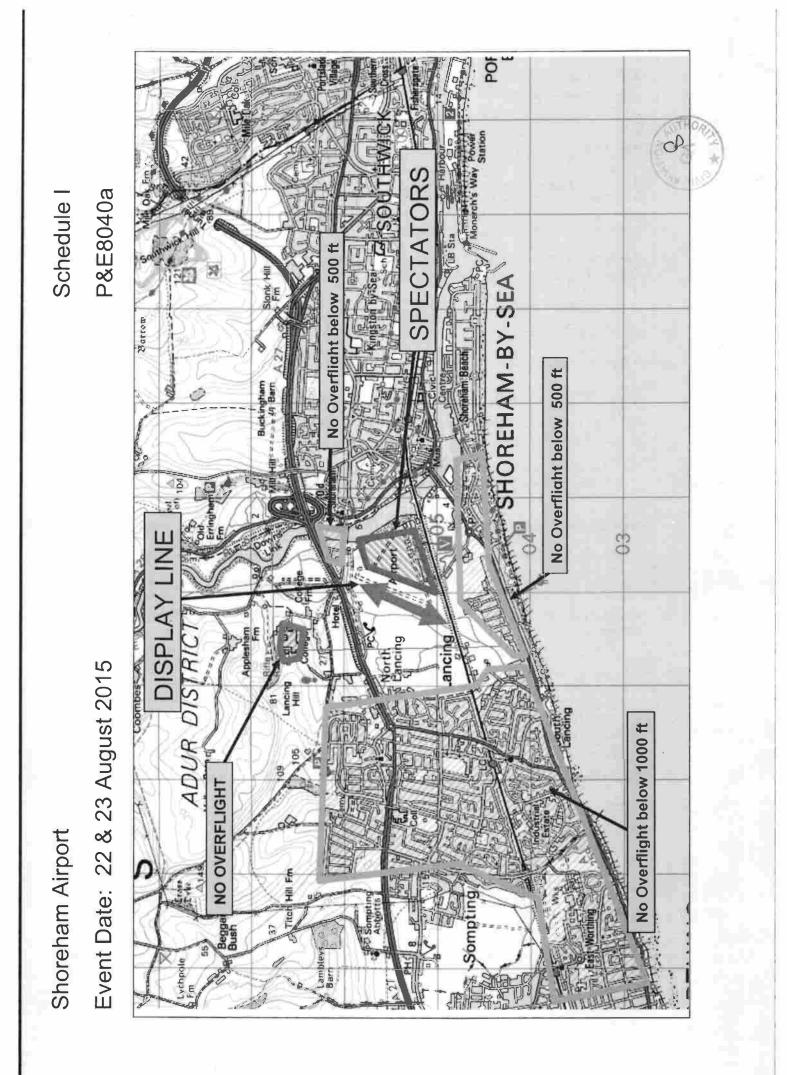
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 Date:
 <u>11 August 2015</u>

 Reference:
 20150811PAndE8040a

 General Aviation
 01293 573510

Distribution: AU; Police Air Support Unit; Rod Dean [File] Attachment(s): Schedule I & II





All Aircraft			
Aircraft Display Speed	Type of Display		
	Flypast	Aerobatics	V/STOL aircraft only (Flypast or Hovering)
Less than 100 kts IAS	50 metres	100 metres	150 metres
100 – 200 kts IAS	100 metres	150 metres	150 metres
200 – 300 kts IAS	150 metres	200 metres	150 metres
Greater than 300 kts IAS	200 metres	230 metres	200 metres