

[REDACTED]

13 March 2018
EIR Reference: E0003598

Dear [REDACTED]

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

Your request:

'Under the Environmental Information Regulations, please can you provide internal correspondence and correspondence, between the Department for Transport and the CAA relating to Survey of Noise Attitudes (SoNA) and Night time sensitivity.'

Our response:

Having considered your request in line with the provisions of the Environmental Information Regulations 2004, please find attached correspondence between the CAA and the Department for Transport relating to the Survey of Noise Attitudes (SoNA) and night time sensitivity.

Personal data

All personal data has been redacted as, in the CAA's view, disclosure of such personal information would be unfair. The individuals concerned would not have had an expectation that their personal data would be disclosed and the CAA can identify no legitimate interest that would be served by disclosing this personal information. Disclosure would therefore be a breach of the first data protection principle and Regulation 13(1) provides an exception from the duty to disclose this information. A copy of this exception can be found below.

Material in the course of completion

Please note that the SoNA Sleep report attached to some of the emails have been removed as these are draft versions which we consider should not be released into the public domain at this stage. The report is still in the course of completion and will be published by the CAA once it has been finalised.

Regulation 12(4)(d) provides that a public authority may refuse to disclose information where a request relates to material which is still in the course of completion. Although the information falls within the scope of this exception, the information must still be disclosed if the public interest in disclosing the information outweighs the public interest in maintaining the exception.

Civil Aviation Authority

Aviation House Gatwick Airport South Gatwick RH6 0YR www.caa.co.uk
Telephone 01293 768512 foi.requests@caa.co.uk

There is a general public interest in the disclosure of environmental information because, as the ICO guidance states, *“it supports the right of everyone to live in an adequate environment and ultimately contributes to a better environment”*. The disclosure of environmental information promotes the transparency and accountability of public bodies and their decision making, and can allow the public to be informed and involved in such decisions.

However, with aviation noise being a high-profile topic, it is important that the CAA has a safe space and the time to consider all information and data that will likely impact the wider formulation and development of government policy relating to noise and the environment. This need for a safe space allows CAA officials to consider all the relevant matters fully and carefully away from public interference, the need to manage any public scrutiny would compromise the CAA’s ability to consider options and would be likely to disrupt the process of bringing the report to a proper conclusion.

Having considered the factors on both sides the CAA considers that, in all the circumstances of the case, the public interest in maintaining the exception outweighs the public interest in disclosure and the information is therefore withheld under Regulation 12(4)(d).

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 requests under the Environmental Information Regulations. The key steps in this process are set in the attachment.

Should you remain dissatisfied with the outcome you have a right 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

<https://ico.org.uk/concerns/>

If you wish to request further information from the CAA, please use the form on the CAA website at <http://publicapps.caa.co.uk/modalapplication.aspx?appid=24>.

Yours sincerely



Rihanne Stephen
Information Rights 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.

Regulation 12 of the Environmental Information Regulations 2004

- (1) Subject to paragraphs (2), (3) and (9), a public authority may refuse to disclose environmental information requested if—
- (a) an exception to disclosure applies under paragraphs (4) or (5); and
 - (b) in all the circumstances of the case, the public interest in maintaining the exception outweighs the public interest in disclosing the information.
- (2) A public authority shall apply a presumption in favour of disclosure.
- (3) To the extent that the information requested includes personal data of which the applicant is not the data subject, the personal data shall not be disclosed otherwise than in accordance with regulation 13.
- (4) For the purposes of paragraph (1)(a), a public authority may refuse to disclose information to the extent that—
- (a) it does not hold that information when an applicant's request is received;
 - (b) the request for information is manifestly unreasonable;
 - (c) the request for information is formulated in too general a manner and the public authority has complied with regulation 9;
 - (d) the request relates to material which is still in the course of completion, to unfinished documents or to incomplete data; or
 - (e) the request involves the disclosure of internal communications
- 5) For the purposes of paragraph (1)(a), a public authority may refuse to disclose information to the extent that its disclosure would adversely affect—
- (a) international relations, defence, national security or public safety;
 - (b) the course of justice, the ability of a person to receive a fair trial or the ability of a public authority to conduct an inquiry of a criminal or disciplinary nature;
 - (c) intellectual property rights;
 - (d) the confidentiality of the proceedings of that or any other public authority where such confidentiality is provided by law;
 - (e) the confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate economic interest;
 - (f) the interests of the person who provided the information where that person—
 - (i) was not under, and could not have been put under, any legal obligation to supply it to that or any other public authority;
 - (ii) did not supply it in circumstances such that that or any other public authority is entitled apart from these Regulations to disclose it; and
 - (iii) has not consented to its disclosure; or
 - (g) the protection of the environment to which the information relates.

Environmental Information Regulations – Regulations 13

(1) To the extent that the information requested includes personal data of which the applicant is not the data subject and as respects which either the first or second condition below is satisfied, a public authority shall not disclose the personal data.

(2) 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 these Regulations 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 in all the circumstances of the case, the public interest in not disclosing the information outweighs the public interest in disclosing it; and

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

(3) 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) of that Act and, in all the circumstances of the case, the public interest in not disclosing the information outweighs the public interest in disclosing it.

(4) In determining whether anything done before 24th 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.

(5) For the purposes of this regulation a public authority may respond to a request by neither confirming nor denying whether such information exists and is held by the public authority, whether or not it holds such information, to the extent that—

(a) the giving to a member of the public of the confirmation or denial would 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

(b) 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.

From: [REDACTED]
To: [REDACTED]; [REDACTED]
Cc: [REDACTED]; [REDACTED] <[\[REDACTED\]@dft.gsi.gov.uk](mailto:[REDACTED]@dft.gsi.gov.uk)>
Subject: SoNA Sleep Report
Date: 27 March 2017 19:28:09
Attachments: [REDACTED]

Dear [REDACTED] and [REDACTED],

Please find attached the final draft of the SoNA Sleep report. Apologies for the delay, I've tried to send this several times earlier today but it wouldn't deliver due to the size. I've had to delete the last three contour pictures at the very end in appendix C in order to reduce the file size.

We look forward to your feedback, as you will see most of your previous questions have been answered in the comments.

Kind regards,

[REDACTED]

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: SoNA Sleep
Date: 27 March 2017 11:20:14
Attachments: [image001.png](#)

Great. Thanks for the quick response,

[REDACTED]

[REDACTED] - UK Noise, Aviation Directorate, Department for Transport
1/25 | [REDACTED] |

From: [REDACTED] [mailto:[REDACTED]@caa.co.uk]
Sent: 27 March 2017 10:52
To: [REDACTED] <[REDACTED]@dft.gsi.gov.uk>
Cc: [REDACTED] <[REDACTED]@caa.co.uk>
Subject: RE: SoNA Sleep

Hi [REDACTED],

A further, hopefully final draft will go out to them this morning.

I'm hoping to get comments back by end of the week and hopefully be published in a week or two.

Best regards,

[REDACTED]

Sent with BlackBerry Work (www.blackberry.com)

From: [REDACTED] <[REDACTED]@dft.gsi.gov.uk>
Date: Monday, 27 Mar 2017, 10:47 am
To: [REDACTED] <[REDACTED]@caa.co.uk>
Subject: SoNA Sleep

Hi [REDACTED],

I hope things are going well.

Just a quick query on the status of the SoNA Sleep Report. I understand that the peer reviewers are waiting for the next(final?) version to review after earlier comments. Have you got any indication of timelines for the next stages?

Thanks,

[REDACTED]



[REDACTED] - UK Noise,
Aviation Directorate
1/25, Great Minster House
33 Horseferry Road, London, SW1P 4DR

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To: [REDACTED] <[REDACTED]@dfat.gsi.gov.uk>; [REDACTED] <[REDACTED]@dfat.gsi.gov.uk>
Cc: [REDACTED]
Subject: Latest draft of SoNA Sleep report
Date: 21 July 2017 12:29:00
Attachments: [REDACTED]
[image001.gif](#)
[image002.jpg](#)

Hi [REDACTED], [REDACTED],

As per the actions from Wednesday's meeting, attached is the latest draft of the SoNA Sleep report.

Best regards,

[REDACTED]

[REDACTED]
[REDACTED]
Strategy and Policy Department
Civil Aviation Authority



Tel: [REDACTED]

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From: [REDACTED]
To: [REDACTED] <[REDACTED]@dft.gsi.gov.uk>; [REDACTED] <[REDACTED]@dft.gsi.gov.uk>
Cc: [REDACTED]
Subject: SoNA Sleep latest draft report
Date: 09 February 2018 15:38:00
Attachments: [REDACTED]

Hi [REDACTED], [REDACTED],

This afternoon I've just sent a revised draft of the SoNA sleep report to [REDACTED] and [REDACTED]. Their copy has lots of tracked changes responding to their comments, but attached is a clean copy.

Whilst we're waiting for comments from [REDACTED] and [REDACTED], we'd welcome your thoughts and any questions for clarification. [REDACTED] indicated he would have time in the second half of February to review and respond, I've asked them both for an update. So I think any comments within the next two weeks would fit with that.

Best regards,

[REDACTED]

[REDACTED]
Strategy and Policy Department
Civil Aviation Authority



Tel: [REDACTED]

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From: [REDACTED]
To: [REDACTED]; [REDACTED]
Cc: [REDACTED]
Subject: RE: SoNA Sleep latest draft report
Date: 19 February 2018 15:19:27

Hi [REDACTED],

Thanks for sight of this. I think it's looking good. I only have one substantive comment:

Para 8.12: Should the heading question refer to "summer night" as opposed to "summer day"? If so, it makes sense; If not then 8.12 does not address the question.

I also noticed a couple of grammatical points:

3.13 "respondents" is missing an apostrophe

5.7 Final sentence "lower" should be deleted before "higher"

Thanks,

[REDACTED]

[REDACTED] | [REDACTED] – Noise & Air Quality, Aviation Directorate, Department for
Transport
1/25 | [REDACTED] |

From: [REDACTED] [mailto:[REDACTED]@caa.co.uk]
Sent: 09 February 2018 15:39
To: [REDACTED] <[REDACTED]@dft.gsi.gov.uk>; [REDACTED] <[REDACTED]@dft.gsi.gov.uk>
Cc: [REDACTED] <[REDACTED]@caa.co.uk>
Subject: SoNA Sleep latest draft report

Hi [REDACTED], [REDACTED],

This afternoon I've just sent a revised draft of the SoNA sleep report to [REDACTED] and [REDACTED]. Their copy has lots of tracked changes responding to their comments, but attached is a clean copy.

Whilst we're waiting for comments from [REDACTED] and [REDACTED], we'd welcome your thoughts and any questions for clarification. [REDACTED] indicated he would have time in the second half of February to review and respond, I've asked them both for an update. So I think any comments within the next two weeks would fit with that.

Best regards,

[REDACTED]

[Redacted]
Strategy and Policy Department
Civil Aviation Authority



Tel: [Redacted]

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ER 5-6 SoNA: Sleep Report



Notes Showing all Notes...

- [REDACTED]**, Mar 02 2018
Having received minor comments from DfT and the peer reviewers, we are closing these off and will publish the SoNA Sleep report within the next few weeks.
- [REDACTED]**, Jan 29 2018
The issues surrounding the peer reviewers' comments have been resolved and **[REDACTED]** is due to send the final version to them any day now. We then await their feedback and can progress with publication.
- [REDACTED]**, Jan 12 2018 - [1 revision]
The issues surrounding the peer reviewers' comments are now being resolved and the final edits are being made to the report. Publication is expected by the end of January 2018.
- [REDACTED]**, Nov 29 2017
[REDACTED] and I have met on 23rd November regarding finalising the SoNA report and how to resolve any issues regarding the peer reviewers' comments. It is now anticipated that the report will be finalised as soon as possible and publication will occur early next year.
- [REDACTED]**, Oct 29 2017 - [1 revision]
Communication with the peer reviewers is ongoing, and revisions are being made to SoNA sleep in line with their suggestions. Often these are re-visiting previously agreed directions and methodologies, at their request. It is anticipated that agreement on the final version of the document will be reached shortly and publication will occur.
- [REDACTED]**, Sep 04 2017
Communication with the peer reviewers is ongoing, and revisions are being made to SoNA sleep in line with their suggestions. Often these are re-visiting previously agreed directions and methodologies, at their request. It is anticipated that agreement on the final version of the document will be reached shortly and publication will occur.
- [REDACTED]**, Aug 31 2017 - [2 revisions]
Communication with the peer reviewers is ongoing, and revisions are being made to SoNA sleep in line with their suggestions. Often these are re-visiting previously agreed directions and methodologies, at their request. It is anticipated that agreement on the final version of the document will be reached shortly and publication will occur.
- [REDACTED]**, May 26 2017
The SoNA Sleep report is in the final stages of production, following recent feedback and suggestions from the peer reviewers. It is anticipated that publication of the report will occur very soon, following the suggested revisions.
- [REDACTED]**, Apr 22 2017
Please provide a succinct but informative project update here, consider your audience (DfT) and remember to update us on progress towards the project as a whole including the linked sub-actions.

Dates

Actual Start Date	Apr 01 2017
Check Progress	28 days before Due Date (Mar 03 2018)
Original Due Date	Mar 31 2018
Due Date	Mar 31 2018

Parent Actual Start Date	Apr 01 2017
Parent Due Date	Mar 31 2018

Documents

No Documents found.

Outcomes and Priorities

CAA Status	 AMBER
Desired Outcome	SoNA sleep report published and respond to questions from stakeholders and support to DfT.
Priority	4

Measures

- Measures
- 5-6-B** Publication of the SoNA: Sleep report **by the end of May 2017**.
 - 5-6-C** Post-publication support **ongoing**.

Strategic Details

Strategic Objective (no value)
Strategic Priority (no value)
Strategic Key Theme (no value)
Core/Elective (no value)

Owners



Responsible OUs
[SC] CAA\CSP: CAA Strategy & Policy Department
[SC] CAA\CSP\Environmental Research & Consultancy Department
Inherited Owners:
[SC] CAA\CSP: CAA Strategy & Policy Department
[SC] CAA\CSP\Environmental Research & Consultancy Department

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Inherited Owners:
[REDACTED]
[REDACTED]

Assigned To
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[REDACTED]

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