

10 August 2015
EIR Reference: E0002404

Dear XXXX

I am writing in respect of your recent request, of 12 July 2015, for the release of information held by the Civil Aviation Authority (CAA).

Your request:

Please can you supply me with copies of any communications (electronic or hard copy) that may have flowed between The CAA and The Stobart Group (or related party) in relation to Carlisle Airport since 2010.

You subsequently clarified that:

Specifically I am seeking to discover what, if any correspondence exists between the CAA and Carlisle Airport in relation to the Stobart Group's stated intention of upgrading the airfield infrastructure to accommodate commercial operations. This might include, but would not be limited to, correspondence relating to:

*What would be required to upgrade the PCN on runway 07/25.
Making the existing terminal building capable of handling 100,000 passengers per year.
Whether or not the newly constructed distribution centre might impinge upon the safeguarding areas of runway 07/25.
The suitability or otherwise of navigational aids such as ILS or GPS.*

Our response:

It is the CAA's view that the information you have requested is environmental information (as defined) and accordingly the CAA has considered your request in line with the provisions of the Environmental Information Regulations 2004 (EIR). While we do hold such correspondence, we are unable to provide the majority of it to you as the CAA's view is that an exception to disclosure applies.

Aerodrome licensing

Civil Aviation Authority

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

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 aerodrome is safe for use by aircraft, having regard in particular to the physical characteristics of the aerodrome and of its surroundings.

Under Article 211(4) of the ANO, an aerodrome licence holder must not contravene any condition of the aerodrome licence and it is a condition of Carlisle's licence that 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. Therefore, any information that we hold relating to changes in the physical characteristics of the aerodrome is provided to the CAA pursuant to Article 211 of the ANO.

Under Section 23 of the Civil Aviation Act 1982, information which relates to a particular individual or organisation, and has been supplied to the CAA pursuant to an Air Navigation Order, is prohibited from disclosure.

Regulation 5(6) of the EIRs provides that any law that prohibits disclosure of environmental information shall not apply if the effect would be to prevent disclosure otherwise in accordance with the EIRs. However, Section 23 of the Civil Aviation Act 1982 means that the information in scope of the request is confidential within the meaning of Regulation 12(5)(e) of the EIRs.

Regulation 12(5)(e)

Regulation 12(5)(e) provides that a public authority may refuse to disclose information to the extent that its disclosure would adversely affect the confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate economic interest. In the CAA's view, information provided to the CAA relating to planned or potential developments at Carlisle, pursuant to Article 211 of the ANO, falls within this exception from disclosure.

Having reached the view that the exception is engaged, the CAA has considered whether the public interest in withholding the information is outweighed by the public interest in disclosing it. In doing so, the CAA has kept in mind that Regulation 12(2) requires a presumption in favour of disclosure.

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. Expansion of an airport can have an effect on local communities, such as increased aircraft noise and associated road traffic. The CAA recognises the public interest in enabling and assisting the public to understand how potential changes may affect them.

The public interest in maintaining the exception is in preventing harm to Stobart Group's economic interests by disclosing commercially confidential or industrial information provided to the CAA.

It is also important to note that the information is provided to the CAA as part of our role as a safety regulator. The purpose of the aerodrome licensing process is to satisfy the CAA that the aerodrome is safe for use by aircraft, having regard in particular to the physical characteristics of the aerodrome and of its surroundings. As well as having an adverse affect on the confidentiality of commercial information, disclosure is, in the CAA's view, also likely to make Stobart Group more reluctant to share its commercial information with the

CAA and fully engage with us as a safety regulator due to concerns about the effect of doing so on the confidentiality of their commercial information.

While the CAA recognises the public interest in the public being fully informed about developments in their area, the ability to be informed about and influence developments is made possible by the local authority planning process without jeopardising the flow of information between an aerodrome and the CAA as the safety regulator.

On balance, the CAA has formed the view that, in all the circumstances of the case, the public interest in maintaining the exception outweighs the public interest in disclosure. A copy of this exception can be found below.

Information we are able to disclose

We are able to disclose some correspondence which relates to feasibility studies on developing Area Navigation (RNAV) procedures, and does not relate to Carlisle's aerodrome licence. These studies were subsequently put on hold and have not progressed further. Some personal data has been redacted from these emails 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.

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
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

A handwritten signature in black ink, appearing to read 'M Stevens'. The signature is fluid and cursive, with a large initial 'M' and a trailing flourish.

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.

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]@carlisleairport.co.uk"
Subject: Proposed RNAV procedures
Date: 13 April 2010 14:42:00
Attachments: [RNAV Rwy 25 Draft Chart.pdf](#)
[Offset RNAV Rwy 25 Draft Chart.pdf](#)
[RNAV Rwy 07 Draft Chart.pdf](#)

[REDACTED]

As promised yesterday I have finished the three RNAV procedures to the point where you can at least see what the whole approach looks like for each.

You will probably remember that the main issue on Rwy 25 was the Missed Approach. I have been able to turn the aircraft before overflying Carlisle (just) with the nominal track staying just east of the M6. The problem then is to maintain obstacle clearance whilst turning back towards rising ground. To achieve a satisfactory result I have had to go for a double turn and an increased climb gradient of 3%.

As requested there are two procedures for Rwy 25, one with an offset intermediate segment that gives an initial/intermediate approach which is effectively parallel to the southern edge of the Danger Area, and one standard procedure for use when the Danger Area is not active. The second one is obviously going to need a detailed letter of agreement setting out explicitly how the procedure will be approved/authorised at a local level.

On Rwy 07 the Missed Approach is again an issue and the only real way around it is to initiate a turn as soon as possible after the missed approach to stay clear of the Danger Area.

These procedures are still very much work in progress and if you are unhappy with anything produced so far now is a good time to flag it up. I emphasise the point that these are draft charts and at this stage are not for use in the air. Everything on them (tracks, distances, waypoint coordinates etc.) has still to be independently verified. That said please feel free to get whatever operator input you think valid at this stage.

Please remember also that all the coordinates will eventually have to change once the new thresholds are established because the whole design basically hinges on that point.

Looking forward to your input

Best regards

[REDACTED]

[REDACTED]

Instrument Flight Procedure Designer
Controlled Airspace Section
Directorate of Airspace Policy
Tel: [REDACTED]

INSTRUMENT APPROACH CHART - ICAO

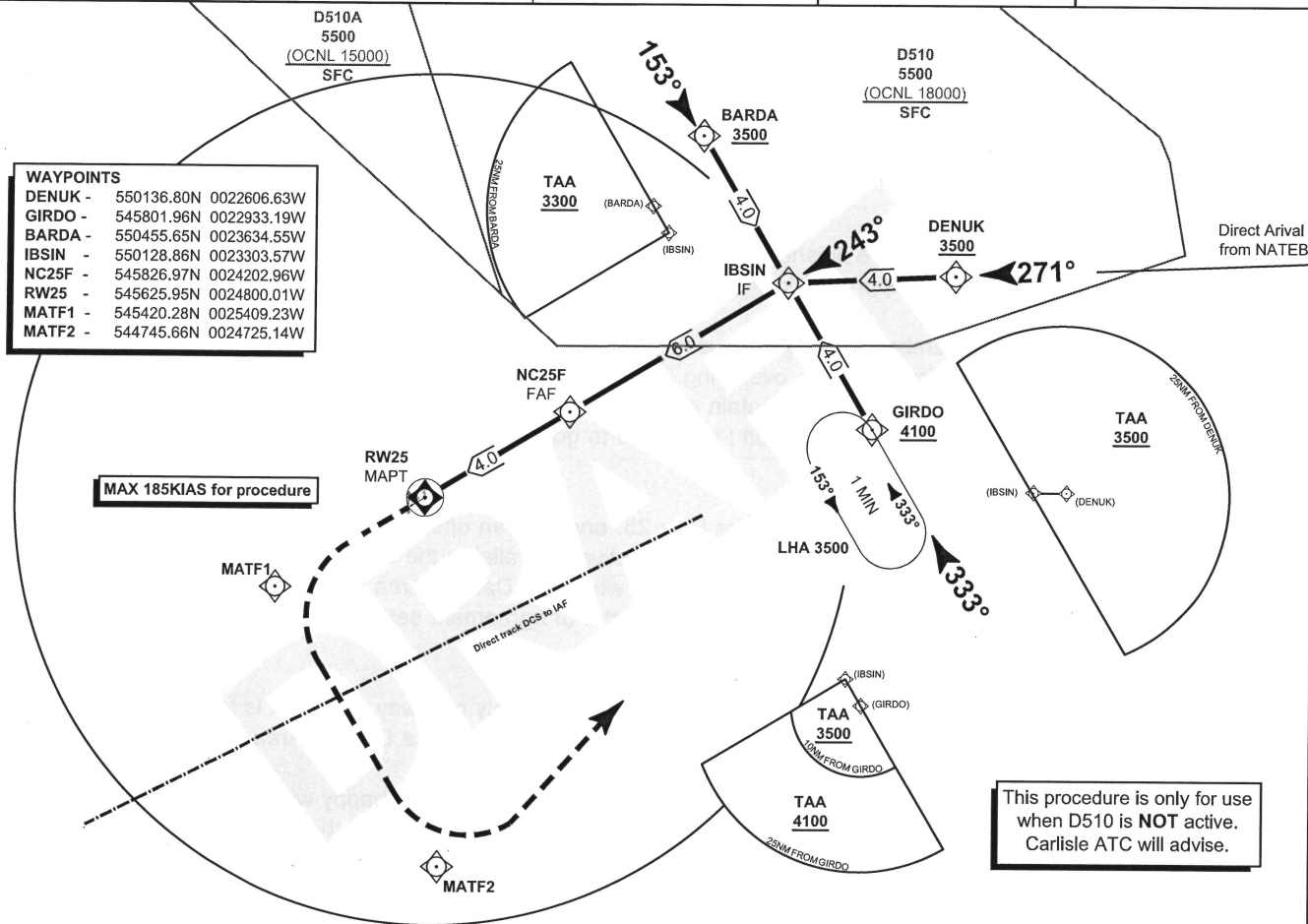
CARLISLE
RNAV(GNSS)
RWY 25
(ACFT CAT A,B,C,D)

<div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 40px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">41</div> <div style="font-size: 8px; margin-top: 5px;">MSA 25NM NDB CL</div>	APP 123.600	CARLISLE APPROACH	AD ELEV 183
	TWR 123.600	CARLISLE TOWER	THR ELEV 183
	RAD 118.425	CARLISLE RADAR	OBSTACLE ELEVATION 1985 AMSL (1802) (ABOVE THR)
			BEARINGS ARE MAGNETIC
TRANSITION ALTITUDE 3000			

WAYPOINTS

DENUK	-	550136.80N	0022606.63W
GIRDO	-	545801.96N	0022933.19W
BARDA	-	550455.65N	0023634.55W
IBSIN	-	550128.86N	0023303.57W
NC25F	-	545826.97N	0024202.96W
RW25	-	545625.95N	0024800.01W
MATF1	-	545420.28N	0025409.23W
MATF2	-	544745.66N	0024725.14W

MAX 185KIAS for procedure

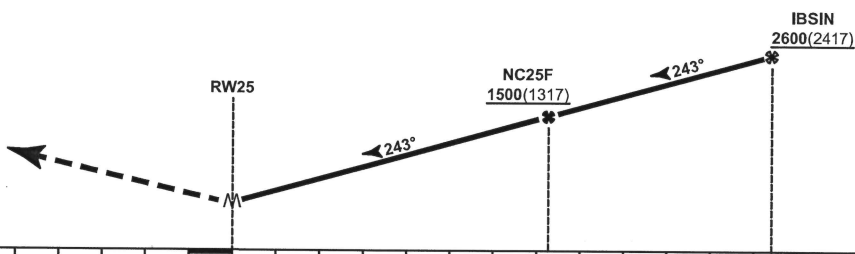


RECOMMENDED PROFILE Gradient 5.2%, 320FT/NM

NM to RW25	3	2	1			
ALT(HGT)	1190(1007)	870(687)	550(367)			

MAPT RW25: (THR RWY 25)

Continuous climb to 3500 initially straight ahead to MATF1 then turn left to MATF2. At MATF2 turn left direct to GIRDO to hold at 3500 (See Note 1).



Aircraft Category		A	B	C	D	Rate of descent	G/S KT	160	140	120	100	80
OCA (OCH)	LNAV	560(377)	560(377)	560(377)	560(377)		FT/MIN	850	740	640	530	420
VM(C)OCA (OCH AAL)	Total Area	610(427)	820(637)	1080(897)	1650(1467)							
	North of RWY 07/25	610(427)	680(497)	850(667)	1030(847)							

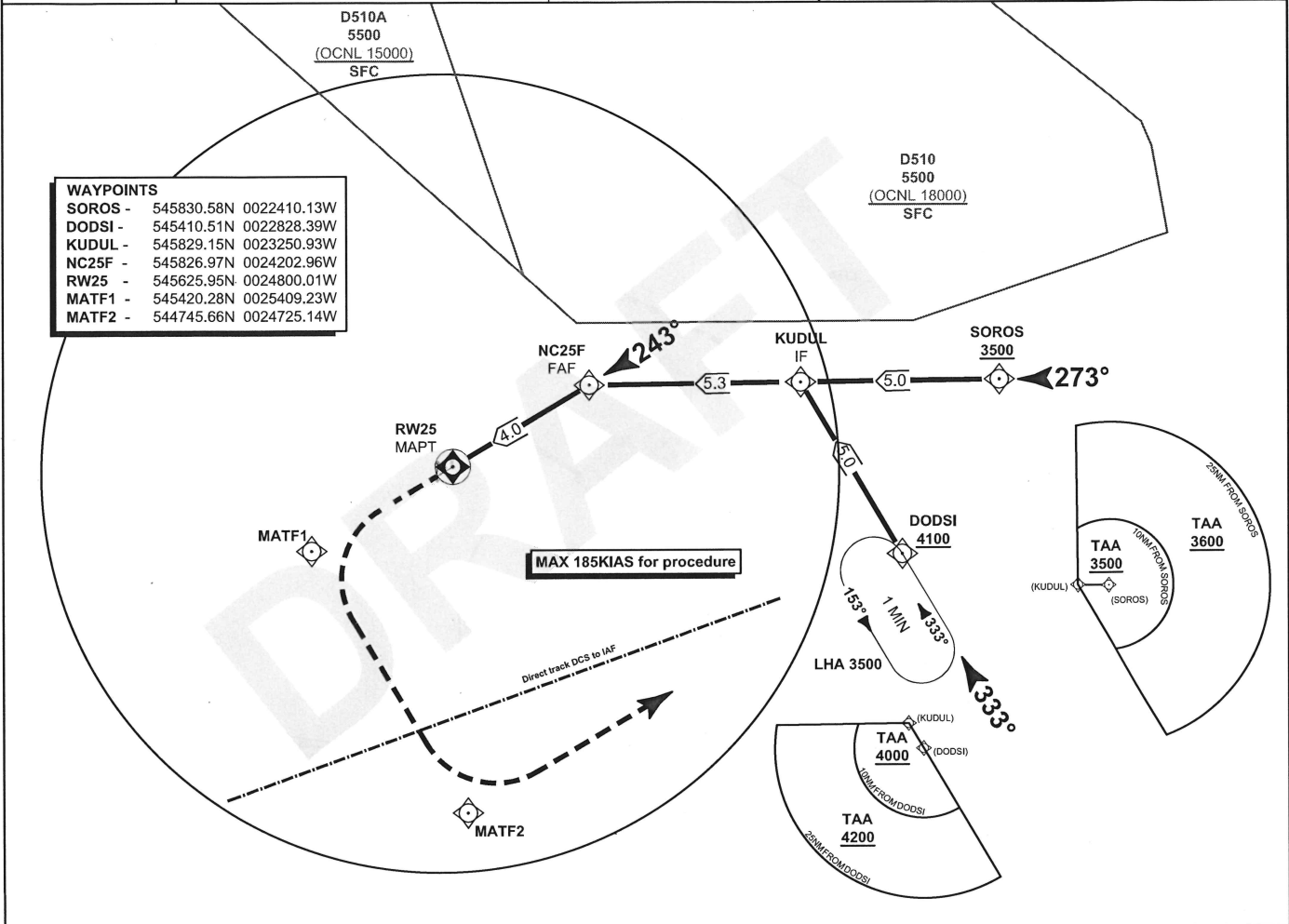
NOTE 1 3% Missed Approach climb gradient required for obstacle clearance.

CHANGE: NEW CHART

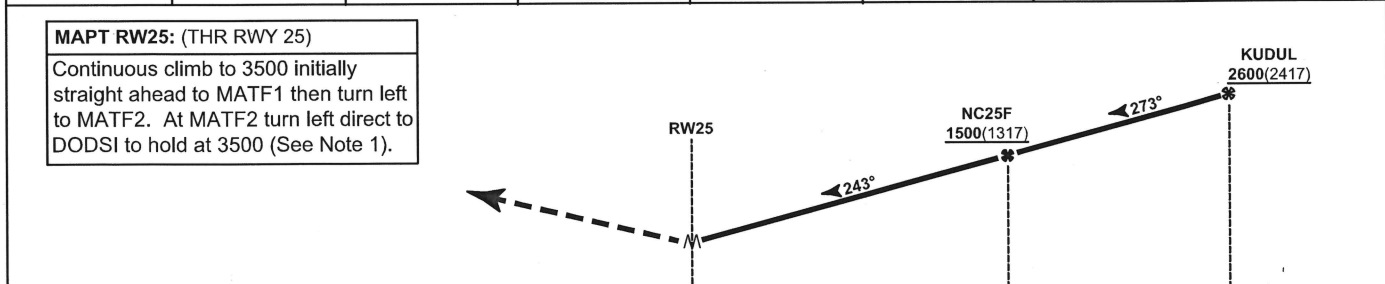
INSTRUMENT APPROACH CHART - ICAO

CARLISLE
RNAV(GNSS)
RWY 25
(ACFT CAT A,B,C,D)

<div>41</div> <div>MSA 25NM NDB CL</div>	APP 123.600	CARLISLE APPROACH	AD ELEV 183	TRANSITION ALTITUDE 3000
	TWR 123.600	CARLISLE TOWER	THR ELEV 183	
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			BEARINGS ARE MAGNETIC	



RECOMMENDED PROFILE Gradient 5.2%, 320FT/NM						
NM to RW25	3	2	1			
ALT(HGT)	1190(1007)	870(687)	550(367)			



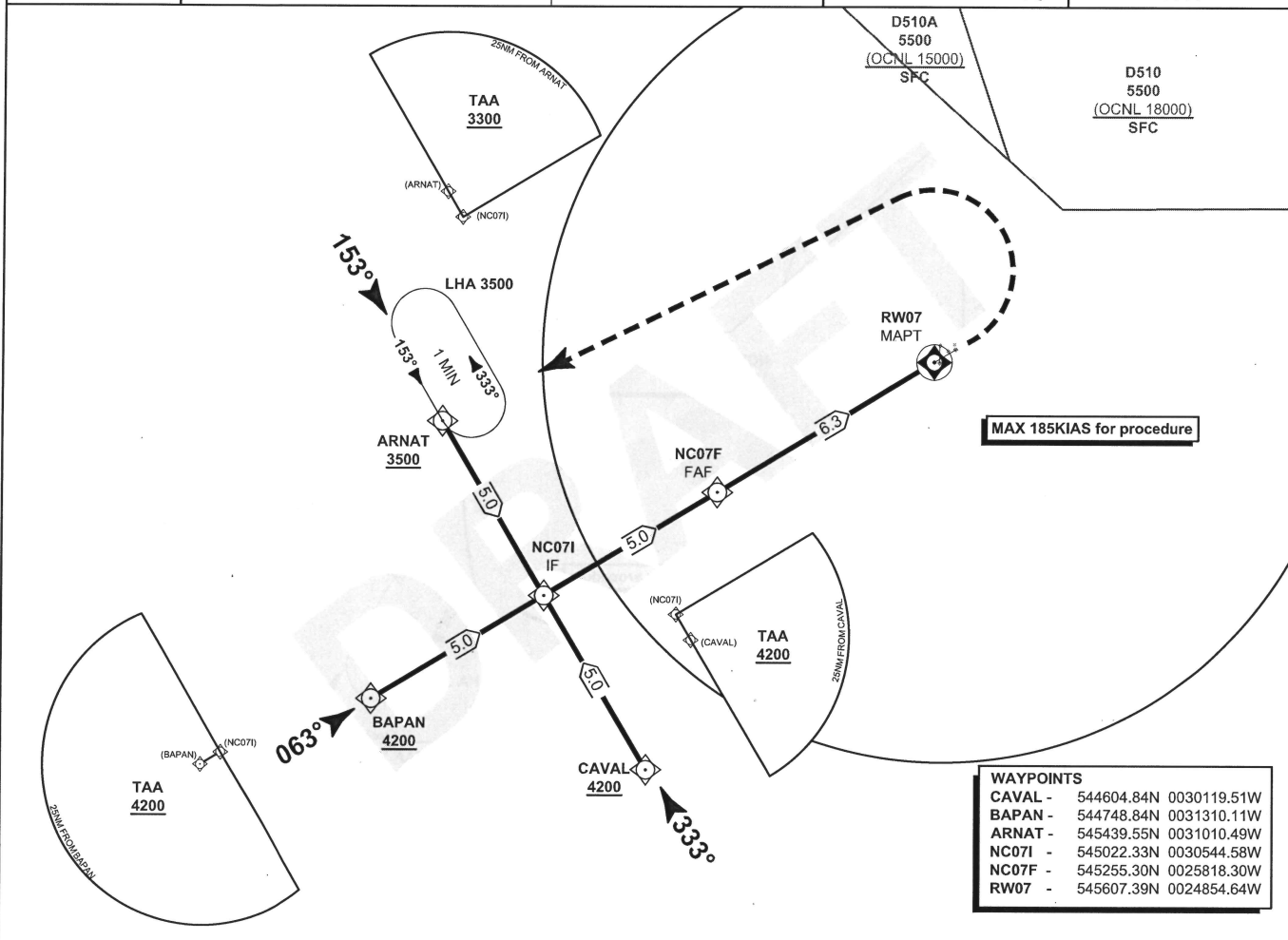
Aircraft Category		A	B	C	D	Rate of descent	G/S KT	160	140	120	100	80
OCA (OCH)	LNAV	560(377)	560(377)	560(377)	560(377)		FT/MIN	850	740	640	530	420
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	North of RWY 07/25	610(427)	680(497)	850(667)	1030(847)							

NOTE 1 3% Missed Approach climb gradient required for obstacle clearance.
2 Due to the proximity of D510, care should be taken to avoid flying north of the inbound track when established on the intermediate approach.

INSTRUMENT APPROACH CHART - ICAO

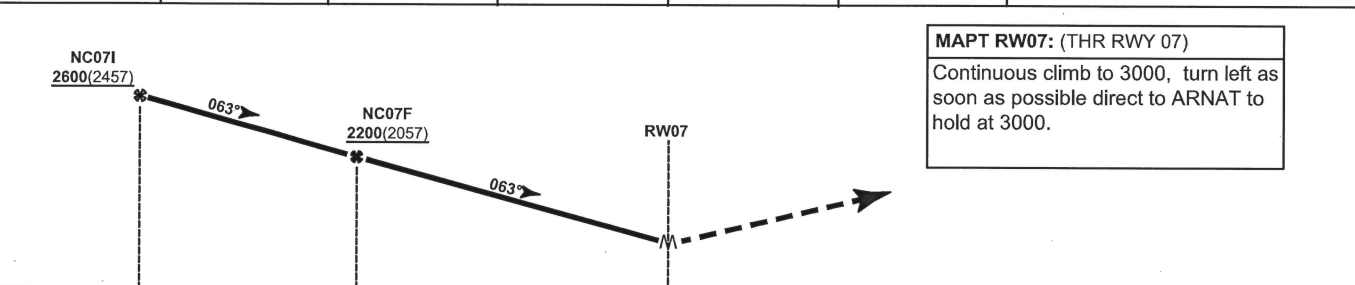
CARLISLE
RNAV(GNSS)
RWY 07
 (ACFT CAT A,B,C,D)

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	RAD 118.425	CARLISLE RADAR	OBSTACLE ELEVATION 1985 AMSL (1802) (ABOVE THR)	
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RECOMMENDED PROFILE Gradient 5.2%, 320FT/NM

NM to RW07	6	5	4	3	2	1
ALT(HGT)	2100(1957)	1790(1647)	1470(1327)	1150(1007)	830(687)	510(367)



Aircraft Category		A	B	C	D	Rate of descent	G/S KT	160	140	120	100	80
OCA (OCH)	LNAV	560(417)	560(417)	560(417)	560(417)		FT/MIN	850	740	640	530	420
VM(C)OCA (OCH AAL)	Total Area	610(427)	820(637)	1080(897)	1650(1467)							
	North of RWY 07/25	610(427)	680(497)	850(667)	1030(847)							

CHANGE: NEW CHART

From: [REDACTED]
To: [REDACTED]
Subject: RE: Proposed RNAV procedures
Date: 13 April 2010 15:07:42

[REDACTED]
Thanks for the quick response. I will get our company pilot to have a look.

From: [REDACTED]@caa.co.uk]
Sent: 13 April 2010 14:44
To: [REDACTED]
Subject: Proposed RNAV procedures

[REDACTED]
As promised yesterday I have finished the three RNAV procedures to the point where you can at least see what the whole approach looks like for each.

You will probably remember that the main issue on Rwy 25 was the Missed Approach. I have been able to turn the aircraft before overflying Carlisle (just) with the nominal track staying just east of the M6. The problem then is to maintain obstacle clearance whilst turning back towards rising ground. To achieve a satisfactory result I have had to go for a double turn and an increased climb gradient of 3%.

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Looking forward to your input

Best regards

[REDACTED]
[REDACTED]
Instrument Flight Procedure Designer
Controlled Airspace Section
Directorate of Airspace Policy
Tel: [REDACTED]
<<RNAV Rwy 25 Draft Chart.pdf>> <<Offset RNAV Rwy 25 Draft Chart.pdf>> <<RNAV Rwy 07 Draft Chart.pdf>>

Before printing consider the environment.

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Thank you.

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_____ Information from ESET NOD32 Antivirus, version of virus signature database 5024 (20100413) _____

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

_____ Information from ESET NOD32 Antivirus, version of virus signature database 5024 (20100413) _____

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_____ Information from ESET NOD32 Antivirus, version of virus signature database 5024 (20100413) _____

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

From: [REDACTED]
To: [REDACTED]
Subject: Carlisle GPS approach
Date: 26 October 2011 16:42:44

[REDACTED]
Our planning permission for the resurfaced runway and distribution centre is still waiting for a decision from the local authority!

We are considering publishing the GPS approach procedures using the existing thresholds and then amending after the resurfacing of the runway and changed threshold locations.

Can you give me an indication of the cost involved in the initial promulgation and subsequent amendment.

We will obviously employ a consultant for the safety case.

Kind regards,

Stobart Air

[REDACTED] | Stobart Air | Carlisle Airport | Carlisle | Cumbria | CA6 4NW | England
Tel: [REDACTED] Fax: [REDACTED] Mob: [REDACTED] Email: [REDACTED]
[REDACTED]@stobartair.com

This is an e-mail from Stobart Group
The contents of this e-mail are confidential.

Stobart Group does not accept responsibility for the accuracy or completeness of the contents of this e-mail as it has been transmitted over a public network. If you receive this e-mail in error please accept our apology. If this is the case we would be obliged if you would contact the sender and then delete this e-mail.

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The contents are not to be regarded as a contractual offer or acceptance.
The sender is not authorised to bind Stobart Group.
The views expressed in this e-mail are those of the sender and not necessarily those of Stobart Group.

From: [REDACTED]
To: [REDACTED]
Subject: RE: Carlisle GPS approach
Date: 01 November 2011 13:12:00

Hi [REDACTED]

Sorry for the slow response but I have been off for a few days. If you can leave this one with me until next week I can have a word with my manager and see if we can continue this under the previous scheme. We may be able to do the initial publication and then you might have to go to one of our approved design organisations for the re-design but let me see what I can do.

Regards

[REDACTED]

From: [REDACTED]@stobartair.com]
Sent: 26 October 2011 16:40
To: [REDACTED]
Subject: Carlisle GPS approach

[REDACTED]

Our planning permission for the resurfaced runway and distribution centre is still waiting for a decision from the local authority!

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[REDACTED] | Stobart Air | Carlisle Airport | Carlisle | Cumbria | CA6 4NW | England
Tel: [REDACTED] **Fax:** [REDACTED] **Mob:** [REDACTED] **Email:**
[REDACTED]@stobartair.com

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From: [REDACTED]
To: [REDACTED]
Subject: Frozen Carlisle GPS approach
Date: 23 December 2011 13:23:33

[REDACTED]
Further to our conversation this week.

Please confirm for how long can our frozen GPS approaches remain valid after April.

Kind regards and Happy Christmas.

Stobart Air

[REDACTED] | Stobart Air | Carlisle Airport | Carlisle | Cumbria | CA6 4HW | England
Tel: [REDACTED] Fax: [REDACTED] Mob: [REDACTED] Email: [REDACTED]@stobartair.com

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