

[REDACTED]  
[REDACTED]

18 April 2018  
Reference: F0003648

Dear [REDACTED]

I am writing in respect of your recent request of 20 March 2018, for the release of information held by the Civil Aviation Authority (CAA).

Your request:

*'I am a licensed drone operator in the UK and finding it more difficult to operate commercially - whilst at the same time seeing many jobs completed with dubious regard to the rules and defined safety distances.*

*My request is for the information on OSC's to be communicated to allow everyone operating the same level of flight safety.*

*This would be:*

- 1. What the CAA accepts as control measures to allow flights over congested areas*
- 2. What the CAA accepts as control measures to reduce take off / landing distances from the standard 30m and what is the minimum distance that can be achieved?*
- 3. What the CAA accepts as control measures to allow flights closer than 150m to crowds of >1000 persons.*
- 4. What are the minimum distances currently issued by the CAA for flights near crowds of >1000 people'*

Our response:

Your request has been considered in line with the provisions of the Freedom of Information Act 2000 (FOIA).

Information contained within an applicant's OSC has been submitted to the CAA as part of the requirements to obtain a permission under Articles 94 and 95 of the Air Navigation Order (ANO) 2016.

Disclosure of an OSC or details contained within an OSC is prohibited from disclosure by Section 23 of the Civil Aviation Act 1982. Under Section 23, any information which relates to a particular person or organisation, and has been furnished to the CAA pursuant to an Air

**Civil Aviation Authority**

Aviation House Gatwick Airport South Gatwick RH6 0YR. [www.caa.co.uk](http://www.caa.co.uk)

Telephone: 01293 768512. [foi.requests@caa.co.uk](mailto:foi.requests@caa.co.uk)

Navigation Order, must not be disclosed by the CAA unless such disclosure is authorised by one of the exceptions contained in Section 23 itself.

Section 44(1) 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. A copy of this exemption can be found below.

We do not set out the precise details that you are requesting in any document because they are all too variable, and depend on the situation and the type of UAS being used. We state in both [CAP 722](#) and on the [CAA's website](#) the process to be followed, which is to provide us with a safety case, that is produced by the operator, to demonstrate to us that the proposed operation is safe enough.

We will accept different 'control measures' in different circumstances and with different UAS types (i.e. in one case a particular solution would be fine, but in another case it would not be) so we cannot publish a set of 'universally acceptable' solutions yet (if at all) – the base limits are currently those stated in ANO Article 95 for surveillance fitted small unmanned aircraft – if an operator wishes to fly within these limits, then they have to do the work (i.e.. a risk assessment) to justify that these limits can be reduced and make a suitable safety argument to us.

We do not fully understand question four of your request. We do not 'issue' minimum distances. If you mean, 'what is the closest distance the CAA would allow for a flight near a crowd of >1000 people?' then again, the answer is that it depends on the situation and the mitigation in the safety case.

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](mailto: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

<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

A handwritten signature in black ink that reads "Rihanne Stephen". The signature is written in a cursive style with a large initial 'R' and 'S'.

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.

**44 Prohibitions on disclosure.**

(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).