



Representation to the Examination in Public of South Gloucestershire Council's Proposed Core Strategy

FOI Evidence

Paul D. Lee, 30 April 2012, v1.3

Introduction

This part of the representation looks at the Freedom of Information (FOI) evidence that has been obtained by the Save Filton Airfield campaign group (SFA).

One section is provided for each FOI request, and the information received is reviewed. For each document that is referenced, a link is provided to a copy of it on our website.

Correspondence Involving SGC and BAE

This bundle of information was obtained during mid-December 2011. It includes correspondence between SGC and BAE (and their agents). The last documents in the bundle are dated 21 October 2011.

SGC_BAE_FOI_01

http://www.savefiltonairfield.org/eipdocs/SGC_BAE_FOI_01.pdf

This document is a letter from SGC's Chief Executive to a Director of BAE, dated 26 October 2009.

This letter demonstrates that "master planning" was being undertaken, and there was discussion about the airfield. At the time it appears the airfield was seen as a vital asset.

SGC_BAE_FOI_02

http://www.savefiltonairfield.org/eipdocs/SGC_BAE_FOI_02.pdf

This document contains correspondence between a Director of BAE and the Chief Executive of SGC.

The first letter was received on 6 August 2010. At this time, it was planned to close the airfield for redevelopment.

SGC_BAE_FOI_03

http://www.savefiltonairfield.org/eipdocs/SGC_BAE_FOI_03.pdf

This document is an interesting Q&A document sent from BAE to SGC on 1 March 2011.

Q&A 1 of this document includes the following:

In the event of closure, BAE Systems would undertake consultation with the local community to discuss and review options for the future use of the site.
--

Has this promised consultation taken place?

Q&A 3 of this document states:

Q. Any closure of the Airfield would lead to wholesale job losses and have a drastic impact on the local area. Why would BAE and Airbus do this?

A. BAE Systems as a landlord has no direct influence on the business decision making of its tenants, in this case Airbus. The future operational viability of the Airfield is therefore entirely influenced by Airbus and the business need for Filton Airfield. This in turn will be influenced by a multitude of factors during the long term plan period (to 2026).

This appears to indicate there has been no real effort to make the airfield viable by looking beyond Airbus. SFA believes this gives credibility to the proposal of a mixed used airfield. SFA believes it raises serious questions about the assertion that everything has been done to make the airfield viable.

It is also worth considering the manner in which other users of the airfield appear to have been driven out – such as Air Livery, Aeros and others. Why would these have been driven out if BAE were doing all they could make the airfield viable?

Q&A 5 of this document states:

Q. Is there another development plan around the corner? Is this the thin end of the wedge?

A. No plans exist for the site other than maintaining its existing use as an airfield. As per 1, above BAE Systems is simply seeking to 'futureproof' the value of the land within its ownership for the duration of the plan period (2026).

This document was sent some seven months after the letter in SGC_BAE_FOI_02, which indicates that it was planned to close the airfield.

SGC_BAE_FOI_04

http://www.savefiltonairfield.org/eipdocs/SGC_BAE_FOI_04.pdf

This document contains a letter, dated 28 March 2011, from a Director of BAE to the Chief Executive of SGC confirming that discussions had concluded with Airbus and it was planned to close the airfield on 31 December 2012.

SGC_BAE_FOI_09

http://www.savefiltonairfield.org/eipdocs/SGC_BAE_FOI_09.pdf

This document is a note of a meeting between SGC, BAE and Terence O'Rourke (TOR) on 5 July 2011. It reveals that technical and master planning for the site had been undertaken three to four years previous to this meeting.

This revelation is interesting with respect to SGC_BAE_FOI_03, Q&A 5.

SGC_BAE_FOI_11

http://www.savefiltonairfield.org/eipdocs/SGC_BAE_FOI_11.pdf

This document shows discussion between SGC, BAE and TOR during July 2011 regarding a letter to the planning inspector. It appears to show that work was progressing on redeveloping Filton Airfield even though the consultation was not complete, and despite the fact that the public were being told that “no decision had been taken”.

In particular, on 8 July 2011, SGC state:

I would also like to confirm that we agree with the principle that FA should be considered as a strategic allocation.

...

We would like to work with TOR on being able to full[y] demonstrate this through the Core Strategy over the next few months as part of responding to the FAPS consultation and considering your evidence base. The final delivery route – SPD or S,P&P DPD is a matter I think we can review through the EiP.

This does not tie in with the public position. Twelve days after the above, on 20 July 2010, a full SGC council meeting took place. The minutes can be found at the following address:

http://www.savefiltonairfield.org/eipdocs/SGC_MINUTES_20_JULY_2011.pdf

It would be wrong to take a decision at this stage which would be premature prior to the close of the consultation process – Councillor Brian Allinson.

We note that Councillor Brian Allinson is the Executive Councillor for Planning, Transport and Strategic Environment.

SGC_BAE_FOI_12

http://www.savefiltonairfield.org/eipdocs/SGC_BAE_FOI_12.pdf

This document shows discussion between SGC, BAE and TOR during July 2011. One letter, 13 July 2011 shows concern for the road network:

Just to reiterate our position I think the prime concern at the minute is impact on the road network, and I'm going to a meeting with pba tomorrow in that regard. I know the Highways Agency are going to have serious concerns about the timescales we discussed (permission 2013).

SGC_BAE_FOI_14

http://www.savefiltonairfield.org/eipdocs/SGC_BAE_FOI_14.pdf

This document contains discussion between SGC, BAE and TOR during July 2011. Of particular interest is a letter from TOR on behalf of BAE to the Planning Inspector, Paul Crysell. The letter is dated 28 July 2011.

Reference is made to unfortunate timing, even though all parties knew of imminent closure by August 2010 at the latest. (SGC_BAE_FOI_02). It is clear what is intended for the site.

However, whilst acknowledging South Gloucestershire's position and the unfortunate timing of the closure announcement, BAE would wish to ensure that the airfield site is fully integrated into the core strategy, rather than relegating the future of the airfield to the subsequent Policies, Sites and Places DPD.

The following comment in the letter raises concerns with respect to Predetermination:

BAE's discussions with SGC confirm the Council's willingness to accept this....

At the time of this letter, consultation was not complete and the public were being told that no decision had been made.

This letter appears to be an example of a private company trying to steer a Core Strategy in order to maximise profit. This is what you might expect of a private company, but this should not prevent alternatives from being considered, and an impartial decision being reached on what is best for the public.

Finally, we note that the author of this letter is TOR director Ann Bartaby, who worked for Northavon District Council (now SGC) as a planning officer for eight years and also as a Director of Operations and Development at Farnborough Airport. During that time, York Aviation were commissioned to write a report to support a proposal to increase business jet operations at Farnborough? York Aviation were also selected to write a report on Filton Airfield. York Aviation also carried out a report for Redhill Airport, commissioned by TOR.

SGC_BAE_FOI_16

http://www.savefiltonairfield.org/eipdocs/SGC_BAE_FOI_16.pdf

This document contains a dialogue that took place between SGC and TOR. From this exchange, it is appears that early warning of opposition to the plans was being set up:

We would also suggest that <x of BAE> or <y of BAE> keeps a very close ongoing dialogue with <A of SGC> in the next few months as she will be close to the members and should be able to provide early advice.

Is this appropriate? Surely the planning process is meant to consider alternatives, not conspire to prevent them.

SGC_BAE_FOI_18

http://www.savefiltonairfield.org/eipdocs/SGC_BAE_FOI_18.pdf

This document appears to provide further evidence of co-operation in favour of the redevelopment plans. It also appears to demonstrate there has been little effort made to make the airfield viable. For example, 12 August 2011:

What I can't see anywhere is whether BAE approached any potential airfield operators at any stage, or whether any have since approached BAE, to inform their decisions.

We believe that this is hardly surprising. Air Livery stated that they had left in 2009 because they could not secure a long enough lease. Why would good customers of the airfield be forced out if potential operators were being sought?

This document also contains notes from a meeting on 2 August 2011. This document appears to provide more evidence of predetermination.

For example:

SGC would lead on the production of the Concept Statement, informed by supporting information provided by development partners.

The following paragraph is also interesting:

It was noted that a number of different covenant, covering a variety of different issues are in place on the airfield and on adjacent land. BAE are in the process of exploring the detail of these covenants.

This appears to contradict statements in the Aviation Options Report.

http://www.savefiltonairfield.org/eipdocs/PTE110218_AOR.pdf

Paragraph 1.2 on Page 5:

There are no legal covenants in place that prevent the airfield from closing.

Paragraph 4.22 on Page 20:

Historically a Ministry of Defence covenant existed preventing the commercial development of the airfield for a period without prior Ministry of Defence consent. This covenant has since been release and there is no legal item that would prevent BAE Systems from closing the airfield.

SFA believe it would be prudent for the EiP to review the legal position of the land, especially with respect to the land that was acquired by means of the Defence Acts 1842-1935 (See the Legality part of our representation).

SGC_BAE_FOI_21

http://www.savefiltonairfield.org/eipdocs/SGC_BAE_FOI_21.pdf

This document appears to contain more evidence of close co-operation, before consultation had finished.

The document appears to show that SGC had a steer on the BAE Aviation Options Report – a report which later the SGC Chief Executive Officer would describe as “unvalidated”.

The document starts with minutes of a meeting on 6 September 2011, and it includes this quote:

The Council were happy with the direction of the report but felt that some matters needed to be set out more clearly.

SGC stated the document could be made available on the Council website as part of the evidence base for the EiP. SGC supported the development of a BAE website to enable information to be made available to the public.

SGC_BAE_FOI_21A

http://www.savefiltonairfield.org/eipdocs/SGC_BAE_FOI_21A.pdf

This document provides evidence of input into the BAE Aviation Options Report. It contains no less than five pages of comments, corrections and ideas. Including this one:

At present it reads as a justification for closure – not as a path that has been followed to reach the conclusion that there is no realistic alternative.

SGC_BAE_FOI_22

http://www.savefiltonairfield.org/eipdocs/SGC_BAE_FOI_22.pdf

Another document which appears to show input into BAE’s aviation options report. For example:

I note that most of the questions last night were about economic future (not heritage etc) – and as set out below I would expect Section 6 to set out BAE view that a bright future is possible without direct air link.

Is it right for an Authority to provide a steer on what a report should contain, when that authority is responsible for validating the report?

These questions are interesting:

Have any requests to use the airfield been turned down – if so when and why? Rumour has it of local entrepreneurs wanting to use it but BAE didn't oblige.

Has Airfield been offered to Airbus or others to operate at a reasonable valuation? If yes – why did they not take up the offer?

SFA would like to see the answer to these questions.

Another interesting paragraph:

These figures seem modest compared with overall BAE portfolio (as mentioned last night) and value to local economy etc. Questions last night implied that this is being viewed as a property asset/liability by BAE rather than as an ongoing investment commitment to the aerospace industry.

Given the level of input into the BAE Aviation Options Report, page 2, paragraph 5 of the following document came as something of a surprise:

http://www.savefiltonairfield.org/eipdocs/PTE110288_AVIATION_REVIEW.pdf

In order to better understand the reasons advanced by BAE Systems Ltd for closing the Airfield, and to explain that decision as part of the engagement process, the Council invited the Company to prepare and publish an Aviation Options Report. This summarises the key information and aviation options considered and which led BAE Systems Ltd to conclude that the Airfield is not thought to be viable or needed.

SGC_BAE_FOI_22B

http://www.savefiltonairfield.org/eipdocs/SGC_BAE_FOI_22B.pdf

This document is a list of issues raised at the Filton Town Council Meeting on 19 September 2011.

SGC_BAE_FOI_25

http://www.savefiltonairfield.org/eipdocs/SGC_BAE_FOI_25.pdf

This document appears to demonstrate co-operation in co-ordinating release of BAE's report. The dialogue includes the following comment:

South Glos will take a neutral position at this stage. It is important we reflect on the report and consider how best to respond, but don't want to hold up its publication as this is key to moving the whole consultation and engagement forward.

Surely a neutral position should have been adopted from the beginning?

SGC_BAE_FOI_26

http://www.savefiltonairfield.org/eipdocs/SGC_BAE_FOI_26.pdf

This document contains details of the consultation on Filton Airfield during October 2011. Given all the evidence that we have presented which appears to show close co-operation, this line appears to be out of place:

No decisions have been taken on this yet.

SGC_BAE_FOI_29

http://www.savefiltonairfield.org/eipdocs/SGC_BAE_FOI_29.pdf

Previously there had been a request to “provide early advice” on opposition to the plans (SGC_BAE_FOI_16). This document appears to demonstrate the fulfilling of that request:

You may have already picked this up. At our full Council on Wednesday (19th) a question and motion will be raised by Cllr Ian Scott (Labour) in relation to Filton Airfield. I’ve attached the information that is in the public domain. <A> and I have been advising <SGC Chief Executive> on framing the necessary responses and please be assured this is all in hand. Can talk a bit more when we meet later today.

Correspondence Involving SGC and York Aviation

SFA requested copies of correspondence between SGC and York Aviation on 13 December 2011. SGC seemed reluctant to release the information, but after a dialogue in excess of twenty emails, this was eventually reduced to correspondence that took place between 1 September 2011 and 30 November 2011. The reduced Information was finally released three months later on 7 March 2012, and even then it was not complete.

SGC_YRK_FOI_01

http://www.savefiltonairfield.org/eipdocs/SGC_YRK_FOI_01.pdf

This document contains a question that was asked to the leader of SGC at the full Council meeting that took place on 19 October 2011, and the answer that was provided.

In his response, the leader of SGC stated:

I agree with the view expressed by the Chief Executive that the Council does not have the internal expertise to evaluate all elements of the BAE Systems Aviation Report – a report that this Administration asked BAE to commission.

If both the Chief Executive and the Council Leader held this view, how is it that SGC provided significant input into the BAE Aviation Report in the first place? (SGC_BAE_FOI_21, SGC_BAE_FOI_21A, SGC_BAE_FOI_22)

SGC_YRK_FOI_03

http://www.savefiltonairfield.org/eipdocs/SGC_YRK_FOI_03.pdf

This document shows SGC accepting the need for an “independent” review of the evidence. For example on 26 October 2011:

...it is very important that we can demonstrate an independent assessment by a qualified body.

SGC_YRK_FOI_04

http://www.savefiltonairfield.org/eipdocs/SGC_YRK_FOI_04.pdf

This document shows SGC looking for external companies to provide an “independent” assessment on Filton Airfield. The list of companies included York Aviation. This document includes a copy of the letter sent to those companies, asking if they could assist.

SFA would like to highlight the following extracts from this letter:

In explanation of its decision BAE has commissioned an Aviation Options Report from TOR and Mott MacDonald...

I would be grateful for confirmation by 7th November that:

...

You would have no conflict of interest in meeting this brief e.g. by current or recent work with any of the principal interests at Filton.

...

We anticipate that the final report would highlight on the basis of your knowledge and expertise, key areas of agreement or disagreement with the TOR/Mott MacDonald Aviation Options Report.....

It is clear that SGC wanted to avoid a conflict of interests with “any of the principal interests at Filton”. It is also clear that as authors of the Aviation Options report, TOR and Mott MacDonald would be principal interests. This would be especially true of TOR, who are the principal agents acting on behalf of BAE, with TOR director Ann Bartaby, appearing to be the lead contact.

It therefore follows that “current or recent work” with TOR would be regarded by SGC as a “conflict of interest”.

SGC_YRK_FOI_07

http://www.savefiltonairfield.org/eipdocs/SGC_YRK_FOI_07.pdf

This document contains an initial reply to the SGC letter from York Aviation on 3 November 2011. In it they write:

We have no conflict of interest in this case....

We have already shown that in their invitation letter (SGC_YRK_FOI_04), SGC made it clear that a conflict of interest would include current or recent work with any of the principal interests at Filton, and this would include TOR.

SFA believes that TOR were existing clients of York Aviation, and therefore by SGC’s own definition, a conflict of interest did exist. York Aviation had been commissioned by TOR to write a report in connection with a planning application at Redhill Airport. The report was written in June 2011, with the application rejected by Reigate and Banstead Borough Council in November 2011, and Tandridge District Council in December 2011. The TOR lead for this work appears to have been Ann Bartaby.

Why was this not disclosed?

It may also be worth noting that Ann Bartaby worked in planning for Northavon District Council (now SGC), and also as Director of Farnborough Airport, during which time, York Aviation were commissioned to write a report in connection with a planning application to extend operating hours.

It therefore appears that York Aviation were being asked to review the work of one of their existing clients.

SGC_YRK_FOI_08

http://www.savefiltonairfield.org/eipdocs/SGC_YRK_FOI_08.pdf

This document contains a further Email from York Aviation to SGC on 3 November 2011. It is clear from this letter that York Aviation were very keen to secure this work. No mention is made of the Redhill Airport work, the Farnborough Airport work, or York Aviation’s links with TOR and Ann Bartaby.

Why was none of this disclosed?

SGC_YRK_FOI_10 and SGC_YRK_FOI_11

http://www.savefiltonairfield.org/eipdocs/SGC_YRK_FOI_10.pdf

http://www.savefiltonairfield.org/eipdocs/SGC_YRK_FOI_11.pdf

These documents show York Aviation becoming the preferred choice.

SGC_YRK_FOI_12

http://www.savefiltonairfield.org/eipdocs/SGC_YRK_FOI_12.pdf

This document contains correspondence which shows SGC appointing York Aviation in an Email on 9 November 2011 at 09:15.

I am pleased to be able to appoint York Aviation on the terms indicated in your email of 3rd November. This is subject to us holding an inception meeting and refining the brief and programme. We would like to arrange that for early next week.

Later, on 9 November 2011 at 17:30:

It would be helpful if we could have an inception meeting on Monday (14th) afternoon or Tuesday (15th) morning. As part of the inception we will need to agree what level of contact you have with any of the key interests.

The “inception meeting” was arranged for Monday 14 November 2011.

SGC_YRK_FOI_14

http://www.savefiltonairfield.org/eipdocs/SGC_YRK_FOI_14.pdf

This document provides the scope of the review to be conducted by York Aviation. Of note is that York Aviation were asked to provide a review of TOR and their work for BAE, while at the same time, TOR appear to have been an existing client of York Aviation:

6. Provide an industry view of BAE, TOR and MOTT to enable judgements to be formed as to the authoritativeness of the views expressed in the Aviation Report.
7. Highlight any areas where it is considered there are legitimate grounds for challenge to the material presented by TOR and Mott MacDonald.....

SGC_YRK_FOI_16

http://www.savefiltonairfield.org/eipdocs/SGC_YRK_FOI_16.pdf

This document contains several items of correspondence, mostly centred around draft copies of York Aviation's report. None of these draft copies of the report were supplied in the information release.

The first draft of the report arrived by Email at 16:11 on 18 November 2011. Since the "inception meeting" had only taken place on 14 November 2011, this draft report would have involved at most four day's work.

In the covering Email, the following is interesting:

I understand that there is some sensitivity in terms of who we make contact with in relation to this and we have not approached anyone as yet. But could you confirm who you think we ought to speak to.....

SFA were not approached in connection with the York Aviation report, but we did contact both SGC and York Aviation to offer input. No reply from either was ever received.

In the same Email, York Aviation wrote:

I have received the BAE accounts from <name removed>, and we have had a quick look at these, although it seems there isn't a breakdown in the accounts of where the income comes from, which makes assessment of airfield viability in terms of aeronautical revenues (as distinct from revenues from the overall site) difficult.

This reinforces SFA's view that the claimed unviability of the airfield has never been demonstrated.

This was picked up by SGC in an Email timed at 17:16 on 22 November 2011:

You pick up in the report on the lack of information on income streams etc. I assume the same applies to marketing information. Is this something you would normally expect to have access to as part of this kind of study? Does it undermine your ability to reach general conclusions on viability?

SFA has been unable to find a reply to these questions.

In an Email timed at 16:54 on 23 November 2011, York Aviation again confirmed there was not enough evidence to conclude the airfield was unviable, writing:

The current or prospective viability of the airfield is difficult to establish with any certainty without further information and analysis. However, in the absence of a clear overriding need for the runway to remain open, which we have not been able to identify, the question of the airfield's viability is a commercial judgement for BAE.

In reply, in an Email timed at 12:15 on 24 November 2011, SGC tried to amend York Aviation's conclusions. For example, SGC suggested modifying the above paragraph to:

The current or prospective viability of the airfield is more difficult to establish without further information and analysis which we accept is in part due to the need of BAe to protect client confidentiality. Whilst we consider that further layers of details could be provided and analysed, we believe that, from our analysis within the tables, this wouldn't fundamentally alter the overall conclusions.

SFA notes that these words, **provided by SGC not York Aviation**, are the words used in the final version of the York Aviation report. We would therefore like to know how this report can possibly be presented to the public as "independent"?

York Aviation replied to these suggestions in an Email timed at 13:56 on 24 November 2011. This Email included the following statement:

I have re-worked the conclusions in the light of your comments although I have sometimes modified the wording or changed the sequence. It may be stating the obvious, but I think it's important to note that we are more than happy to accept suggested wording – but obviously only where we believe it is accurately reflective of our professional opinion based on the analysis we have done.

Is it right that York Aviation re-worked their conclusions based on SGC's comments? Is it right that SGC have presented this report as "independent"? Is it right that the authors of this "independent report" state they are "happy to accept suggested wording"? What undocumented conversations took place affecting the final report?

SGC_YRK_FOI_20

http://www.savefiltonairfield.org/eipdocs/SGC_YRK_FOI_20.pdf

This document contains some general emails concerning the York Aviation report. Of note is following, contained in an Email timed at 08:42 on 25 November 2011:

At the moment BIS are refusing to allow us to publish their view, but I'm working on some words they may find acceptable for us to use. In the same way DFt do not want their view made public!!

Why did Government departments not want to comment publicly on Filton Airfield?

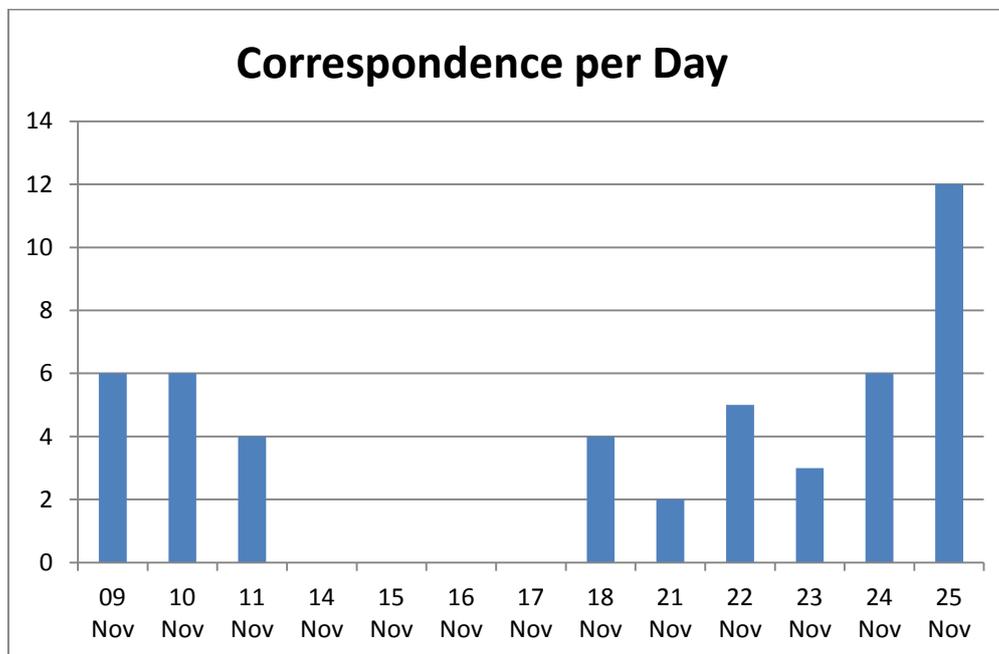
Missing Documents

The SGC FOI response did not include any copies of the various drafts of the York Aviation report. No minutes of the “inception meeting” or any resulting correspondence was supplied. In fact no correspondence between 14 and 17 November 2011 inclusive was released.

SGC claim that no such correspondence exists.

Is it really the case that the important inception meeting was not documented? Is it really the case that meeting actions were not confirmed or members of the Council informed of its conclusions? Is it really the case that no correspondence whatsoever resulted from this meeting? Can it really be that no correspondence took place with York Aviation from the point they were instructed for a period of four days?

The chart below shows the correspondence per working day as released by SGC.



Correspondence involving BCC

Copies of correspondence involving Filton Airfield were requested from Bristol City Council. Information was provided in a timely manner from BCC.

BCC_FOI_01

http://www.savefiltonairfield.org/eipdocs/BCC_FOI_01.pdf

This single document, consisting of 26 pages was all BCC had. This was surprising because BCC area lies immediately to the South of Filton Airfield, and indeed the Brabazon Hangar lies wholly within BCC’s area. Residents of BCC will be most affected by the plans, but it appears BCC have had next to no involvement.

The document starts with a couple of press releases on 14 April 2011.

There is then nothing until 18 July 2011, when BCC received a Position Statement from SGC. The covering Email notified BCC that consultation on this document ended on 29 July 2011. There is no evidence in the FOI bundle of BCC sending a response.

There are then a couple of Emails from the public, but other than that, nothing is included in the bundle until 5 September 2011.

On this date, the leader of SGC, sent a letter to the leader of BCC, Barbara Janke. This letter appears to be a response to an advance copy of the BCC motion which was carried (with an amendment) a day later, at the full BCC meeting on 6 September 2011. Minutes of this meeting can be found at the following address:

http://www.savefiltonairfield.org/eipdocs/BCC_MINUTES_06_SEPT_2011.pdf

There is then a flurry of Emails on 13 and 14 September 2011. This seems to be attempting to arrange some sort of co-operation. The rest of the bundle shows no evidence of this occurring.

Finally, in an Email dated 29 December 2011, there is an executive summary of BCC's involvement – which appears to have amounted to just one meeting at SGC's offices in Yate on 1 November 2011. Prior to this meeting, BCC had a "pre-meeting briefing" on 19 October 2011, where a list of issues was created to take to SGC, including this one:

Airfield a key urban site – any development will have major implications for Bristol communities.

SFA would like to see the lack of involvement from BCC explained, particularly since the planning inspector specifically requested it:

http://www.savefiltonairfield.org/eipdocs/PTE110207_PI_LETTER_15_08_11.pdf

(15 August 2011)

I would also want to be confident that the approach to the use of the Airfield is one with which accords with the City Council's strategic objectives for Bristol.

SFA cannot see how this can be possible if next to no correspondence has taken place.

Correspondence involving DFT

Copies of correspondence involving the DFT were requested. Information was provided in a timely manner from DFT. Of note are the following documents:

DFT_FOI_01

http://www.savefiltonairfield.org/eipdocs/DFT_FOI_01.pdf

This document shows an Email dated 15 June 2011, where DFT provides its response to the Airfield closure. Of particular note is the following paragraph:

Any decisions about the continued use of Filton Airfield for aviation purposes after 2012 will be commercial ones for the operator and landowner, and subject to the normal local planning process.

DFT_FOI_05 and DFT_FOI_06

http://www.savefiltonairfield.org/eipdocs/DFT_FOI_05.pdf

http://www.savefiltonairfield.org/eipdocs/DFT_FOI_06.pdf

These documents contain a lengthy thread of discussion regarding Filton Airfield. The two documents are mostly duplicates of one another, apart from the last part of the discussion. SGC appear to have asked DFT/BIS for a public statement, which was refused. The position taken was that the matter should be decided at "local level". The DFT's position is made clear in an Email dated 21 November 2011. Clearly whilst DFT thought the matter should be decided at local level, it expected local and national planning policies to be followed.

Decisions on the future use of any closed airfield will be a matter for the relevant landowner and the local council, as the local planning authority. In reaching decisions on any related planning applications, local authorities are required to take account of local and national policies.

The DFT then goes on to say that it intends to produce a national aviation policy, with a draft available in March 2012. Since this Email was in November 2011, no information was available on this draft, other than a scoping document.

The government wants to see a successful aviation sector and will develop a sustainable framework for UK aviation, which supports economic growth and address's aviation's local and global environmental impacts.

In an Email dated 29 November 2011, SGC asked for further clarification, including the following paragraph:

There is a perception both within the lobby groups opposed to the closure of Filton Airfield and some of our members, that the Draft Aviation Framework to be published in March 2012 will put a moratorium on the closure of regional airfields, in respect of the role they play to support growth. This would have serious implications for our Core Strategy which is due to have its Examination in Public in March 2012.

Are you able to provide any comfort to South Glos in respect of this issue?

No comfort appears to have been provided, with a terse reply sent on 2 December 2011:

The policy position remains as set out in <xxx> Email of 21 November 2011 and we have nothing further to add.

However, it does appear that there was some concern over Filton. In particular, an Email dated 1 December 2011. The opinion expressed exactly matches one of the key points SFA has been trying to get across. We reproduce the text of that Email in full:

I've just had a quick look at Bristol Filton's web site and it looks as though it serves as both a business aviation airport and as the host of a flying training school/leisure aircraft hire company. As such I suspect that any plans to redevelop the site – and South Gloucester Council's email, which refers to an unspecified "core strategy", suggests that this doesn't involve aviation activity at the site – could stir up more unrest within the GA community. This would be particularly so if the Aviation Framework Strategy includes positive words about the value of GA (and business aviation in particular) to the UK economy. While the underlying position, that the closure of the airfield is a commercial decision for the owners, remains true, we could be storing up trouble in the longer term if we sit quietly by and do and say nothing.

If Filton is lost to business aviation, the only comparable, hard runway airfield serving the city would be Bristol Airport itself, which is to the south of the city. I don't know what the current situation there is in terms of capacity, landing fees etc, but the fear (from a GA perspective) would be that the Government's strategy to encourage growth at Regional airports would result in more low cost carriers being attracted to the one remaining airport serving Bristol. There is a current GA centre at the airport, but whether this would come under pressure over time if Bristol expanded its low cost operations is a genuine GA sector concern. GA could gradually be squeezed out through a combination of fewer landing/parking slots being available and higher landing fees. With no competition (from Filton) to keep fees down, GA activity may, conceivably, be priced out of Bristol. This in turn, in a doomsday scenario, might discourage regional investment in the area from those multinational corporations that are attracted to business centres with rapid (aviation) transport links to Europe and beyond. There are also a couple of flying schools already at Bristol Airport and I am not sure how they would respond to the Filton school relocating there, if it chose to.

I realise that the above is probably painting a rather bleak picture, but it is a model that the GA community say they have already faced (from the leisure end of the market at least) and one they constantly fear.

Given the above I don't think there is much more that we can say at the moment, other than the lines you suggest, particularly as we don't yet have a steer from Ministers about how they would want us to handle the issue of GA.

DFT_FOI_09

http://www.savefiltonairfield.org/eipdocs/DFT_FOI_09.pdf

This document contains examples of the official DFT position regarding Filton Airfield. Once again, the DFT emphasises that planning policies should be followed.

In determining any planning applications the local planning authority will, by necessity, take into account all relevant local and national policies.

Correspondence involving BIS

SFA requested copies of correspondence involving BIS. No information has yet been supplied, and BIS appear particularly reluctant to release any information.

The initial request for information was made by Email on 23 December 2012:

Under the Freedom of Information Act, please can you forward all correspondence and documents concerning Filton Airfield, particularly with regard to it's closure.

The first reply was received from BIS on 25 January 2012. This letter included the following:

We do hold information falling within the terms of your request, however we need more time to consider your request.

I wish to advise you that the exemption in section 43 (commercial interests) of the Freedom of Information Act applies to the information that you have requested:

By virtue of section 10(3), where public authorities have to consider the balance of the public interest in relation to a request, they do not have to comply with the request until such time as is reasonable in the circumstances.

The Department for Business, Innovation and Skills has not yet reached a decision on the balance of the public interest. Due to the need to consider, in all the circumstances of the case, where the balance of the public interest lies in relation to the information that you have requested, the Department is able to respond to your request in full within 20 working days. I hope to let you have a response by Wednesday 22 February 2012.

A further Email was received on 22 February 2012 which simply stated:

Further to my letter of 25 January, I am very sorry that we are not yet in a position to answer your request. I hope to let you have a response by Wednesday 21 March.

In reply, on 24 February 2012, SFA asked for clarification regarding delays in the release of information:

Out of interest, what is the maximum delay allowed under the FOIA? What date would that give us?

BIS replied on 7 March 2012 as follows:

I have been advised that there is no maximum time.

Section 10(1) of the Freedom of Information Act says that "subject to subsections (2) and (3) a public authority must comply with section (1)1 (inform the requester in writing whether it holds information of the description specified in the request and communicate it to them) promptly and in any event not later than the twentieth working day following the date of receipt. However, when a "qualified" exemption applies to the information and an accompanying public interest test is engaged, Section 10(3) of the Act allows the time for response to be longer, in which case a full response must be provided within such time as is reasonable in all circumstances".

This period is not determined in the Act. BIS aims to answer all FOI requests within 20 working days, but where public interest test considerations are involved and it is not possible to respond within this timescale we try to keep any extensions of time to a minimum.

SFA replied to this by Email on 7 March 2012 as follows:

Please could you indicate what BIS considers to be reasonable?

BIS chose not to reply to this simple question.

A further Email was received from BIS on 5 April 2012. Its total contents were as follows:

I am sorry that we are still not in a position to answer your request.

As a result of this final Email, SFA has complained to the Information Commissioner who, in an Email of 23 April 2012, confirmed there were grounds for a formal complaint against BIS:

As there is no indication of when BIS intend to complete their response, we consider that you are in a position to make a formal complaint to the ICO.