



Ministry of Defence

Air Command Secretariat
Spitfire Block
Headquarters Air Command
Royal Air Force
High Wycombe
Buckinghamshire
HP14 4UE

Ref. 2018/6566

[REDACTED]

22 May 2018

Dear [REDACTED],

Thank you for your e-mail of 9 May about low flying regulations and aircraft in the Sheringham area on 8 May. You requested the following information:

".....I am requesting that you supply me: 1. A current signed copy of your Policy on the duty of care arising from your acts and omissions, that you have in law towards your neighbours, i.e. those of us on the ground situated away from airbases, who are obliged to suffer the noise and inconvenience of military flying activities in the airspace above; 2. A copy of the current detailed Procedures you have in place designed to implement effectively the policy at 1, above, showing the methodology involved and the risk assessments that have to be completed prior to flights taking to the air to ensure you and your aircrew meet your legal responsibilities for the duty of care of your neighbours. This to include details of the competence requirements for those persons with responsibility for completing the said risk assessments, and the means by which aircrew have to confirm their understanding of the content of those risk assessments before taking off. 3. A copy of the 'dos and do nots' for pilots whilst flying over areas such as Sheringham, to ensure they operate within your legal duty of care policy for us on the ground.

Whilst away from base, your aircrew can seemingly perform whatever manoeuvre that choose, however distasteful it is to us on the ground, without apparently anyone in their chain of command knowing about the matter. Would you please explain how this potentially out-of-control situation is being managed?

The point of my reference to commercial helicopters also overflying Sheringham made in my previous email, was apparently missed by you. I was illustrating how the mix of a regular, and not inconsiderable, passage of traffic to and from Norwich International Airport and offshore platforms and the military training activities over the town, represents a very fine line between safe operations and a toxic situation to us who have the misfortune to have live underneath it all. Again, I am looking to see how your risk assessments and safety management system address this situation in order to maintain your duty of care to the residents of Sheringham.

Would you also please explain why your night time flying operations on Tuesday had to last until 2330, rather than finishing at a much earlier time, perhaps by being completed over two days."

I am treating your e-mail as a request for information under the Freedom of Information Act 2000 (FOIA). We have now completed a search of our paper and electronic records for the information you have requested and I can confirm that information within the scope of your request is held.

Details of the military regulations covering low flying which govern the actions of our aircrew can be found at the link below:

<https://www.gov.uk/government/collections/2000-series-flying-regulations-fly>

I apologise that you were disturbed by low flying military aircraft. However, realistic training at night is essential to ensure aircrew are proficient in the necessary skills and to exploit the technological advantage that our modern equipment offers our forces in a manner denied to our adversaries.

We do give careful consideration to the timing of night low flying. Usually, we require night flying to be completed as early as possible and additional approvals must be sought for any fast jet low flying after 11pm. Unfortunately, at this time of year, the necessary level of darkness to achieve the maximum benefit from training is limited due to the long daylight hours and we need to fly later in the evening than we would normally wish to do. We do try to minimise the disturbance caused by our training to those on the ground.

If you have any queries regarding the content of this letter, please contact this office in the first instance.

If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.gov.uk). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely


Secretariat 3a1
Air Command