

From: [REDACTED] >

Sent: 09 May 2022 11:04

To: Press Transport Scotland [REDACTED]

[REDACTED]

Subject: Fw: Your recent correspondence with Scottish Government and partner agencies - 202200293065

Hi folks

I'm going to be looking at this FOI response regarding the Inverness Airport flight to Russia over the next couple of days.

It appears from the documents that Inverness Airport was judged to have done everything it could to comply with the rules, and (in terms of the transcript towards the end of the response) that there was some confusion at NATS about the regulations, with the suggestion being that it would have been up to DFT to intervene if that particular flight was supposed to have been grounded.

If there is anything further you guys wished to say, please let me know.

Many thanks,

[REDACTED]

[REDACTED]

From: [REDACTED] >

Sent: 09 May 2022 11:17

To: [REDACTED]

[REDACTED] Press Transport Scotland

[REDACTED]

Subject: Media enquiry for input - P&J - FoI on flight to Russia

Hi [REDACTED],

Please see the enquiry below from the Press & Journal.

This relates to the attached FoI, given the sensitivity you may well have lines prepared on this already. However, I've copied our lines from around the time below.

Do we want to add any comment by way of wrapping up or concluding?

Thanks, [REDACTED]

A TS spokesperson said:

“The timing of the issuing of guidance to airports and the aircraft being registered elsewhere is a matter for the DfT. Our understanding is information was issued to airports about a day after the ban came into effect.

“Ministers are currently seeking clarification from the UK Government/DfT in terms of the “connection to Russia” reference in the rules.

“More broadly, Scotland has no direct routes to Russia, nor do we have any other scheduled services operated by Russian airlines or aircraft registered in Russia.”

Background

The UKG has put in place restrictions on the use of UK airspace. No commercial air transport service (charter or scheduled) or private flight, may be undertaken within UK airspace (including overflight, take-off or landing) by:

- any aircraft registered within Russia or;
- any aircraft (irrespective of the state of registry) owned, chartered or operated (where different from the owner)^[1] by, or a person connected to Russia;
- for the avoidance of doubt this includes flights by any air carrier licensed by Russia.

This means aircraft falling within these criteria would not be given permission to enter airspace, **let alone reach a Scottish airport**. When an aircraft was being “handed over” from one ATC to the UK one (e.g. being handed over from Norwegian Control to NATS) it would be instructed to turn back. There is no role for Scotland’s airports in “policing” this ban as the ban concerns use of UK airspace as distinct from use of UK airports.

Inverness private jet flight (if asked)

We understand a private jet flew from Inverness to Russia on Saturday morning, before the CAA’s notification to airports was received by Inverness Airport. Although the destination of the aircraft was Russia, it was Estonian registered. The handling company at Inverness, being aware of the NOTAM issued on Friday, liaised with UK agencies (Border Force, Special Branch and NATS) to satisfy themselves that the flight could depart given the destination and the rules on aircraft chartered by persons connected with Russia. We understand that the handling company received confirmation from NATS Centre at Prestwick that they aircraft could depart.

[REDACTED]

Transport Scotland

[REDACTED]

From: [REDACTED] >

Sent: 09 May 2022 11:24

To: [REDACTED]

[REDACTED]

>; Press Transport Scotland

Subject: RE: Media enquiry for input - P&J - Fol on flight to Russia

[REDACTED] - Nothing particularly interesting or sensitive any longer (hence us releasing pretty much all the stuff generated at the time). It's all moved on since the ban took effect. And in relation to the line about "connection to Russia" rules, the regulations have since been tightened up.

As he has spotted from the transcript that there was confusion in NATS about the rules, I assume he'll be asking them about it. So, there's probably not anything else left to be said by TS.

[REDACTED]

[REDACTED]

[REDACTED]



TRANSPORT
SCOTLAND

From: [REDACTED]

Sent: 09 May 2022 11:28

To: [REDACTED]

[REDACTED]

Press Transport Scotland

Subject: RE: Media enquiry for input - P&J - Fol on flight to Russia

Thanks [REDACTED],

I will check he is asking NATS for comment and if so, leave it there.

Appreciate your advice as ever.

[REDACTED]

[REDACTED]

Transport Scotland

Mob: [REDACTED]

An agency of  The Scottish Government

From: [REDACTED]

Sent: 24 May 2022 16:41

To: [REDACTED]

Subject: Shapps

Hi folks,

Hope you are well.

Not one for today but I meant to check in with you in case any ministers wished to respond at any point to Grant Shapps on the Inverness Airport flight to Russia.

I don't know if you saw his comments reported by Sky News on Thursday?

I can't find the link to the article new but I had copied the text (see below).

Let me know if anything can be said.

Best,

[REDACTED]

Transport Secretary says SNP trying to pass the blame for failing to stop private jet flying to Russia

Transport Secretary Grant Shapps has said the SNP is trying to pass the buck for failing to prevent a private jet from leaving the UK for Russia after a flight ban was imposed.

SNP MP Richard Thompson yesterday asked Boris Johnson to explain why the flight was allowed to leave Inverness Airport for Moscow on 26 February.

But Mr Shapps told Sky News it was ultimately the SNP's fault because a NOTAM (Notice to Air Missions) was issued saying the flight should not be allowed to leave but the airport let the plane leave anyway - and the Scottish government is in charge of airports in Scotland.

He said the UK government at that time had announced a ban on flights going to Russia but it had not yet become law, but said the NOTAM should have been adhered to.

"Unfortunately, the SNP government is a bit embarrassed about ignoring the NOTAM and as a result, they're looking around for somebody else to blame," he said.

"It shouldn't have happened, we sent a notice the next day saying it shouldn't have happened.

"It was right at the beginning and the airport shouldn't have allowed it to happen, the SNP are trying to muddy the waters and confuse things.

"I'm a pilot and have a pilot's licence, I have to adhere to NOTAMs, it's my responsibility to properly apply the NOTAM - any pilot will tell you that."

From: [REDACTED]

Sent: 25 May 2022 09:52

To: Minister for Transport <[REDACTED]>

Cc: Press Transport Scotland [REDACTED]

[REDACTED]

Pacitti F (Frances)

[REDACTED]

Chief Executive Transport Scotland

[REDACTED] >; Gillies H (Hugh) [REDACTED] >; Higgins K (Kate)

[REDACTED] >; Nicolson S (Stuart) (Special Adviser) [REDACTED] >;

Ingebrigtsen R (Ross) [REDACTED] >; Cabinet Secretary for Net Zero, Energy and

Transport [REDACTED] >

Subject: P&J - Shapps comment on Russian flight

Morning PO,

The P&J has asked for a response to Grant Shapps' comments on a flight that left Inverness Airport for Russia – full details at the bottom of the e-mail, but he says the "SNP is trying to pass the blame".

We've drafted some lines with officials and Spads are content. Grateful for Ms Gilruth's clearance.

Thanks,

[REDACTED]

A TS spokesperson said:

"The aviation regulatory regime is entirely reserved to the UK Government and the Scottish Government has no role in it.

"Air traffic control staff at Inverness checked with the National Air Traffic Service at Prestwick to confirm if the flight could operate and NATS confirmed that the flight could depart.

"The ground handling company at Inverness also confirmed that they had consulted UK Border Force and Special Branch, both of which confirmed that there was no issue with allowing the aircraft to depart."

Background info:

- It should be noted that the aircraft in question was Estonian registered and that the restrictions in place at the time related to Russian registered aircraft or aircraft registered elsewhere but owned, chartered or operated by a person “connected with Russia”. There was nothing in the restrictions in place at the time that prevented an aircraft not covered by the NOTAM from flying to Russia.

- Since the flight took place further restrictions have been introduced which would ensure that a similar flight can no longer be undertaken. The restrictions introduced are a matter for the UK Government and the Scottish Government has no power to dictate what services may operate from an airport in Scotland, including airports operated by HIAL.

From: Nicolson S (Stuart) (Special Adviser)

Sent: 25 May 2022 10:32

To: [REDACTED] Minister for Transport

[REDACTED]

Cc: Press Transport Scotland [REDACTED]

[REDACTED]

Pacitti F (Frances)

[REDACTED]

Chief Executive Transport Scotland

[REDACTED] >; Gillies H (Hugh) [REDACTED] >; Higgins K (Kate)

[REDACTED] >; Ingebrigtsen R (Ross) [REDACTED] >; Cabinet Secretary

for Net Zero, Energy and Transport [REDACTED] >

Subject: RE: P&J - Shapps comment on Russian flight

Hold off please – I want to discuss further with SPADs.

From: Nicolson S (Stuart) (Special Adviser) [REDACTED]

Sent: 25 May 2022 11:00

To: [REDACTED] >; Minister for Transport

[REDACTED]

Cc: Press Transport Scotland [REDACTED]

[REDACTED]

>; Pacitti F (Frances)

[REDACTED]

; Chief Executive Transport Scotland

[REDACTED] >; Gillies H (Hugh) [REDACTED] >; Higgins K (Kate)

[REDACTED] >; Ingebrigtsen R (Ross) [REDACTED] >; Cabinet Secretary

for Net Zero, Energy and Transport [REDACTED] >

Subject: RE: P&J - Shapps comment on Russian flight

Also, can I check what exactly is meant by the bit below in the background note – bluntly, does this mean that, at the time in question, there was no ban on the aircraft leaving Inverness? Was it covered by the NOTAM or not?

- It should be noted that the aircraft in question was Estonian registered and that the restrictions in place at the time related to Russian registered aircraft or aircraft registered elsewhere but owned, chartered or operated by a person “connected with Russia”. There was nothing in the restrictions in place at the time that prevented an aircraft not covered by the NOTAM from flying to Russia.

From: [REDACTED] >
Sent: 25 May 2022 11:02
To: Nicolson S (Stuart) (Special Adviser) <[REDACTED]> Minister for Transport
<[REDACTED]>
Cc: Press Transport Scotland [REDACTED]
[REDACTED]
[REDACTED]
Pacitti F (Frances)
[REDACTED]
Chief Executive Transport Scotland
[REDACTED] >; Gillies H (Hugh) [REDACTED] ; Higgins K (Kate)
[REDACTED] >; Nicolson S (Stuart) (Special Adviser) <[REDACTED]>;
Ingebrigtsen R (Ross) [REDACTED] >; Cabinet Secretary for Net Zero, Energy and
Transport [REDACTED] >
Subject: RE: P&J - Shapps comment on Russian flight

The aircraft wasn't covered at the time because it was Estonian registered, rather than Russian registered.

From: Nicolson S (Stuart) (Special Adviser) [REDACTED]
Sent: 25 May 2022 11:06
To: [REDACTED] Minister for Transport
[REDACTED]
Cc: Press Transport Scotland [REDACTED]
[REDACTED]
[REDACTED]
>; Pacitti F (Frances)
[REDACTED]
>; Chief Executive Transport Scotland
[REDACTED] >; Gillies H (Hugh) [REDACTED] >; Higgins K (Kate)
[REDACTED] >; Ingebrigtsen R (Ross) [REDACTED] >; Cabinet Secretary

for Net Zero, Energy and Transport [REDACTED] >
Subject: RE: P&J - Shapps comment on Russian flight

Yes, but what about this bit? As I understand it the flight was directly to Russia and there is a presumption it was chartered and/or operated on that basis?

or aircraft registered elsewhere but owned, chartered or operated by a person "connected with Russia".

From: [REDACTED]
Sent: 25 May 2022 11:18
To: Nicolson S (Stuart) (Special Adviser) <[REDACTED]>
[REDACTED] Minister for Transport <[REDACTED]>
Cc: Press Transport Scotland [REDACTED]
[REDACTED]
[REDACTED]
Pacitti F (Frances) [REDACTED]
[REDACTED] Chief
Executive Transport Scotland [REDACTED]; Gillies H (Hugh)
[REDACTED]; Higgins K (Kate) <[REDACTED]>; Ingebrigtsen R (Ross)
[REDACTED] Cabinet Secretary for Net Zero, Energy and Transport
[REDACTED]
Subject: [REDACTED]
[REDACTED]

That's where the problem arose, with how "connected to Russia" should be interpreted. It's evident from the transcript of the conversations between INV Tower and NATS Centre that NATS were finding their way through the detail of the ban and its scope. Their decision was to allow the aircraft to depart. (These transcripts were released to the P&J by us in response to an FOI). NATS authorisation to let the plane depart was either informed by them being satisfied that the aircraft was not chartered by someone connected to Russia, or was taken when there was uncertainty about how the "connected to Russia" bit of the ban should be interpreted...

Fact remains, INV did they right thing by checking, and NATS gave permission for departure.

[REDACTED]

From: Nicolson S (Stuart) (Special Adviser) <[REDACTED]>
Sent: 25 May 2022 11:30
To: [REDACTED]
[REDACTED]; Minister for Transport <[REDACTED]>

Cc: Press Transport Scotland [REDACTED]

Pacitti F (Frances) [REDACTED]

[REDACTED]

Chief

Executive Transport Scotland [REDACTED]; Gillies H (Hugh)

[REDACTED]; Higgins K (Kate) [REDACTED]; Ingebrigtsen R (Ross)

[REDACTED]

Cabinet Secretary for Net Zero, Energy and Transport

[REDACTED]

Subject: RE: P&J - Shapps comment on Russian flight

Thanks [REDACTED]

Comms/private office – as I say, I'll discuss further with SPADs and will come back on this if we decide to go with the lines as below.

[REDACTED]

From: [REDACTED]

Sent: 23 August 2022 15:16

To: Press Transport Scotland [REDACTED]

Subject: Inverness-Moscow flight

Hi folks,

Not one for today, but I spotted this letter online from Grant Shapps, who is continuing to insist that only Inverness Airport and its air traffic control service could have approved the February 26 private jet flight from Inverness to Moscow, in breach of a NOTAM issued the previous day -

<https://data.parliament.uk/DepositedPapers/Files/DEP2022-0678/Letter from Grant Shapps to Peter Grant.pdf>

Can I check if ministers/Transport Scotland accept what Mr Shapps states in this letter or is he incorrect?

Tomorrow would be fine.

Many thanks

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]

Sent: 23 August 2022 15:23

To: [REDACTED]

Pacitti F (Frances)

[REDACTED]

>; Press Transport Scotland

[REDACTED]

Subject: Media enquiry - P&J - Inverness-Moscow flight - deadline 24/08

Hi [REDACTED]

Sorry to have to return to this one again – but please see the enquiry below from the P&J for reply by tomorrow.

I've attached the last exchange on this for easy reference. Is there anything we would like to say on this or can we point back to previous comments?

Grateful for your advice please.

Thanks, [REDACTED]

[REDACTED]

From: [REDACTED] >

Sent: 23 August 2022 15:56

To: [REDACTED]

Pacitti F (Frances)

[REDACTED]

>; Press Transport Scotland

[REDACTED] >

Subject: RE: Media enquiry - P&J - Inverness-Moscow flight - deadline 24/08

[REDACTED] – Just point back to previous comments (or point them to HIAL). The transcript of the calls between INV Tower and NATS show permission was given by NATS. I think the P&J covered that previously so up to them really to assess whether Grant Shapps' letter matches up with the transcript...

[REDACTED]

[REDACTED]

[REDACTED]



An agency of  The Scottish Government

From: [REDACTED]

Sent: 23 August 2022 16:18

To: [REDACTED]

[REDACTED]

Pacitti F (Frances)

[REDACTED]

Press Transport Scotland

[REDACTED] >

Subject: RE: Media enquiry - P&J - Inverness-Moscow flight - deadline 24/08

Thanks [REDACTED]

Will advise them as such.

Cheers, [REDACTED]

[REDACTED]

[REDACTED]