

STANSTED AIRPORT CONSULTATIVE COMMITTEE

Secretariat

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AGENDA

Group	STANSTED AIRPORT CONSULTATIVE COMMITTEE	Venue	Enterprise House, Stansted Airport
Date	Wednesday 29 January 2014	Meeting room	Challenger 1
time	2.00pm	Secretary	Frank Evans

Can any Members unable to attend please let the Secretary know, if possible by 4.30 p.m. on Tuesday, 28 January. There will be a pre meeting buffet in Enterprise House for Committee members only from about 1.00 p.m. Can you please identify yourself at the Reception Desk, where an escort to the buffet will be arranged?

*Car parking is available in the Enterprise House **staff** car park from 12.30 pm onwards. To gain entry, upon arrival at that car park please indicate on the intercom that you are attending the STACC meeting and the control room staff will raise the barrier for you. This facility is also available to the public attending the meeting. No entry will be possible after 2 00 pm.*

Please do not go along the road beyond the staff car park entrance or attempt to get past the security barrier on that road.

Can any Members unable to attend please let the Secretary know in advance

AGENDA

1. Apologies for absence and substitute attenders

2. Public Question Time

Mr Michael Belcher – Chairman of the Committee of Residents of Burton End

Land Compensation Act 1973 Part 1

Stansted Airport Limited (STAL) has consistently maintained that it is not at present legally obliged to pay compensation in respect of Phase 2 of the outline planning approval given originally in 1985 and subsequently confirmed in the full planning approval dated April 1999 for an increase in passenger throughput to 15mppa. Specifically, it has advised that compensation will not be due until completion of the Charlie, Delta and Echo cul de sacs and the outer taxiway which may not be finished until 2020.

However, examination of the wording of the above Act reveals a rather different picture:

- Nowhere in the Act does it state that **all** of the alterations detailed in a particular planning application and approval have to be completed before compensation becomes payable. In accordance with Section 3 (1) it is for the claimant to specify in respect of which (alterations to) public works a claim is being submitted, having first ascertained the “relevant date” of the “particular alterations” (see Section 15 (1)).
- Nor does the Act give to the “responsible authority” (in this case STAL) the right to choose when compensation becomes payable.
- With regard to the boundary within which property values have been depreciated (by factors caused by the use of the alterations to the public works), no mention is made in the Act of Leq noise contours as a basis for determining which properties qualify to be considered for compensation.
- Despite previous assertions by STAL to the contrary, the Act **does** apply to intensification of use (see Section 4 (2)).

From the details provided by STAL in response to a Section 15 request for information it is clear that much of the infrastructure (i.e. taxiways and aprons) needed for the expansion of the airport to 15mppa has already been completed and brought into use.

In the light of the above facts what does STAL now intend to do in respect of compensation for Phase 2, bearing in mind that the period for claims, which is time limited by statute, may, under one possible interpretation, be due to expire within 2 months?

3. Minutes

To approve the attached draft minutes of the Committee meeting held on 30 October 2013.

4. Matters arising

All outstanding actions recorded in the Minutes of the meeting held on 30 October will be dealt with elsewhere on the agenda.

5. Working Groups: reports of meetings

To note the Minutes and Notes of the following Working Group meetings held since the October STACC meeting:

- i. Environmental Issues Group on 13 November (Notes attached)
- ii. User Experience Group held on 15 January 2014 (Minutes attached).
- lii, Corporate Affairs Group held on 13 January 2014 (Minutes attached)

The Working Group Chairmen will amplify as appropriate any issues raised in the above meetings.

6. Managing Director’s Report

7. Airports Commission

Update by Airport Management Team, The attached summary note by the Secretary and Technical Adviser provides further background.

8. Terminal Redevelopment Project

Update by the Airport Management Team

9. Parking

Update by Airport Management Team

10. Tourism and Economic Development

Presentation by Keith Brown

11. Future Financing of STACC

Paper by Airport Management Team

12. Awayday

Members are invited to agree upon a date for the proposed Awayday

13. DfT consultation on guidelines for Airport Consultative Committees

Members are invited to comment on the proposed STACC response.

14. Government consultations

Members are invited to note the attached information note

15. Date of Next Meeting

30 April 2014

Item 5

NOTE OF MEETING OF THE ENVIRONMENTAL ISSUES GROUP HELD AT STANSTED AIRPORT ON 13 NOVEMBER 2013

Attendees

Keith Artus (Chairman)
Steve Bailes
Zhanine Oates
Martin Peachey

Also present:

Duncan Smith and Kathy Morrissey (London Stansted Airport) and Frank Evans (Secretary and Technical Adviser).

1. Apologies for absence

Apologies had been received from Stewart Ashurst, Carly Leonard, Mary Sartin, Jackie Cheetham and Chris Wiggan.

2. Note of previous meeting

The Group confirmed the notes for the meeting held on 14 August. These notes were received by STACC at its meeting on 30 October.

3. Matters arising

There were no separate matters arising. All issues were being discussed elsewhere on the agenda.

4. Airspace Issues

Additional waypoints on CLN 22 and DOV 04

The Airport Management Team had provided the full STACC meeting on 30 October with an update. LSA reported that the trial was likely to be extended by a year and KA had been in contact with the CAA to ensure there would not be any bureaucratic impediments to ensuring a smooth extension. Action was continuing to facilitate Ryanair's participation. This was dependent on the procedure being approved by the Irish aeronautical authorities and the training of aircrews. It was currently hoped that the first Ryanair crews would be participating by Christmas.

LAMP

It was noted that NATS had launched the first stage of its London Airspace Consultation on 15 October and this would run until 21 January 2014. Phase 1(a) of the project involved changes to airspace supporting Gatwick, London City, Southend and Biggin Hill. Although the proposed changes involved switching traffic between the Dover and Clacton routes, it was understood that there would be minimal effect on Stansted operations. Any significant airspace changes for Stansted were likely to form part of the Phase 1 (b) consultation planned for 2014.

Given that the Phase 1 (a) also covered a number of key principles that NATS were likely to adopt for the LAMP project, it was agreed that the Group should consider responding on these general points. Zhanine Oates was invited to prepare an initial draft for consideration by the Group.

5. Sustainability Report

a). CSR

It was confirmed that the airport intended to produce a final report in July 2014, in line with the current M.A.G corporate reporting arrangements. The Airport Management Team had previously advised that the new targets for 2014/15 would be in line with the overall Group targets. It was understood that the airport would continue to consult with EIG on targets and other sustainability issues. In this respect, it was noted that EIG had previously suggested that the report would be enhanced - especially in best practice terms - by the inclusion of comparators from outside the airport sector, such as major shopping malls, which the Airport Management Team had agreed to consider further. It was also agreed that the Secretary should contact Chris Wiggan with a view to agreeing a programme for EIG input and consultation on the 2014 report. It would be helpful to have early sight of a draft as the next EIG meeting was not until February.

b). Energy Usage

The Group was advised that a new energy policy for the airport had now been agreed. This was consistent with overall MAG objectives and focussed on low carbon/low energy initiatives. The current refurbishment of the terminal had reflected the new policy with the use of LED lighting. Airport retailers were being encouraged to use LED lighting. There was improved monitoring of energy consumption through greater metering. Other initiatives included improved controls on heating and cooling systems. This had already produced benefits in better controls on temperature where consumption was now 10% below 2012. There was also work on asset optimisation to identify the scope for reduced consumption. Whilst the issue of shutting down street lighting had been considered, it had to be recognised that the airport operated on a 24/7 basis which limited options and raised cost effectiveness questions. Accordingly this was not being actively pursued at present.

c). Waste

On waste, the airport was seeking to become more efficient. The biggest current problem was disposal of plastic bottles. There were a number of issues which the airport was seeking to address. The airport was also monitoring water usage with the introduction of new meters. There was also an active programme of leak prevention measures.

d). Conclusion

Sustainability efforts by LSA were warmly welcomed by EIG and it was agreed it would be helpful if the airport could provide the Group with further information about the benefits accruing from the sustainability policy.

6. Noise Action Plan

The Airport Management Team advised that a draft was currently in preparation which would be circulated to the Group for comment. In discussion it was suggested that the plan needed to reflect the implications of potential growth particularly if this were to result in the introduction of noisier aircraft on medium and long haul routes. What incentives were proposed to encourage operators to use quieter aircraft? It was also important that the plan covered the issue of alternative metrics in particular the fact that there was low ambient noise around the airport. It was agreed that Martin Peachey would circulate a revised discussion paper on noise issues.

7. Government Consultations

The Group noted that it had been agreed at STACC on 30 October that CAG should initially consider the interim report from the Airport Commission. This report was due to be issued in December.

It was also noted that the Government had now launched the second stage of the night noise consultation. As the consultation closed at the end of January, the Group would need to agree a draft response through correspondence. As a first step, it was agreed that the Secretary would prepare an outline response for consideration by the Group.

8. Any Other Business

It was noted that the meeting between EIG representatives and Hatfield Heath representatives was now likely to be in the New Year. Action had been taken to update council representatives in the interim,

9. Date of Next Meeting

12 February 2014

Item 5

STANSTED AIRPORT CONSULTATIVE COMMITTEE

SECRETARIAT

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USER EXPERIENCE GROUP

MEETING OF THE USER EXPERIENCE GROUP OF THE STANSTED AIRPORT CONSULTATIVE COMMITTEE, HELD AT THE AIRPORT ON 15 JANUARY 2014

*	Rufus Barnes (representing surface transport interests) - Chairman
	Keith Brown (representing tourism interests)
*	Gary Jones (representing local authorities)
*	Peter Lainson (representing PRM interests)
	David Leigh (representing cargo interests)
*	Peter Odrich (representing business passengers)
	Julian Swift (representing local authorities)
	Olivia Vandyk (representing non business passengers)
	David Burch (representing commerce and business interests)
*	Stewart Ashurst (Chairman of STACC)

(* present at meeting)

Also present

Neil Banks STAL

Alison Lilly STAL

Frank Evans Secretary and Technical Adviser to STACC

Julie Jones - ABTA

The meeting commenced at 11.00 a.m following a pre meeting tour of the new terminal facilities .

1. Membership and apologies for absence

Apologies had been received from David Burch and Olivia Vandyk. The Chairman said that he had congratulated Olivia Vandyk following the birth of her twin baby girls.

Before discussing the agenda items, the Chairman expressed the Group's concern that the previous meeting had been cancelled by the airport at short notice and, for this meeting, papers had been tabled late or not all. If there was to be a meaningful informed discussion of issues, it was crucial that papers should be tabled sufficiently in advance to allow members to give due consideration to issues. Whilst he understood that there had been a number of personnel changes and conflicting business priorities within STAL, recent events might be construed as MAG adopting a negative approach towards STACC. He therefore hoped that the next meeting would result in more constructive and productive engagement. In the mean-time, the Chairman of the Committee agreed to take up the Group's concerns with the Managing Director of the airport.

2. Minutes of previous meeting

The Group confirmed the minutes of the meeting held on 11 September 2013. (Copy attached). The minutes had been submitted to the STACC meeting on 30 October.

3. Matters arising

The STAL representatives advised that due to a number of recent staff changes, it would not be possible to provide updates on all agenda items.

4. Pre meeting visit

The pre meeting visit had focussed on a number of aspects of the terminal redevelopment project – including the new security operation and new toilets. In discussion, Members made the following points:-

- The Group was disappointed that ,despite previous representations, no provision had been made for a short cut to the IDL. Whilst it was understood that this stemmed from the wish to maximise retail opportunities, this development would not be welcomed by the business traveller who would be aiming to process the airport procedures as quickly as possible, frequent flyers and the less able and infirm who would have a longer route than at present.
- It was considered that more guidance should be provided for the occasional traveller who would be less familiar with airport procedures. For example the central entry area would benefit from improved signage to assist such travellers. This area appeared to be currently dominated by a large commercial sign promoting an airline.
- It was noted that the central sign in the IDL stated that it was 12 minutes to all gates. In practice this was not the case and it might be better to state that all gates were 10-15 minutes away.
- In terms of PRM issues, it was noted that the departure gates chosen for PRMs appeared to be the farthest away from the IDL and face the longest distance to walk. STAL advised that the gate arrangements were being kept

under review. There appeared to be a lack of available seating in the corridor immediately after exiting security. It was also noted that the seats in the IDL did not appear to have arm rests. This might be an issue for the less able seeking to use the seats. It was suggested that Disability Go might be invited back to the airport to review the arrangements. UEG would be willing to provide a representative to assist in any review. Additional seating would also be particularly helpful for families and the elderly. Such seats as currently provided seemed to be used by travellers putting on shoes or dressing after security.

- It was noted there appeared to be no information about assistance for the hearing impaired at a number of the retail outlets. It was suggested that STAL might seek to include conditions in its contracts with retailers that such facilities should be provided and staff trained to use them.
- Operation of the emergency button in the new disabled toilets in the IDL seemed to suggest that it was staff from the nearest retail outlet who were the first to respond. The STAL response involved a staff member having to come from landside and process security which all took time. STAL explained that it was a transitional period and the intention was that the STAL emergency response would be based airside and ensure a rapid response.
- On signage, the Group was advised that the study on wayfinding was almost completed with recommendations being finalised. It was hoped that UEG members could continue to be involved in this project. It was agreed that a report on the Wayfinding project would be included on the next UEG agenda.

5. Parking / Set down arrangements and Fly parking

The Group was disappointed that no updates were available on either the take up of the discounted rate available for East Herts and Uttlesford residents and incidences of fly parking in Bishops Stortford .

6. Terminal Redevelopment Project

At the previous meeting the Group had requested a number of updates. These included a list of 5 or 6 areas that would result in passenger benefits (This request had been repeated at STACC on 30 October); The Group had also requested that the Airport Management Team arrange for UEG representatives to meet with “Disability Go” and Family Friendly”. The meeting with “Disability Go” had taken place on 30 October. A date for the “Family Friendly” meeting was awaited. On the latter, the Airport Management Team advised that the involvement of “Family Friendly” had only been on paper and at the design stage. It was not intended to have any further engagement with the organisation. The Chairman of the Committee asked that the updates requested be provided by STAL at the next STACC meeting.

7. Reference Groups

The Group had been invited to consider the issue of reference groups to support UEG members recognising that it was important that Members should be supported

by reference groups in order to ensure that views expressed at meetings were fully representative. A round table review confirmed that all members had access and contact with relevant organisations in their respective sectors. Members were asked to forward appropriate details to the Secretary.

8. Future Work programme for 2014

The Group considered the outline of a work programme for the coming year. It was considered that it would be helpful to have an item on the airport's car parking strategy at its next meeting. A key issue that had not received detailed consideration by the Group was freight. It was therefore agreed that the Secretary - in liaison with STAL - should make appropriate enquires about a possible presenter for the second schedules meeting in 2014. It would be important to distinguish between freight provision and express couriers.

In terms of visits to other airports, it had been intended that the Group undertake a long overdue visit to Birmingham as this airport had been considered to be an exemplar of best PRM practice. However in discussion it was suggested that Gatwick might be a better comparator. Accordingly the Secretary was asked to contact Gatwick Airport with a view to a possible visit preferably in the first half of the year. It remained the intention to visit Manchester Airport to see their Consultative Committee in action. It was agreed that the secretary should contact his opposite number at Manchester and identify possible dates for the second half of 2014.

9. Statistical Data

The Group considered a report from the Airport Management Team on a range of current ASQ and QSM data. The expected presentation on Ryanair's operations at Stansted was not available. However it was noted that the latest report showed that dissatisfaction with Ryanair was a noticeable issue. Given the proposed changes in the Ryanair product e.g. pre allocation of seats, the Group suggested that it would be interesting to see whether future surveys showed any change in satisfaction levels. It was also noted that, in general, dissatisfaction seemed to increase in the afternoon compared with the morning period. Given the current retail focus in the development of the airport terminal, it was perhaps surprising that retail value for money received the lowest satisfaction response.

10. Terminal Manager's Report

As the Report had only been tabled at the meeting and there was no STAL representative available to respond to any matters arising, the report was not discussed.

11. UK Borders Force

As there was no representative from the UK Borders Force present, there was no discussion on UKBF issues.

12. Date of Next Meeting 5 March 2014

Item 5

STANSTED AIRPORT CONSULTATIVE COMMITTEE

SECRETARIAT

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CORPORATE AFFAIRS GROUP

MEETING OF THE CORPORATE AFFAIRS GROUP OF THE STANSTED AIRPORT CONSULTATIVE COMMITTEE, HELD AT ENTERPRISE HOUSE ON 13 JANUARY 2014

Membership

Stewart Ashurst (Chairman)

Keith Artus

Rufus Barnes

Brian Ross

Keith Brown

Gary Jones

Graham McAndrew

Secretary and Technical Adviser to STACC

Frank Evans

For Item 1 and 3

MAG

Chris Wiggan -Head of Public Affairs and Sustainable Development

The meeting commenced at 10.30 a.m.

1. Introduction

It had been agreed at the STACC meeting on 30 October that a meeting of CAG should be arranged for early January 2014 to consider the implications of the Airports Commission's interim report on airport capacity. The Commission duly published its interim report on 17 December 2013.

<https://www.gov.uk/government/organisations/airports-commission>

It had also been agreed that the Group should consider the Government's draft Guidelines for Airport Consultative Committees with a view to preparing a draft STACC response to the consultation

2. Airports Commission

The Secretary and Technical Adviser had prepared a summary note of the main points in the Commission's interim report. This explained that - in terms of long term options - Stansted options did not appear on the Commission's short list for expansion. The Commission were proposing expansion at Gatwick and Heathrow and wished to conduct further analysis in respect of the Thames Estuary option.

As regards short term options, the Commission had suggested a number of measures designed to make better use of existing airport infrastructure. These included improving the operational efficiency of UK airports and airspace; the creation of an independent aviation noise authority and work to develop proposals to improve the rail link between London and Stansted.

In discussion, the following points were made;

- MAG commented that the Commission's report seemed to give a somewhat negative impression of Stansted which was not particularly helpful when there was concerted action to attract new airlines to the airport. MAG also had concerns about the growth forecasts used by the Commission which suggested that Stansted would not be full - in capacity terms - until 2040 whereas MAG considered that the airport could be full by 2030. MAG advised that they were currently engaged in a dialogue with the Commission over growth forecasts.
- The proposal to improve the operational efficiency of airspace was welcomed. The existing process particularly relating to airspace trials seemed overcomplicated and seemed to take considerable time to obtain approval.
- The creation of an independent noise authority was also welcomed as the need for such an authority had consistently been advocated by STACC.
- The need to improve the rail link between London and Stansted continued to be a key issue for the Committee and the proposal to take work forward which would help achieve the aim of improved rail services was welcomed. However it was noted that the current funding round covering the 2014-19 period had been completed and any action would need to wait until the next round in 2019. Nevertheless it was agreed that the Committee should continue to advocate actively for the need for an improved rail link.
- It was noted that the Commission were not seeking responses to the interim report but would be issuing a draft appraisal framework early in 2014. The Committee would need to consider whether to prepare a response to the draft framework.

3. Guidelines for Airport Consultative Committees(ACCs)

The Department of Transport had published its consultation on the proposed revision to the 2003 Guidelines to Airport Consultative Committees. The consultation closed on 14 February. It had been agreed that CAG should meet to give preliminary consideration to the draft Guidelines prior to its further consideration at the STACC meeting on 29 January.

In considering the draft Guidelines, it was noted that these were intended as guidelines only and were not obligatory. It was important they should continue not to be over prescriptive and to recognise that local circumstances at UK airports varied widely.

It was agreed that discussion should focus on the following key issues – consultation, finance, resolution of disputes and appointment of chairmen/officials.

- **Consultation**

It was noted that, although the purpose of the Guidelines was to improve consultation, there was little in the document to indicate what was meant by effective consultation. ACCs would find it helpful to have guidance on what was meant by good consultation. Consultation was not confined to the exchange of information nor intended to be a co –creation process. ACCs could provide added value by drawing upon the range of expertise amongst its members in the development of a project. It was important that meaningful consultation should take place upstream before any final decisions were made. It was noted that, at some airports, ACCs members sat on project boards, where necessary signing local confidentiality agreements. It was fully accepted that airports - as commercial enterprises - would take decisions dictated by their commercial needs. However ACCs should have the opportunity to contribute to the development of a project and receive feedback as to how and why their views had or had not been taken into account.

- **Finance**

It was important that ACCs should be seen as independent of the airport operator. The fact that ACCs were funded by the airports could give rise to suggestions that the committees were not fully independent. It was noted that, at some airports, ACCs were allocated a budget and had independent control of expenditure. It was an issue that was currently being considered at Stansted. It was also noted that, whilst it seemed clear that no central or local government funding would be forthcoming, an option for funding might be for a proportion of the revenue from an airports' charges to be used to fund ACCs. This suggestion had been raised with Government in the past but there had been no response.

- **Resolution of disputes**

It was not clear how the Government considered disputes between an ACC and its airport operator should be resolved if other than agreement to disagree. The current Guidelines did not appear to cover the issue. How should an appeal process work?

To whom should an appellant make representations? Should this be the CAA or some other authority?

- **Appointments**

A key issue in obtaining successful local support for an ACC was that the Committee should be seen to be independent. The appointment of an independent Chairman was fundamental. The appointment procedure should be a transparent process and owned by the local ACC. It was accepted that local circumstances across UK airports varied but it was felt that there should be some central general guidance on appointments.

- **Best practice**

The consultation document sought examples of best practice. It was agreed that the recent close co-operation on airspace trials between EIG and the airport together with past UEG/MAG co-operation might be cited as suitable examples. It was suggested that there should be closer co-operation between ACCs – perhaps by attending each others' committee meetings from time to time. At a local level, there was now greater scope for STACC to liaise with its fellow ACCs in the MAG Group (Manchester, East Midlands and Bournemouth)

4. De –regulation

The Group was advised that the CAA had recently announced that Stansted Airport would be removed from economic regulation as from April 2014. The decision covered the period up to 2019. It was understood that the decision reflected the implications of the recent long term agreements with Ryanair and Easy Jet.

**Stansted Airport Consultative Committee
January 2014**

Item 7

Stansted Airport Consultative Committee

Airports Commission – Interim Report

Information Note by the Secretary

The Airports Commission's interim report on airport capacity was published on 17 December 2013. <https://www.gov.uk/government/organisations/airports-commission>

Long term options

In terms of long term options, Stansted options do not appear on the Commission's short list for expansion. The Commission are proposing expansion at Gatwick and Heathrow and wish to conduct further analysis in respect of the Thames Estuary option.

As regards Stansted, the Commission have commented that traffic volumes have fallen at the airport resulting in considerable spare capacity. In addition, they consider that a large hub airport would be close to the cost of the Estuary, highly disruptive to airspace and not present the same regeneration opportunities. However the Commission adds the rider that Stansted may however be a plausible option for any second additional runway in the 2040s.

Short term options

In terms of short term options, the Commission proposed a number of measures to make better use of existing airport infrastructure. These included:

- a. An "Optimisation Strategy" to improve the operational efficiency of UK airports and airspace. This should provide opportunities for EIG to engage further with the airport and NATS to ensure that technological advances such as precision based navigation are utilised to the maximum benefit and offer respite to the local community. It is also hoped that the interim report will give added impetus to the delivery of the Future Airspace Strategy (FAS) where progress has been slow and there has been a lack of clear governance;
- b. The creation of an Independent Aviation Noise Authority to provide expert and impartial advice about the noise impacts of aviation and facilitate the delivery of future improvements to airspace operations. This is particularly welcome, given that the Committee has consistently advocated the establishment of such a body. A key issue will be how such a body interacts with the CAA; and
- c. Work on developing proposals to improve the rail link between London and Stansted. The issue of a better rail link to London has been a particular

concern for STACC both in terms of serving the dual needs of the airport and the local community.

M.A.G response

Following the Commission's report, M.A.G issued the following press release;

“Stansted welcomes the Commission's support for measures to increase capacity at the airport in the short term, including improving rail links between the airport and central London. We also support the Commission's finding that Stansted is one of the viable options for a runway beyond 2030.

“Stansted has a bright future, indeed we are the only London airport that can grow substantially in the next ten years. Since we took ownership in February this year we have already signed up new airlines and destinations to meet growing passenger demand. Our immediate priority is to continue to transform the airport experience for our passengers.

“As London continues to grow to the East and high-tech industries along the London to Cambridge corridor grow Britain's economy, Stansted has a critical role to play in supporting the country's economic growth. At the right time we will bring forward proposals for a second runway at the airport to support this growth.”

Next Steps

In terms of next steps , the Commission has now published a draft Appraisal Framework (on 16 January). The consultation closes on 28 February.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/271679/airports-framework-consultation.pdf

Although a Stansted option has not been shortlisted, STACC may wish to consider whether it should comment as this draft framework is likely to result in Government guidance on future airport development proposals. The Committee may wish to consider asking CAG to take an initial view.

Secretary and Technical Adviser
January 2014

Item 13

Stansted Airport Consultative Committee

Draft response to the Government's consultation on Guidelines to Airport Consultative Committees (ACCs)

As Members are aware, the Department of Transport has published its consultation on the proposed revision to the 2003 Guidelines to Airport Consultative Committees. The consultation runs until 14 February. In addition to comments on the proposed guidance, the consultation seeks responses to a number of specific questions.

As previously agreed, the Corporate Affairs Group met on 13 January to give preliminary consideration to the draft Guidelines and prepare a draft STACC response. The attached draft seeks to reflect CAG's views as expressed at the meeting on 13 January.

**Secretary and Technical Adviser
Stansted Airport Consultative Committee
January 2014**

STANSTED AIRPORT CONSULTATIVE COMMITTEE

Draft response to the Government's consultation on Guidelines to Airport Consultative Committees (ACCs)

Introduction

The Stansted Airport Consultative Committee welcomes the revision of the Guidelines. Given that the pattern of operating circumstances of the aviation industry has changed in recent years, it is important that this is reflected in Government guidance to airport consultative committees and remains relevant.

The Committee's response to the specific consultation questions as well as comments on the proposed Guidelines is set out below. It is recognised that the Guidelines are non obligatory. It is vital that the non prescriptive status of the Guidelines is preserved given the wide range of airports in the UK, each with different local circumstances.

The Committee would wish to draw Government's attention to the following issues

Consultation

Although the purpose of these guidelines is to help improve consultation, there appears to be little in the consultation document to indicate what is meant by effective consultation. In assisting ACCs in developing their role, it would be helpful to have guidance on what is meant by good consultation. The Committee considers that an effective consultation procedure is an essential element contributing to a constructive and beneficial working relationship between an airport and its consultative committee. As stated above, it would therefore be helpful if the Guidelines provided clarification as to what is intended by the term "consultation". For example, should an airport be required to consult at an early stage in a project before any final decisions are made or should a committee only be notified or advised after decisions have been made? At Stansted, the Committee would clearly favour the former especially where passenger experience issues are involved. ACCs , given the breadth of their membership, possess a wide range of experience (including PRMs, business travellers and families) and as such can provide relevant and well informed input to the decision making process. This would help ensure that meaningful consultation takes place. However it is fully accepted that airports are commercial enterprises and this must dictate final decisions. Consultation is not to be confused with co creation. It is also accepted that airports may be reluctant to share information if it is of a commercially confidential nature. However ACCs have indicated that they would be prepared to enter into confidentiality agreements to safeguard the confidential status of the information.

It is also important that ACCs receive feedback on how their input has been reflected in the decision making process, especially where an airport has chosen not to accept advice and information from a committee.

Finance

The second issue relates to the independence of a committee. Although the legislation requires an airport to provide adequate facilities for consultation, the Guidelines are silent as to how these facilities should be funded. In practice airports have fulfilled their statutory obligations by providing finance for the administration of the committees. However the fact that the funding has been provided by the airport has - from time to time - led to questions about the independence of the committee. In particular it has been suggested that if an airport funds a committee, it cannot be truly independent. Although the Stansted Committee - alongside other ACCs - firmly believe that it demonstrably operates on an independent basis and that membership is fully inclusive, there would be value in reviewing the existing funding arrangements in a way which would provide reassurance and transparency as to the independence of its operations. For example, a proportion of airport charges might be set aside for the administration of ACCs and a set budget transferred to the ACC on an annual basis. The proportion would vary from airport to airport reflecting the size of the airport and nature of individual ACCs. Such a system would make the ACCs accountable for their expenditure rather than having to ask the airport to authorise payments. The existence of a separate budget would also enable committees to commission independent research/advice on key issues rather than relying solely on information provided by airports. It is accepted that these arrangements would probably require legislation but they would have the clear advantage of establishing a transparent system.

Resolution of disputes

It is not clear how the Government considers that disputes between an ACC and its airport operator should be resolved. The current guidelines do not appear to cover the issue even to state there is agreement to disagree. How should an appeal process work? To whom should an appellant make representations? Should this be the CAA or some other authority?

Appointments

A key issue in obtaining successful local support for an ACC is that the Committee should be seen to be independent. The appointment of an independent chairman is fundamental. The appointment procedure must be a transparent process and owned by the local ACC. It is accepted that local circumstances across UK airports varies but it would be helpful if ACCs had access to some central general guidance on appointments.

Consultation Questions

Q1. Do you agree the principles described in Chapter 2 provide a common basis for all consultative committees to work to? Are there any additions or alternatives that should be considered?

A1. Any Guidelines should be sufficiently flexible to act as general guidance for all committees. It is important to recognise that all airports are different and that any guidance should be flexible to reflect this. How is it envisaged that any dispute (e.g. between the committee and the airport) be resolved? Should this be referred to central government or the CAA to arbitrate?

Q2. Do you agree that a Code of Conduct would be a useful way to ensure that members participate constructively in the work and discussions of the Committee? Does the draft Code adequately reflect what should be expected of committee members?

A2. Whilst the successful operation of a committee should not be dependent on a Code of Conduct, the availability of guidance may be of assistance to new Members.

Q3. Can you suggest some ways in which best practice can be best shared between committees? Do you agree that committees are well placed to work with other organisations on areas of common interest?

A3. At Stansted, the Committee has co-operated closely with the airport on environmental issues such as airspace trials and passenger service issues. Opportunities for closer co-operation between ACCs could be explored – perhaps by attending each others' committee meetings from time to time. At a local level, there is now greater scope for STACC to liaise with its fellow ACCs in the MAG Group (Manchester, East Midlands and Bournemouth). UKACCs already seeks to disseminate information and is well placed to develop this role but there may be possible resource implications.

Q4. Do you feel the layout of the document is user friendly and easy to understand? Are there any areas of text you think need clarifying?

A4. Yes but see comments below.

Q5. Do you agree that Section 35 remains a useful way of ensuring different interests concerned in the operation of an airport are consulted in a fair and equal manner?

A5. Yes. It is important that there is guidance on the structure of ACCs thereby ensuring that all relevant interests are represented.

Q6. Would it be possible to achieve these objectives in a non statutory way – by example by the use of best practice guidance alone? Are there any areas where a statutory approach imposes unnecessary or disproportionate costs?

A6. It is unlikely that - in the absence of legislation - airports would not carry out some form of consultation. However the existence of legislation provides a helpful framework which preserves the principle of local consultation.

Draft Guidelines

1. The Basics

1.2

It would be helpful to set out the list of airports statutorily designated.

1.6

It would be helpful to define the term (or at least give examples of) “users of the airport”.

1.11

How is it envisaged that a dispute between the ACC and the airport is resolved? Should the Department or the CAA act as arbiter? Leaving an issue unresolved may in some circumstances affect the ability of an ACC to act as a critical friend to the airport.

If ACCs are to have a defined role in monitoring airport commitments under the END Noise Action Plans, this should clearly be set out in Government guidance.

2. The Principles

The Committee welcomes the Government’s suggestion that ACCs should operate in accordance with a number of key principles.

2.1

In terms of funding, all committees are funded by their airport as part of the airport’s statutory obligations to provide adequate facilities for consultation. Should this not be explained further in the guidance rather than expecting ACCs to do this? Should not airports provide ACCs with an independent budget for administering and operating the committee?

2.7

How is a community organisation defined and what criteria should be used to judge whether the organisation should have membership of an ACC?

Any organisation should be representative and membership of the ACC will depend upon meeting the criteria. In considering membership, Committees will need to have regard as to whether the views can be represented through a sitting member. The size of the membership of an ACC needs to be at a level that facilitates effective meetings

2.11

It is important that committees should be fully informed when considering issues. The availability of independent advice is important. Depending on circumstances, the role of secretary and technical adviser can be combined. The funding of consultancy advice would need to be agreed with the airport unless there was a standalone budget. This could raise issues of whether the advice was fully independent.

2.12-16

It is fully accepted that committees should be transparent in their activities. Raising the profile of ACCs would help encourage effective local consultation. There may be issues of funding should options have cost implications.

It is for consideration as to whether the Guidelines set out principles for members of public attending meetings and the ability to participate through questions e.g. requiring questions to be submitted a set number of days in advance to facilitate a properly considered response?

2.20. Should committees also have an AGM?

STACC is proposing to introduce an AGM during 2014

3. Effective meetings

3.1

As stated above, should it not fall to Government to explain the funding situation and reasons why central funding is not provided?

3.2

What appointments procedure should be used in seeking an independent chair? Should there be a small panel? If so, who should sit on the panel? How should candidates be invited to apply e.g. in response to an advertisement? Again there are cost implications which would presumably fall to the airport operator to meet?

3.4

It is understood that, at some of the smaller airports, the MD's secretary acts as secretary principally in a note taking role. However it is not believed to have raised any issues of independence.

3.12

It is recommended that all papers should be circulated in electronic form wherever possible. However it is accepted that on occasions it may be necessary to circulate hard copies e.g. when considering airspace issues with complicated maps.

3.14

Given that many members will be accustomed to committee procedures, is this detail necessary? Could not the point about behaviour be covered in less detail?

4. Sharing Best practice and Knowledge

UKACCs already undertakes some work in this area and circulates information. This role could be expanded but this is likely to require additional support and funding.

Item 14

Stansted Airport Consultative Committee

Government consultations

Note by the Secretary

The Committee is invited to note the following:-

Airports Commission

As noted under agenda item 7, the Commission has now published its interim report.

Night Noise Consultation

EIG are currently preparing a draft response to the second stage of the Department for Transport's consultation on the next night noise regime at Heathrow, Gatwick and Stansted. Although a number of changes are proposed, the scheme is essentially being rolled over until the outcome of the Airports Commission.

Revision of DfT guidelines to airport consultative committees

A draft response to the proposed guidelines has been considered by CAG and is discussed separately under agenda item 13. It is understood that the DfT plan to consult on revised guidance to ACCs before the end of the year with the aim of finalising guidance by spring next year.

Economic regulation

The CAA has recently announced that Stansted Airport would be removed from economic regulation from April 2014. The decision covered the period up to 2019. It was understood that the decision reflected the implications of the recent long term agreements with Ryanair and Easy Jet.

Environmental Guidance on air navigation

On 8 January, the Department for Transport published the final version of its Guidance to the Civil Aviation Authority on Environmental Objectives Relating to the Exercise of its Air Navigation Functions.

<https://www.gov.uk/government/publications/air-navigation-guidance>

The guidance is used by the CAA when considering the environmental implications of any airspace changes

CAA Information duties

Following consultation, the CAA has now published its statement of policy relating to the exercise of its new information powers. Information about mishandled baggage

flight delays, PRMs and fees and charges have emerged as key areas of interest. The CAA are also proposing to develop an environmental portal covering inter alia noise and carbon emissions. In taking this work forward, the CAA plan to engage further with stakeholders.