

DRAFT

STANSTED AIRPORT CONSULTATIVE COMMITTEE

MINUTES OF THE ANNUAL MEETING HELD ON 22 JUNE 2016 AT THE RADISSON HOTEL STANSTED AIRPORT

ATTENDANCE

Chairman – Stewart Ashurst*

Users of Airport

Freight interests (1) – David Leigh*

Passenger airline companies (2) Peter Mantle

Business passengers (1) - Peter Odrich*

Passengers with (or with an interest in) restricted mobility - (1) Peter Lainson*

Non Business passengers (1) Julie Jones

Local authorities

Braintree District Council (1) – Hylton Johnson*

East Hertfordshire District Council (1) – Gary Jones

Epping Forest District Council (1) - Mary Sartin

Essex County Council (1) – Rodney Bass

Harlow District Council (1) – Danny Purton

Hertfordshire County Council (1) – Graham McAndrew*

Uttlesford District Council (1) - Keith Artus*

Organisations with a locality interest

Environmental interests (1) – Richard Burrett

Hertfordshire Association of Local and Parish Councils - Angela Alder

Stop Stansted Expansion (1) - Brian Ross*

Commerce and Business interests (1) – David Burch

Tourism interests (1) – Keith Brown*

Surface transport interests (1) – Rufus Barnes*

Uttlesford Association of Local Councils (1) - Jackie Cheetham*

(* present)

Also present at the meeting

Ms Zhanine Smith - Adviser, Essex County Council*

Frank Evans - Secretary and Technical Adviser to STACC*

Representing Stansted Airport Limited (STAL)

Mr A Cowan	Chief Operating Officer *
Mr C Wiggan	Head of Public Affairs and Sustainable Development*
Mr N Robinson	Corporate Affairs Director*
Mr Daniel Gallo	Customer Services & Security Director*
Mr John Twigg	MAG*
Mr A Andrew	MAG*

Border Force

Mr D Milton
Mr Mas Naeem

1. Apologies for Absence

Mary Sartin, Danny Purton, Julie Jones, Gary Jones, Rodney Bass, Richard Burrett and Peter Mantle. It was noted that David Burch had resigned from the Committee. Action was in hand to find a suitable replacement.

2. Proposed change to Constitution

It was noted that the Hertfordshire Association of Local and Parish Councils had now taken over the role of the East Hertfordshire Association of Local Councils. It was proposed therefore that in the Membership section of the STACC Constitution at 3d ii the words “ East Herts Association of Local Councils” should be deleted and substituted by the words “ Hertfordshire Association of Local and Parish Councils”

The Committee **APPROVED** this change to its Constitution.

3. Election of Committee Chairman

Prior to the meeting, Members had been invited to submit nominations for the position of Committee Chairman. One nomination had been received - Stewart Ashurst had been nominated by Graham McAndrew, seconded by Hylton Johnson. There

were no other nominations. Accordingly the Committee **ELECTED** Stewart Ashurst as Chairman of the Consultative Committee for the year 2016/17.

4. Chairman's Introduction

The Chairman expressed his appreciation for the support he had received from both STAL and the Committee. He paid tribute to the support he and the Committee had received from the Chairmen of the Working Groups and from the Secretary and Technical Adviser. He also welcomed the contributions made by members of the public to the Committee's meetings.

On behalf of the Committee, the Chairman welcomed Andrew Cowan (the airport's new Chief Executive Officer) to his first STACC meeting and looked forward to continuing through him a positive relationship with STAL.

The Chairman advised that the meeting had been moved to the hotel in view of car parking problems at Enterprise House, On the proposal of the Chairman, the Committee and STAL agreed that on this occasion the car parking costs of members of the public should be met by STAL. As space in the Enterprise House car park was now very limited, he proposed to give further consideration to the future venue of STACC meetings.

5. Election of Working Group Chairmen

a. User Experience Group

Rufus Barnes had been proposed as Chairman by Peter Lainson, seconded by Peter Odrich. In the absence of any other nomination, the Committee **ELECTED** Rufus Barnes as Chairman of the Users Experience Group for the year 2016/17

b. Environmental Issues Group

Keith Artus had been proposed as Chairman by Brian Ross seconded by Jackie

Cheetham. In the absence of any other nomination, the Committee **ELECTED** Keith Artus as Chairman of the Environmental Issues Group for the year 2016/17.

c Corporate Affairs Group

It was **AGREED** that that the STACC Chairman should continue to chair this Group.

6. Appointment of Working Group members

a. The Committee noted and **APPROVED** a report from the Chairman as to the composition of the Working Groups subject to a change of membership to the EIG whereby Hylton Johnson would replace Brian Ross.

7. Representation on Outside Bodies

a. Stansted Transport Forum

The Committee **AGREED** that Rufus Barnes and, where appropriate, the Secretary and Technical Adviser should continue to represent STACC on the Steering Group of this Forum.

b. NTKWG

The Committee **AGREED** that STACC should continue to be represented on this Group by the Secretary and Technical Adviser, Keith Artus and adviser Steve Bailes.

c. ANMAC

The Committee **AGREED** that the Secretary and Technical Adviser should continue to represent the Committee on ANMAC.

d. Stansted Airport Community Trust

This Trust is administered by Essex County Council and Uttlesford District Council. Following the decision at the 2015 Annual Meeting, the Committee **AGREED** that Mary Sartin should represent the Committee on this Trust.

8. Past Year

The Committee **RECEIVED** a report from the Secretary and Technical Adviser summarising STACC activities within the past year.

9. Annual Work Programme (AWP)

The Committee considered the Annual Work Programmes (AWP) for 2015/16 and for the coming year. The AWP's supplemented the terms of reference of the Working Groups. These would be reviewed regularly and updated during the year to reflect developments.

Members welcomed the AWP's and in discussion offered the following comments;

- There were a number of possible national consultations including night noise and a national policy statement on aviation. These issues would need to be considered by CAG and/or EIG.
- MAG's capital investment programme was another possible issue for CAG.
- Health and Safety issues affecting both residents and staff should be dealt with as appropriate by all three AWP's.

The Committee received the 2015/2016 Annual Work Programmes for each of the Working Groups and **APPROVED** their Annual Work Programmes for 2016/2017.

10. 2016/2017 STACC Budget

The Committee **RECEIVED** a paper and the accompanying budget proposal from the Chairman. He explained that in accordance with the Annual Meeting decision last year, the draft Budget proposal had been first considered by CAG and then noted by STAL. CAG recommended the draft budget for approval.

In discussion, members welcomed the funding for research by UEG and EIG as a major step forward. The EIG funding was subject to the development of a suitable specification. It was suggested that given this, the funding should be allocated to the contingencies sub heading rather than classified as “to be confirmed”.

The Committee **APPROVED** the draft 2016/17 STACC Budget

11. Public Question Time

Mr Michael Belcher

The Minutes of this Committee meeting on 28th July 2010 record that:

“Claims for compensation could be made at any time but Stansted Airport Limited (STAL) reiterated that it would reject these until the Echo taxiway and cul-de-sac had been completed.”

This is one of many such pronouncements made by STAL over the past 15 or so years. It acknowledged this in a Statement of Agreed Facts at a court hearing in the Royal Courts of Justice held in public in March this year:

“STAL was clear and consistent in advising local residents that Part 1 claims could, and should, not be made until the final completion of the public works authorised by its Phase 2 planning permission”.

Many local residents who relied on these assertions did not submit claims for compensation before selling their homes believing there was no point.

In his decision of 15th October 2015 in the case of *Johnston v TAG Farnborough Airport Limited* the Deputy President of the Lands Tribunal had the following to say in the final sentence of paragraph 344:

“If a single phase of works has been completed and brought into use, causing noise or other physical factors which depreciate the value of an interest in land, it would be no answer to the resulting claim for compensation for the responsible authority to say that the claim was premature because further alterations to the same public works were being undertaken in phases and had not yet been completed.”

At the court hearing in March STAL finally agreed in the Statement of Agreed Facts that:

“1 March 2007 is a relevant date at least in respect of some of the works.”

These two court cases make it clear that there was never any legal basis to the assertions which STAL made repeatedly to this Committee and to local residents, and that it was wrong to use the so-called “golden rivet” argument with regard to compensation for the Phase 2 development of the airport carried out from 1999 - 2007.

In the light of these legal decisions will STAL agree under its new compensation scheme announced on 9th June to deal with claims from residents who have sold their properties since March 2008 in the same way as claims from residents who still own their properties today?”

It was noted that the issue of land compensation was to be considered more fully at Agenda item 15. In response to Mr Belcher STAL agreed that the question was a legitimate and fair one. However, the legal issues were currently still under consideration and so was not in a position to comment further at this stage. However, STAL did plan to issue information about process issues within the next two weeks.

12. Minutes

It was noted that the issue of limitation of non ATMs had been raised at the April meeting but not fully minuted. Under the planning consent for the airport, once passenger numbers exceeded 25 million in any 12 month period, the number of non ATMs was required to be limited to 10,000 movements per year. It was further noted that the annual total of non ATMs was currently about 12,000. Subject to this clarifying amendment, the Committee **APPROVED** as a correct record the attached draft Minutes of the Committee meeting held on April 20th 2016.

a. Matters Arising

There were no matters arising from the Minutes of the previous meeting.

13. Working Groups: Reports of meetings

The Committee **RECEIVED** the Minutes and Notes of the following Working Group meetings held since the April Committee meeting:

- i. Environmental Issues Group – 26 May 2016 (Notes attached).

It was reported that Ryanair had now received the necessary authorisations from the Irish aeronautical authorities to participate in the PBN trial. The airline’s

participation would add credibility to the trial. It was noted that the success of the trial reflected the close co-operation between STAL and EIG. Stansted had established itself as a leading proponent of PBN practice. This also applied to the alternative metrics work that EIG was currently developing.

ii. User Experience Group 15 June 2016 (Minutes attached)

The Group was currently focusing on four main issues:

- the Customer Service Strategy where it had been agreed that UEG should be represented on the various STAL Programme Boards
- Border Force where a constructive and transparent relationship had been established;
- PRMs where there were a number of issues that needed clarification. UEG representatives would be meeting STAL next week to consider these issues.
- Benchmarking . A number of UEG members had visited Dublin Airport. A planned visit to Birmingham had unfortunately had to be postponed. It would be rearranged to take place before the end of the calendar year.

iii. Corporate Affairs Group 13 June 2016 (Minutes attached)

The Group had met recently to consider the draft STACC Budget for 2016/17 as well as the Group's section of the AWP.

14. Border Force

Dean Milton informed the meeting that he would be moving to London City Airport at the end of August. He introduced Mas Naeem as the Assistant Director who would

be responsible for future links with STACC and UEG. There would also be a new Assistant Director - Taylor Wilson. The Chairman of UEG paid tribute to Mr Milton's willingness to engage with the Group (and STACC) in a transparent and constructive manner.

In terms of developments, the new 15 e-gates had come into service earlier in the week bringing the total to 30 e-gates. This represented the highest number of e-gates in a single UK terminal. The gates were being used by 3 million passengers. It was proposed that 80% of eligible passengers should use the gates by 2017/18. The facility to allow young people between 12 and 17 to use the gates if accompanied by an adult had proved successful with 24000 passengers using the gates between mid January and the beginning of June. Added to the numbers of accompanying adults, this meant that about 50,000 passengers were using the gates under this facility. There were issues with some gates caused by reflected sunlight but work was in hand to solve the issue

There continued to be a high percentage achievement of satisfactory queuing times (98% through EU gates within 25 minutes and 99.0% through non EU gates within 45 minutes).

BF continued to face a number of challenges at particular times when there was a high influx of flights mainly in late evening. Staffing levels were up and queuing capacity in the Arrival Hall in the terminal had been increased by 50%. Action was also in hand to improve way finding and signage. It was also planned to encourage the use of chipped cards as well as educating passengers in the use of e-gates It was noted that another part of BF's activities at the airport involved customs and the seizure of goods

15. Land Compensation

The Committee received an information Note from STAL amplified by John Twigg at the meeting. The Note sought to clarify a number of key issues which remained

complex and on which legal advice was still being considered. There were two key issues – relevant “physical factors” affecting a property and whether those factors then caused a diminution in the value of the property. If both appeared to apply, then an application would be entertained for compensation for the ‘loss’ in value. In particular, STAL now acknowledged that claims did not need to be held back pending completion of all of the remaining works under ‘Phase 2’ of the previous planning permission. Also, compensation claims would not be regarded as being out of time by reason otherwise of the application of the Limitation Acts. At the request of the Chairman, Mr Twigg agreed to reissue a corrected Note as soon as possible (which hopefully would be sent out to members with the Minutes of the meeting).

In discussion, some members regretted that the airport had not offered any apology for what was regarded as an unacceptable delay in resolving the issue. It was also not clear how compensation for people who had moved away or had died would be addressed.

The STAL CEO, although in office at Stansted for only three months, appreciated the significance of the matter and despite it being a very complex matter legally he made it clear that he was actively seeking a resolution. Further information as to the claim process would be issued within the next two weeks. The Committee welcomed this whilst also agreeing that it would be inappropriate for STACC to be informed about the varying situations of different potential claimants.

The Chairman suggested that the airport’s public statement should be seen as an expression of serious intent. He proposed to check on progress at his regular meetings with the STAL CEO. He also agreed it would be appropriate for the Committee to be updated on a regular basis.

16. Unauthorised footpaths, and unauthorised parking operations

The airport advised that they were aware of the problem raised by Takeley Council. There were 3 unauthorised footpaths. Action had been taken to close these footpaths but others then seemed to appear. As regards car parking, this raised Health and Safety issues as individuals had to cross the dual carriageway to reach the airport. The airport was in contact with the Council and a meeting was planned.

17. Airport Management Matters

The Committee **RECEIVED** the quarterly report of the Chief Executive. Highlighted issues included the continued growth of the airport with passenger numbers now exceeding 23 million. There was a complementary increase in cargo tonnage. Investment was continuing e.g. the security area was being remodelled to improve lane management and capacity. Body scanners were also being introduced. There had been some changes in senior management - Daniel Gallo would be the new Customer Service and Security Director. It was noted that car parking and retail - formerly handled at a corporate level would now be managed locally.

Action was also in hand to diversify routes offered. There were ongoing discussions with transatlantic and Middle East carriers. The CEO believed it would be helpful if local business could openly support the diversification of routes. This would reinforce the case being made by the airport.

There had been a very successful Jobfair in May with 400 vacancies on offer and where 600 people had attended. Members commented that it would be helpful to know how many people were eventually employed.

Members suggested that the airport should explore the use of electric cars as a means of reducing emissions overall at the airport.

It was noted that new car parking arrangements were unsatisfactory for cargo terminal workers. They now had to take an airport bus to the terminal and then they had to find their way to the cargo area.

Members were pleased to note that the property disposal scheme was underway. It was noted that the airport planned to sell all 268 properties. It was suggested that priority should be given to those properties that were vacant before eviction notices were issued to sitting tenants. It was also suggested that the housing stock should be regularly maintained (including the gardens). It was agreed that the Committee should receive an update every six months.

STAL (represented on the West Anglia Task Force) continued to lobby for improved rail links.

The CEO then went on to outline some of his key priorities. These included:

1) Customer Service. The whole digital experience was very important and continuing to upgrade the retail experience. The upcoming Strategy would help to determine priorities and would be a significant contributor to what airport growth overall would look like.

2) Airport Growth. This continued to look healthy both in passenger numbers and in cargo. Some diversification into Long Haul was actively being considered whilst at the same time having regard to the needs of cargo and low cost operations.

3) Infrastructure Adequacy and Need. The capacity for growth was underpinned by ensuring that the existing infrastructure was adequate and that any future infrastructure was well planned. Any improvement project would require a robust business case and approval would depend to some extent on the prevailing business climate.

The CEO explained that the above and other priorities were subject to a MAG process of 'Optioneering' where the pros and cons and cost benefits of potential projects were rigorously scrutinised. He agreed with the suggestion that the impact on the community and on the environment were also important considerations meriting priority. He also noted that the airport planning consent required any development to be for airport use only.

18. UKACCS Conference

The Chairman advised that a report would be circulated shortly. It was noted that Stansted had been cited as an example of best practice in terms of its relationship with Border Force.

19 Date of next meeting

The Committee **CONFIRMED** October 5th 2016 as the date of the next meeting. The Secretary would provide a list of forthcoming dates for STACC and the Working Groups no later than at that meeting.