

DRAFT

STANSTED AIRPORT CONSULTATIVE COMMITTEE

MINUTES OF MEETING HELD ON 4 OCTOBER 2017 AT ENTERPRISE HOUSE, STANSTED AIRPORT

ATTENDANCE

Chairman –Shena Winning*

Users of Airport

Freight interests (1) – David Leigh*

Passenger airline companies (2) Chris Hughes

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) – Simon Walsh

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) – Haydon Yates*

Tourism interests (1) –

Surface transport interests (1) – Rufus Barnes*

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

(* present)

Also present at the meeting

Frank Evans - Secretary and Technical Adviser to STACC*

Representing Stansted Airport Limited (STAL)

Ken O'Toole - Chief Executive Officer*

Chris Wiggan - Head of External Affairs *

Neil Robinson - Corporate Responsibility Director*

John Twigg - MAG*

Alistair Andrew - MAG*

AGENDA

1. Welcome introduction by STACC Chairman

The Chairman welcomed everyone to the meeting. In particular she welcomed Ken O'Toole - STAL's new Chief Executive Officer to his first meeting and looked forward to the Committee's future communication and engagement with him. The Chairman also advised that she had received a note of appreciation from the former Chief Executive Officer - Andrew Cowan for the Committee's work. Members asked that the Chairman thank Andrew Cowan for his commitment and engagement with the Committee.

At the previous meeting, the Committee had made a presentation to the departing STACC Chairman. The Chairman of UEG who had organised the presentation, advised that he had subsequently received a note of thanks from the former Chairman.

2. New Members, Apologies and Deputising Attenders

Apologies had been received from Graham McAndrew, Hylton Johnson, Gary Jones, Peter Lainson, Julie Jones and Richard Burrett. The Secretary had not been advised of any deputising attenders.

3. Public Question Time

Gerrie Johnson asked the following question of the Committee :-

Background note

“ Last year Stansted Airport Limited (STAL) had to agree to deal with applications for compensation from local residents who had been affected by works undertaken at the Airport between 1999 and 2007. Many local residents affected by the Airport's expansion had been asking for years, both personally and through parish and district councils, when they could apply for the second tranche of compensation due in respect of Phase 2 of the development of the Airport to handle up to 15 million passengers per annum. They were constantly told that compensation wasn't due yet as the works hadn't been finished and it took legal action in 2015/2016 by a local resident for STAL to acknowledge that, after all, the works completed by March 2007 (some 9 years earlier) should have triggered the next round of compensation.

STAL are now refusing to accept applications from those who have sold their properties since March 2007 without having first claimed compensation. The reason people did not claim compensation was because they believed what STAL had told them, namely, that they could not, and should not, do so. Having misled everyone by incorrectly describing the legal position under the Land Compensation Act 1973 (“the Act”), thereby quite unjustly denying residents their legal entitlement to claim compensation, STAL are now using the Act to deny those same residents any right to claim compensation on the grounds that they have subsequently sold their property and no longer have a qualifying interest. This does not seem fair. Nor do new owners of the property have any qualifying interest as they didn't live there during the specific time.

I lived in Great Hallingbury (one of the areas worst affected by the Airport) for 25 years from 1990-2015 and I have recently discovered I was eligible to claim compensation. Residents of at least 88 other properties (in Great Hallingbury alone), who, like me, owned and occupied their homes during the years in question, but have since sold them, are now being told they have forfeited their legal entitlement to claim compensation. How many more people in all the other villages and towns around the Airport will be similarly affected? So this is a very serious issue which is not going to go away. It involves the non-payment by STAL of millions of pounds of compensation.

STACC is a forum for Airport issues that affect local residents, as well as passengers and other users. According to the Department for Transport's guidelines for Airport Consultative Committees (ACCs), whilst recognising that ACCs are not dispute resolution forums nor have any executive power over an airport, "as far as possible, the committee should take a constructive role in issues, taking the opportunity to influence matters where appropriate" and also "facilitate constructive discussion and help resolve differences"."

Question

“Will STACC take that role seriously and shine a light on this issue which is so important to many people who were/still are local residents and who have been adversely affected by the Airport's expansion? It seems unfair and unjust that these people, through no fault of their own, have been denied their legal entitlement to claim compensation under the Act by the unreasonable behaviour of

STAL. It is now surely up to STAL to compensate these people for having denied them their legal rights by incorrectly asserting that compensation was not due when in fact it was."

The Chairman advised that as Ms Johnson's question had raised considerable interest amongst Members, it had been decided to have an additional agenda item dealing specifically with the land compensation issue. This would mean that it would not be possible for the Committee to respond to the Public Question at the meeting. However once the Committee had considered the issue, a considered response would be provided.

3. Land compensation

In light of the Public Question, the Chairman invited the Airport Management Team (AMT) to outline the views of STAL/MAG on the current position. It was explained that the issue was very complicated and had both technical and legal implications as evidenced by the time it had taken so far to achieve resolution. The AMT's interpretation of the recent Farnborough case meant that each set of works must be considered separately once they were brought into use. The AMT wished to operate within the legal framework and achieve a local settlement. However each claim was likely to have its own rights and liabilities and it was important that claimants took their own legal advice. Given the complicated process, progress had been slower than anticipated.

The CEO commented that it appeared to be a sensitive and complex issue. Given his recent arrival, he would need time to consider the detail of the issue. He recognised the frustration felt by local residents and stated that the airport had a desire to settle the issue.

In discussion, Members made a number of points:-

- There was a feeling of injustice in the community;
- It should be recognised that the issue was sensitive and had an emotional effect on the residents affected and their families;
- the AMT should be prepared to show flexibility in the eligibility criteria and the timescale for claims;
- Settlement of claims was overdue and the amount of time taken so far was unacceptable;
- Whilst the CEO's assurance of the airport's wish to settle the issue was welcomed, it was noted that the Committee had received a number of similar statements of assurance from previous senior management at the airport;
- The need to provide supporting statements on a number of issues could prove costly for residents - a number of which were elderly and retired;

Summing up the discussion, the Chairman said that, in common with the airport's new CEO, she was not familiar with the detail of the issue. It would therefore be helpful if the AMT could prepare a detailed paper on the issue

within the next four weeks. This could then be discussed by the Corporate Affairs Group to enable the Group/Committee to take an informed view. The AMT agreed to prepare such a paper. The Secretary and Technical Adviser would canvass Members to determine a convenient date for the meeting.

4. Minutes

It was proposed that the first two sentences of the final paragraph on page 5 dealing with the Committee's Constitution and Public Question Time should be deleted. Subject to this revision, the Committee **APPROVED** the draft Minutes of the STACC Annual Meeting meeting held on 28 June 2017 as a correct record.

5. Airport CEO's Quarterly Report

The Committee **RECEIVED** the CEO's report. In presenting the report, the following points were highlighted:-

The AMT were currently considering responses to the scoping document for the planning application for increased capacity. As requested by the Committee an additional event had been arranged in Harlow and this had been well attended. The AMT advised that they had sought to publicise the consultation widely in the area. This had included an extensive leaflet campaign to advise residents about the consultation. However there were suggestions from some members that not all affected residents had received leaflets. The AMT now wished to provide feedback to the Committee on the local consultation and the next steps. It was therefore agreed that the Secretary and Technical Adviser should arrange an early meeting of the Corporate Affairs Group.

The airport would be seeking Government support for its proposed growth - this was consistent with the Government's wish that airports should make best use of available capacity. He hoped that the Committee could support the airport on this issue. The Committee indicated that it was broadly supportive but pointed out that the airport needed to recognise its effect on the community and that issues such as airport infrastructure resilience and surface access needed to be taken into account. The Committee would need to take a strategic overview in particular to understand how the wide range of stakeholders knitted together.

Planning application had now been granted by Uttlesford District Council for a collegian site operated by Harlow College. The college would provide a pipeline of future employees, engineers, aviation professionals addressing our increasing skills and employment gap which is one of the biggest risks to the Airport's growth agenda.

The new Hampton by Hilton hotel had opened in late July. Whilst the Committee welcomed the opening, it was disappointed to note that the work to provide lift access direct from the terminal had not yet been completed. This meant that passengers had to use a bus shuttle service.

The AMT was continuing to develop its route network. Among recent developments was the announcement that Primera Air would be offering direct flights to New York and Boston from Spring next year. It was also noted that Ryanair had announced that they would be removing flights to Glasgow and Edinburgh for the winter season. Members queried the effect on the airport's regional connectivity. The AMT advised that other airlines e.g. EasyJet were in a position to offer alternative capacity.

A number of Meet the Buyers pre events had been held with businesses who wished to learn about procurement opportunities at the airport as well as forums for Local Authorities to encourage them to get involved in the Meet the Buyers programme

MAG's 2016/17 Corporate Social Responsibility report had been published There was a separate leaflet available covering Stansted. The AMT would make a presentation at the January meeting

It was noted that the Stansted Airport Community Trust had available funds of £180,000. The trust supported projects which "protect and enhance the social, economic and environmental well-being of the community" within a 10 mile radius of Stansted Airport. However expenditure from January to August 2017 was £37,601. Given the current surplus, the AMT had reduced its contribution to £50,000 as opposed to £100,000. The level of contribution which was a planning condition would be kept under review. It was important to look at mitigation measures in the round rather than in isolation. In discussion it was noted that other airports appeared to make a greater level of contribution on a per passenger basis. Members were asked to encourage relevant organisations to consider seeking Fund support for projects. As regards the reasons for the low level of take up, it was pointed out that Parish Councils were currently not eligible to bid for funding. It was also suggested that the 10 mile qualifying criteria might be a deterrent. Members considered that the Trust might wish to revisit the current criteria as to whether there was scope for broadening the criteria and so encourage more applications.

6. Working Groups : Reports of meetings

The Committee **RECEIVED** and **ENDORSED** the Minutes and Notes of the following Working Group meetings since the June meeting

i. Environmental Issues Group 26 July 2017

Since the last meeting, the Irish Aeronautical Authorities had granted Ryanair the outstanding permissions for the airline to operate PBN across their whole fleet. Prior to this, only about 20% of Ryanair aircraft operated this procedure. Initial feedback and results indicated that this concentration of aircraft along a narrower line had been welcomed by the local community. Despite the lengthy delay on the part of the Irish authorities in granting permission, the exercise had demonstrated close productive and constructive liaison between the AMT and EIG. Action was in hand to extend the PBN trials to the two Buzzard routes.

The Group had received a disappointing response from the CAA to its submission on the post implementation review of the switch of traffic from the Dover to the Clacton route. The Group was currently considering whether to make a further response.

It was noted that information about complaints would be provided to the Committee on a yearly basis in April. It was further noted that details would continue to be provided to NTKWG on a quarterly basis.

ii. User Experience Group 5 July and 20 September 2017

Before the September meeting, the Group had undertaken a tour of the arrivals experience. The Group had made a number of observations mainly relating to signage. It had been disappointed to note that due to software issues, the electronic display board in the bus station had been turned off with no definite timescale as to when it would be restored. The AMT advised that they were currently conducting a review of way finding and signage and welcomed UEG's input. The Group had also requested information as the level of assistance provided to PRM passengers in getting from their car to the bus stops in the Mid Stay and Long Stay car parks.

The STACC Chairman and UEG Chair together with other members had met Border Force's Regional Director for the annual meeting. It had been a positive meeting. Border Force had advised that there would be occasions when SLAs would be breached as security issues needed to take priority. This was fully accepted by the Group. Border Force were seeking to ensure that there was adequate staffing as the airport expanded. There was a good relationship between the airport and Border Force.

iii. Corporate Affairs Group 4 July 2017

The Group had met to discuss the airport's scoping document in advance of the planning application to increase to raise the existing cap from 35 to 44.5 million passengers a year. The airport had since conducted a number of local

events in the community. It would be helpful to hold a further CAG meeting to provide the AMT with an opportunity to provide feedback on the local consultation and the next steps. It was noted that at the July meeting the AMT had been asked to provide copies of the s.106 agreement. This had not yet been provided.

7. Awayday

The Committee had held a constructive and positive meeting at the end of August. This had enabled the Committee to consider possible strategic issues that might form part of its future work programme. Given the proposed growth at the airport, key areas were likely to be surface access and the economic effect of the airport on the local and regional area.

Other issues discussed at the Awayday included a suggestion that the Committee met in private one hour before the meeting and raising the profile of the Committee.

The Committee **APPROVED** the draft note of the Awayday held on 31 August. The draft incorporated comments received since the issue of the note.

The Committee also **APPROVED** the following suggested changes to the Constitution as discussed at the Away day

i. Membership - page 3 sub paragraph 3

a. Amend the users section to reduce the passenger airlines representation to one representative; It was noted that it had proved difficult to obtain regular attendance from an airline representative. Action was in hand to try and obtain regular attendance from a passenger airline representative.

b. Amend the users section to include a representative from retail interests at the airport;

c. Consideration was also given to wider local authorities representation as to whether a representative from South Cambridgeshire should be sought. However it was decided to keep this under review at this stage.

d. The Committee also discussed whether there should be a representative from the education sector. After consideration it was felt that as a first step it might be best to seek a presentation from the sector before inviting membership.

Urgent Business - page 6 paragraph 2

e. Delete phrase " in consultation with the Chairman of the Committee" at lines 5 and 6. and replace by "after consultation with the other Working Group

Chairman". This would allow the Chairman of the relevant Working Group to have delegated authority in the absence of the STACC Chairman.

8. Department for Transport "Beyond the Horizon" consultation

The Committee **RECEIVED** and **ENDORSED** a discussion paper from the Secretary and Technical Adviser suggesting the broad areas that might form the Committee's response to the Department. In discussion it was noted that the environmental impact of the airport on the local community would not be considered until the latter stages of the consultation. It was not clear whether this indicated the Department's priorities or was a consequence of work management. The need for clear Government advice as to a replacement for planning guidance PPG 24 was also noted. It was also noted that the Government was seeking to ensure that aviation was market driven. It was not clear how a balance would be struck between Government and the market. The Secretary would prepare a response reflecting the discussion and after consultation with the Chairman submit a response to the Department.

9. 2018 Meeting dates

Members noted that the meetings of the Committee in 2018 would be held on the following dates:-

31 January
25 April
27 June
3 October

All four meetings would be held in the airport's Aerozone facility. It was suggested that the use of the venue should be reviewed after two meetings

10. Any other business

- i. The Chairman advised that it would be helpful to have an evaluation from Members as to the success of the meeting.
- ii. It would also be helpful if Members could provide the Secretary and Technical Adviser as to their contact details.
- iii. It would also be helpful if the local authority members could provide details of their deputy attenders.