

STANSTED AIRPORT CONSULTATIVE COMMITTEE

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AGENDA

**STANSTED AIRPORT CONSULTATIVE
COMMITTEE**

**Venue
Aerozone
Stansted Airport**

Wednesday 24 January 2018

Time 2.00pm

Secretary **Frank Evans**

1. Apologies for Absence and Deputising Attenders

Graham McAndrew

2. Minutes

To approve as a correct record the attached draft Minutes of the Committee meeting held on October 4th 2017.

a. Matters Arising

Any outstanding matters recorded in the Minutes of the previous meeting will be itemised and considered elsewhere on the agenda.

3. Public Question Time

a. Dr Margaret Beer

"I understand that Defra has started the next cycle of airport noise action plans (NAPs), following guidance published to airports last year and that STAL is required to respond to Defra by 31st August 2018 with its action plan to reduce noise impacts. My question is what action, if any, has STAL/NATS put in place to alleviate the massively increased noise nuisance inflicted on the communities adversely affected by the Dover/Clacton NPR switch, plus the increased use of PBN and NPR extension beyond 4,000ft., plus airport growth including the number of night flights? The combined impact of these three changes, over a period of just 2 years, has had an intolerable effect on the affected communities with, it would seem, no consideration of any form of respite by STAL and its co-sponsor NATS."

b. Gerrie Johnson

Statement

"Firstly I want to thank the Chairman and the Committee for taking a proactive stance on the historic compensation issue I raised in my question to the STACC meeting in October. I have replied directly to the Chairman in respect of the response I received and would now like to make a public statement for the benefit of Committee members and other interested parties regarding three important matters which, it seems to me, remain to be addressed by STAL.

1. The fact that the STAL CEO has agreed to review claims from former residents, who sold their properties before the announcement in June 2016 that the compensation claims period in respect of the Phase 2 expansion of the airport was now open, is a welcome development. However, this offer falls well short of the yes/no answer requested by the Committee at the last meeting to the question of whether STAL would, in respect of former residents, waive the requirement under the Land Compensation Act for ownership and occupation at the date of the claim, which they are patently unable to meet because of the actions of STAL.

It is time that STAL acknowledged without further prevarication that it alone is directly responsible for the current situation where former residents, who should have been eligible to claim compensation from March 2008 (the anniversary of the completion of Phase 2 works) are now unable to claim under

the Land Compensation Act and are obliged instead to rely on the 'goodwill' of STAL. In other words, their legal entitlement to claim compensation and pursue their claims through the Lands Tribunal has been denied them by the actions of STAL. Furthermore, STAL should acknowledge that any depreciation affecting the properties of former residents, attributable to the relevant Phase 2 works, has been crystallised into an actual loss in the form of less money available for their next purchase.

In the light of the above facts, the only just course of action for STAL now would be to give an immediate unequivocal commitment, in appropriate cases, to waive the ownership and occupation requirement for former residents. This would at least go some of the way to putting former residents back in the position they should have been in after March 2007 had it not been for the actions of STAL. Regrettably it appears unlikely that the legal rights of former residents can ever be fully restored, including the ability to refer a claim to the Lands Tribunal.

2. With regard to the recently given undertaking to review claims from former residents, as yet there is no information about how such claims should be submitted or to whom. I, and I'm sure many other people who have sold their properties, haven't previously put in a claim to STAL, because we were told that our claims wouldn't be considered. So, at the moment there is no way for STAL to communicate with us - it doesn't know who we are. As far as I'm aware, STAL hasn't yet communicated that it will now consider these historic claims through either its website or local press, nor indeed has it advised local chartered surveyors who are handling compensation claims and who have repeatedly told people they can't claim if they no longer own the property.

3. In its Guide to Residents STAL has arbitrarily imposed a deadline of July 2018 for claims to be agreed or referred to the Lands Tribunal. As it has already taken over 1½ years to get STAL to agree merely to consider claims from former residents, this artificial deadline is plainly impractical and also is without any clear legal basis.

The Limitation Act stipulates a six year period from the date on which a cause of action arises. Under normal circumstances this would be the first claim date which is a year after the relevant date as defined in the Land Compensation Act. But since STAL denied until 2016 that a relevant date had occurred (a fact which is well documented and has been agreed by STAL in court), the first claim date did not arise until its June 2016 public statement. Therefore, legally, the claims period should be open until June 2022. To argue otherwise would be unconscionable.

In the forthcoming re-issue of the Guide to Residents the existing artificial deadline of July 2018 should be removed"

3. Stansted Airport College

Presentation by Will Allanson - Deputy Principal

4. Working Groups : Reports of meeting

To receive the Minutes and Notes of the following Working Group meetings held since the October 2017 meeting.

i. Environmental Issues Group - 29 November 2017

ii. User Experience Group - 6 December 2017.

iii. Corporate Affairs Group

Oral report on meetings held on 14 November 2017 and 16 January 2018

5. Airport Management Matters

To receive the report of the Chief Executive together with traffic statistics for the September - December 2017 period

6. Date of next meeting

To confirm 25th April 2018 as the date of the next meeting.