

DRAFT

(ver 31 January 2018)

STANSTED AIRPORT CONSULTATIVE COMMITTEE

MINUTES OF THE MEETING HELD ON 24 JANUARY 2018 AT THE AEROZONE, 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) –

**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*

Nick Millar - Operations Director*

Alistair Andrew - MAG*

1. Apologies for Absence and Deputising Attenders

Julie Jones, Danny Purton, Gary Jones and Simon Walsh

2. Minutes

The Committee approved as a correct record the draft Minutes of the Committee meeting held on October 4th 2017.

a. Matters Arising

One Member noted that at the previous meeting the AMT had been asked to produce a report on the land compensation issues for consideration by the Corporate Affairs Group and this had not happened. One Member considered that this represented a lack of transparency on the part of the airport. He further stated that it was important that Members received papers in advance of meetings to allow for proper preparation and consideration of issues. The Chairman advised that the AMT had subsequently made a detailed presentation to CAG which covered all relevant issues

One Member also considered that Members of the Committee should make declarations of interest. A limited number of Members then advised the meeting of such interests

All other outstanding matters recorded in the Minutes of the previous meeting had been 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."

The AMT expressed concern about the noise intrusion. Changes in airspace routings had affected the area. It was noted that EIG had objected to NATS's original proposals and had made further representations as part of the CAA's Post Implementation Review. Unfortunately the Group had only received an anodyne response from the CAA. However the Group would continue to monitor the issue and explore the scope for possible mitigation. Precision Based Navigation trials had also resulted in routes being concentrated and this would have increased noise levels for some residents. Overall the trials had reduced the number of people overflown by about 85% but concentrated routes. It was also noted that the growth of the airport with more aircraft operating would have affected the noise climate

The AMT would be updating the current Noise Action Plan for submission to Defra in August. The AMT would be consulting on the updated plan and this would be a transparent process. The draft plan would be likely to cover the following issues ; the impact of quieter noise efficient aircraft; the greater use of PBN; review of noise penalties and a revised noise insulation scheme. There would be no change in night noise arrangements given that the DfT had recently consulted on its proposals for a new regime and these would now be implemented.

b. Gerrie Johnson

The Chairman advised the meeting that the Constitution allowed that questions and statements should be no more than 3 minutes long. However in view of Ms Johnson's previous question to the October STACC , the Chairman was prepared to allow the statement on an exceptional basis.

Ms Johnson then proceeded to make the following 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”

The Chairman noted the statement and advised that the land compensation issue would be considered under the Chief Executive’s report later in the agenda.

3. Stansted Airport College

The meeting received the attached presentation by Will Allanson - Vice Principal, Harlow College on the development of the new Stansted Airport College. This was due to open in September 2018 and represented a £11m investment. The college would have its first intake of students/apprentices in September. Applications were currently being considered and interviews held.

The Committee welcomed the College as a very positive development. In discussion it was noted that the College faced a challenge in promoting the airport as an employment site. Unemployment in the immediate area was low and there may be a need to have a wide catchment area. Accessibility was likely to be a key issue in ensuring that students could easily reach the site. The College did not propose to provide any hostel accommodation. It was noted that the College intended to provide buses. It was suggested that the College might wish to considerate possibility of leasing scooters to students - this had been scheme that had been utilised in the past.

4. Working Groups : Reports of meeting

i Environmental Issues Group - 29 November 2017.

The Committee received and endorsed the Notes of the meeting held on 29 November 2017. The key issues covered by the November meeting included:

- The extension of PBN trials to other departure routes;

- Future airspace arrangements. NATS would be attending the February meeting to provide an update on developments. This meeting would be open to other non EIG members of the Committee.
- Electric vehicles and action to improve local air quality.
- Surface access - EIG and UEG would need to meet jointly to consider the impact of the airport's expansion on surface access.
- Benchmarking . The Group were awaiting comments from the AMT on a proposal for a bench marking project. This would cover both aviation and non aviation comparators. Once finalised, details of the project would be circulated to Members.

ii. User Experience Group - 6 December 2017.

The Committee received and endorsed the minutes of the meeting held on 6 December 2017. The key issues covered by the December meeting included:

- The Group awaited an update from the AMT as to the provision of signage in the coach station area. (Note ; the AMT subsequently provided the requested update.)
- On PRMs, the Group welcomed the establishment of the airport's Disability Forum. However clarity was required as to its linkage with UEG.
- The issue of identity cards continued to be of concern. It was suggested that one terrorist involved in the London Bridge incident had entered the UK through Stansted using an ID card. It was pointed out that the acceptance of ID cards was a national issue and stemmed from the UK's international obligations. One Member suggested that the Committee should write to the Home Secretary expressing concern about the security implications of accepting ID cards. The UEG Chairman - who maintained regular close contact with Border Force - said that he was aware that Border Force had conducted a thorough investigation of the incident which had concluded that there had been no breach of security. It was agreed that the UEG Chairman should speak further to Border Force on the issue of a letter to the Home Secretary.
- A number of members of the Group had attended a meeting of the Manchester Airport Consultative Committee in October. Among issues covered were the paramedic arrangements in place at Manchester. The Group were pleased to note that similar arrangements were due to be set in place at Stansted in April. It was also noted that at Manchester it was proposed not to have a passenger snake through the Duty Free area. The Group had argued unsuccessfully about the snake arrangements at Stansted and hoped that due consideration could be given to a change in the arrangements as part of the Transformation Project.

iii. Corporate Affairs Group

The Chairman reported that the Group had met on 14 November 2017 and 16 January 2018. This had enabled the Group to consider the land compensation in detail. In accordance with the Committee's Constitution, these meetings had

been held in closed session. The Group had considered the issue of former residents who had previously been advised that they would not be able to submit claims. After discussion, the AMT had advised that the Chief Executive had agreed to consider claims from former residents. Each claim would be considered on its merits. The AMT had also agreed to contact all claimants and issue a Revised Guide to Residents. The AMT were endeavouring to agree a way forward with the agents who represented the majority of claimants. Between the two meetings a further five claims had been submitted. The AMT had also indicated that they wished to adopt a flexible approach. (Note: The AMT had subsequently advised that, given the commercial and legal sensitivities, it was not proposed to provide Members with a copy of the Part 1 presentations made to the two CAG meetings.)

The CAG meeting on 16 January had also received a presentation from John Pope (Chairman - Stansted Airport Transport Forum) on surface access issues.

5. Airport Management Matters

The meeting received the Chief Executive's report together with traffic statistics for the September - December 2017 period. The main points highlighted were as follows:-

The airport's growth continued with the airport recording its busiest ever year with 25.9 passengers in 2017. The growth was being supported by new services - Emirates to Dubai, Primera to New York, Boston and Toronto. It was currently proposed to submit the 35- 43mppa planning application in February. As mentioned in the UEG report, the airport had established a Disability Forum. The CAA had assessed Stansted as good for its overall PRM operation and very good for its European accreditation scores. The establishment of the Forum was to develop the feedback process and enhance the level of service provided. Work on the Transformation Project was developing and it was proposed to make a presentation to the April STACC meeting. It was noted that drawdown on the Stansted Airport Community Trust generally continued to be limited although recent months had seen more applications supported.

On the land compensation issue, it was confirmed that the airport would be prepared to consider claims from former residents but without commitment to settle. Each claim would need to be considered on its merits. With regard to the closing date of July 2018, the airport did not intend that this should be an inhibitor to claimants. Accordingly they were prepared to extend this to July 2019 and then undertake a further review. Some Members considered that the operative date should be July 2022 in accordance with the six year limit set out in the Limitations Act. July 2016 should be used as the starting point in line with when the revised scheme was announced. The revised Guide to Residents would be issued shortly and update claimants on the key issues. Some members pointed out that it was not STACC's role to be closely involved in the process or with claimants. The Committee should seek to encourage that there was a fair and transparent process but the settlement of claims remained a

commercial matter between the airport and claimants (Note : all information on the Part 1 Compensation process inc. how to apply can be found at <http://www.stanstedairport.com/community/part-1-compensation-claims/>)

The Chief Executive's report published summary details of noise complaints for 2017. These showed that there had been an increase of 102% over the previous year. (8411 in 2017 compared with 4160 in 2016). One Member pointed out that the latest noise contours revealed an increase in the size of the noise contour area and the number of people affected. In response the AMT commented that the increase in flights would be a contributory factor in the level of complaints. The change in routings would mean that people not previously impacted by aircraft noise were now affected. In discussion, it was noted that five complainants accounted for 71% of complaints with one complainant accounting for 3000 complaints. Four of these were affected by the Dover/Clacton route change. It was noted that the level of noise fines in 2017 was £9000. Members considered that noise complaints should be taken seriously. The EIG Chairman advised that EIG would continue to monitor noise impacts as part of its work programme.

The Group then received a presentation from Nick Millar (Operations Director) on the weather disruption in December 2017. This outlined the preparatory work undertaken earlier in the year to ensure that the airport was fully prepared for adverse weather conditions. However the conditions experienced in December were exceptional. However although there had been runway closures, the situation had been contained within the day with no spill over to the following day. In discussion Members noted that there had been some public criticism about a lack of communication with passengers. The AMT advised whilst they considered the situation had been handled well, they recognised there had been a number of learning issues. It was also noted that disruption could be a major issue for passengers needing special assistance. These passengers would have undertaken considerable pre planning and any change could heighten anxiety. Disruption at any time of the year could present a problem.

On traffic statistics, one Member requested that future tables should include a year by year comparison on night flights.

6. Date of next meeting

The date of 25th April 2018 was confirmed as the date of the next meeting.

**Stansted Airport Consultative Committee
January 2018**