

Guidelines for Airport Consultative Committees

These guidelines are intended to assist those involved in establishing, running and participating in airport consultative committees. They supersede the guidance issued by the then Department of Transport in 1987-88.

Aerodromes¹ to which section 35 of the Civil Aviation Act 1982 applies have a responsibility to provide facilities for consultation. However, this guidance will also be applicable to any aerodrome with a consultation process and others with an interest in consultative procedures. We recognise the differences in circumstance between individual aerodromes and that arrangements and procedures for one committee may not be appropriate for another. It is important that the aerodrome and the committee retain the flexibility to adapt to local circumstances.

1. The legislation

1.1 Section 35 of the Civil Aviation Act 1982 (as amended), which deals with facilities for consultation at certain aerodromes, states:

1. "This section applies to any aerodrome which is designated for the purposes of this section by an Order made by the Secretary of State.
2. "The person having the management of any aerodrome to which this section applies shall provide:-
 - a. for users of the aerodrome,
 - b. for any local authority (or, if the person having the management of the aerodrome is a local authority, for any other local authority in whose area the aerodrome or any part thereof is situated or whose area is in the neighbourhood of the aerodrome), and
 - c. for any other organisation representing the interests of persons concerned with the locality in which the aerodrome is situated, adequate facilities for consultation with respect to any matter concerning the management or administration of the aerodrome which affects their interests.
3. "The reference in subsection (2)(b) above to any local authority includes in relation to the area of Greater London a reference to the Mayor of London acting on behalf of the Greater London Authority."

2. The purposes of consultation

The purposes of consultation are:

- to enable aerodrome operators, communities in the vicinity of the aerodrome, local authorities, local business representatives, aerodrome users and other interested parties to exchange information and ideas;
- to allow the concerns of interested parties to be raised and taken into account by the aerodrome operators, with a genuine desire on all sides to resolve any issues that may emerge;
- to complement the legal framework within which the aerodrome operates;

However, consultation is not intended -

¹ In these guidelines 'aerodrome' applies to any aerodrome, irrespective of the size of operation. The term 'airport' is used interchangeably.

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- to detract from or constrain the responsibility of the aerodrome owner and/or operator to manage the aerodrome;
- nor to prevent interested parties from raising concerns directly with the aerodrome, or through other channels.

Engaging with stakeholders

An airport informs interested parties about its operations and receives feedback in a number of ways including:

- airport visits,
- information leaflets,
- dedicated telephone comment line,
- newsletters,
- website,
- public meetings,
- involvement in community events,
- public surveys,
- correspondence with individuals,
- displays and exhibitions.

3. The form of consultation

3.1 The nature of 'adequate facilities for consultation' will depend upon the type and scale of the aerodrome operation and is likely to be site specific. An aerodrome engages with those affected by and involved in its operation in a number of ways, of which the consultative committee is only one mechanism.

3.2 However, the Department recognises that the best means of ensuring fair treatment of the different categories of statutory consultees is through a consultative committee formed for this purpose. This provides an opportunity for the aerodrome to consult relevant groups simultaneously, but also allows those groups to engage with each other directly.

3.3 A consultative committee provides:

- an opportunity for information exchange between aerodrome and interested parties;
- a structured forum for discussion so as to make recommendations to the aerodrome management and other bodies when appropriate;
- the opportunity to reach common understanding between interested groups about the nature of aerodrome operation, thereby increasing the scope for issues to be resolved amicably. However, people interested in and affected by an aerodrome operation may have mutually inconsistent viewpoints and it is not realistic to expect that all matters of concern will be able to be resolved through discussion;
- to promote understanding about aerodrome operations more widely, through dissemination of relevant information by committee members;
- to promote understanding by the aerodrome operator of the nature of its impacts on local communities and businesses.

However,

- a consultative committee is *not* a dispute resolution forum;
- a consultative committee does not have any executive or decision-making power over the aerodrome.

Constitution of Consultative Committees

4. Terms of reference

The terms of reference of the committee should be sufficiently widely drawn to allow it to consider all matters arising from the operation of the aerodrome. The exact terms of reference will be at the discretion of the committee but would be expected to cover existing and proposed facilities and services at the airport, input into environmental monitoring of the aerodrome, surface access, responses to formal consultation papers issued by government and other regulatory authorities, and consideration of the economic, and the social and environmental impact of committee recommendations.

Examples of terms of reference

- to consider aerodrome issues as they affect the communities represented or the amenities of the aerodrome;
- to make suggestions to the aerodrome where this might further the interests of the communities represented;
- to stimulate the interest of the local population in the development of the aerodrome;
- to monitor the environmental impact of all aspects of the operation of the aerodrome and to advise on operating procedures resulting from such monitoring with a view to minimising noise or other pollution from whatever source;
- to protect and enhance the interests of users of the aerodrome;
- to discuss with the aerodrome formal procedures for recording complaints about aircraft noise and other adverse effects of the aerodrome.
- to consider the contribution of the aerodrome to the local, regional and national economy.

5. Officers of consultative committees

5.1 **Chairman.** To maintain the confidence of the general public it is important that the Chairman should not be closely identified with any sectional interest. Where the Chairman is appointed by the airport, this appointment should be made with the involvement of the committee. To ensure continuity in the operation of the committee it is desirable for the Chairman to be appointed for a minimum period of three years, although there should be no prescribed maximum period of appointment. The Chairman may receive appropriate remuneration, depending on local circumstances and workload.

5.2 **Secretary.** The Secretary, too, should not be closely identified with any sectional interest. A local authority (ideally, not a planning authority for the airport) may be suitably placed to carry out this function.

5.3 A properly resourced secretariat shall be appointed to ensure the effective working of the committee. The necessary secretarial support will depend upon the size of the committee and the volume and nature of the business handled. The duties of the secretariat shall be to:

- prepare minutes of the committee and distribute them to all members;

- issue notices of meetings of the committee and to place on the agenda any matters that are proper for the committee to consider;
- circulate relevant documents;
- assist the committee on policy and technical issues, where appropriate.

The Committee should determine how the costs of providing this adequate secretarial support should be met.

6. Composition of consultative committees

6.1 Representation. Section 35 of the Civil Aviation Act 1982 specifies the categories of bodies or organisations that should be consulted: see above, para 1.1.

6.2 It is important that all those significantly affected by or involved in the operation of the aerodrome should, so far as reasonably possible, have access to a representative who can speak on their behalf. While the exact size of the committee will depend upon local circumstances, the committee should be of a manageable size.

6.3 For fair and equitable treatment of the different categories, it is more important to ensure that there is a representative balance of affected interests rather than to attempt equal numeric representation.

6.4 The groups represented will vary between aerodromes: the users at an airport with a mixture of commercial air transport and GA flights may potentially encompass a wider spectrum of interested parties than either a major airport or small GA aerodrome. The scale of interest from the local community and local authorities is also likely to be more significant at larger aerodromes as the positive and negative impacts are likely to cover a wider geographical area.

6.5 Members' tenure. If possible, the term of office for members should be more than one year. Where a member is unable to attend, he or she should be permitted to send a notified deputy of suitable standing. Elected council members and others nominated *ex officio* may, of course, be obliged to resign upon loss of office. Represented councils should have procedures to ensure smooth transition following local elections.

Examples of good practice in representation

- Many committees require community organisations on the committee to have a written constitution and documented membership to help secure the legitimacy of representatives.
- Luton conducts a formal review of the balance and representation of the committee at its AGM.
- At Bristol, members of the committee nominated candidates for appointment of its Chairman from outside the committee membership. The airport MD, together with the committee secretary, interviewed candidates, and made a recommendation upon which the committee voted.
- At East Midlands the post of Chairman was advertised, and candidates were interviewed by the airport management and a representative from each category of member.

6.6 Airport management. It is essential that the airport management participate fully in the committee proceedings by offering items for the agenda, attending meetings and by providing relevant information on the operation of the airport. As the committee's role is to advise the airport management we recommend that airport officers should preferably *not* be formally members of the committee. It may also, in some cases, detract from the public perception of the committee's independence. However, we recognise that in practice there may sometimes be locally specific reasons for airport personnel to be members.

6.7 Advisers. It is often useful, especially at the larger airports' committees, if members are permitted to be accompanied by technical advisers (for example, elected council members may be supported by

officers). Such advisers should not, however, intervene in committee proceedings unless invited to do so by the Chairman.

Examples of good practice in providing technical advice

- Heathrow ACC retains an aviation technical consultant and ensures that technical matters are brought to the attention of the Committee with sufficient notice.
- Luton recommends that local authority members should consider appointing an appropriate aviation consultant to act as a specialist technical information officer.
- Depending on the size of the aerodrome and the subject matter for consideration, the committee could consider appointing an appropriate consultant having aviation and/or other relevant expertise to act as a specialist adviser to the committee as a whole.
- A number of airports organise an annual familiarisation tour of airport facilities to assist members in understanding the complexity of aerodrome operation. London City arranges annually a flight to another airport so members can experience the airport as a passenger and compare the facilities.

7. Sub groups

7.1 It may be useful for some committees, particularly at the larger airports but not necessarily limited to these, to form sub groups dealing with specific issues or areas. However, the need for sub groups will depend on the scale of activities and the location of the particular airport.

Example of Sub groups

At Manchester Airport three smaller sub groups - Users Advisory Group, Technical Advisory Group and Community Trust Fund - have been created. These groups meet on the same cycle as the main committee and can cover topics in more detail and investigate particular issues on behalf of the main committee e.g. provision for disabled passengers.

7.2 Some larger airports are required to establish a Transport Forum. In such cases, provision should be made by the airport management to ensure that mechanisms are in place to involve the consultative committee with the work of the Forum.

Organisation of Meetings

8. Agenda and Papers

8.1 **Agenda.** If possible all members should make available to the Committee (through the Secretary) at as early a date as possible details of any matter of concern to that member which he or she wishes to raise at a meeting of the Committee. Provided that a matter is within the terms of reference, it is recommended that all committee members be able to propose agenda items for discussion.

8.2 **Circulation of documents.** Papers should be circulated well in advance to allow representatives to prepare fully and obtain technical advice if necessary. The secretariat will need to ensure that the circulation of papers does not breach copyright, privacy or data protection.

Examples of Agenda Items

- Airport Operator's Report;
- Airport Statistics;
 - Passenger numbers and new services
 - Complaints
 - Runway utilisation

- Night flights
- Environmental statement;
 - Noise and Track keeping
 - Community noise monitoring
 - Local air quality monitoring
 - Noise insulation schemes
- Surface Access
- Airport Development
- Airspace Changes
- Government Consultations
- EU Regulations
- Community Initiatives
- Flying training and circuits

9. Proceedings

9.1 **Participation.** To ensure the effective operation of the committee; it may be considered useful to have a commitment from all members to participate actively in the work and discussions of the committee. During meetings it is important that members should be given adequate opportunity to represent their views and that no organisation or one group should dominate proceedings.

9.2 **Voting.** It is expected that matters would be resolved by consensus. In general, the Chairman should avoid taking votes on matters other than those relating to the membership of the committee and its sub-groups.

9.3 **Minutes.** The minutes of the meeting should be concise, but thorough. Committee publications should reflect the range of views and advice and/or recommendations to the airport operator put forward by members and should not merely reflect the majority viewpoint on any issue.

Examples of Presentations

- Surface Access
- Air Passenger Rights
- Airport Development
- Noise measurement techniques
- Local Airspace Arrangements
- Air Quality

10. Venue

10.1 The venue of the meeting should be decided by the committee. Unless otherwise agreed by the committee, the management of the aerodrome should arrange adequate facilities for meetings, having regard to travel convenience of members from the whole catchment. Venues should be accessible by public transport where reasonably possible.

11. Frequency of meetings

11.1 The consultative committee should meet at least three times a year, unless the committee is satisfied that fewer meetings would suffice.

12. Administrative Costs

12.1 The expenses incurred by the committee should be met in such a way as the Committee may determine. However, the default option is for the airport, particularly if designated under s.35, to cover expenses. It is not expected that the committee would normally meet individuals' expenses.

Engaging with the Wider Community

13. Publicity

13.1 The wider local community and airport users should be made aware of the existence of the consultative committee and its role in relation to aerodrome operation, and how it may be contacted. Any publicity undertaken by the aerodrome should be in proportion to the scale of the aerodrome operation.

14. Public access to meetings

14.1 Meetings of the committee may be open to the press and the public at the discretion of the committee. It is recognised that in some circumstances public access could hinder the flow of information, possibly preventing free and frank discussion. It may therefore be necessary to hold meetings, or parts of meetings, in private when matters of a confidential or sensitive nature are being discussed.

Publicising the committee to the wider community

The existence and role of the committee should be extensively publicised to the wider community. This could be achieved by:

- A visible notice and information at the airport;
- Local press coverage;
- An annual or biennial committee report;
- Publication of committee agendas and minutes;
- References in airport and represented organisations' public reports;
- Information on the airport website (or on a dedicated consultative committee website, if resources allow).

Organisations represented on the committee should be encouraged to provide hyperlinks from their own websites.

15. Complaints

15.1 The *aerodrome* should have an agreed formal procedure for recording complaints about aircraft noise and other impacts of the aerodrome on the environment. These arrangements, which should be very well publicised, should provide for complaints to be made to the aerodrome management by telephone, electronically or in writing. Complainants should normally be invited to give their name, address, telephone number and sufficient detail to enable any investigation to be carried out.

15.2 Passenger complaints, if referred to the consultative committee, could be reviewed by a passenger services sub-committee if the committee has established one.

15.3 The number and general location of complaints should be made available to the committee.

15.4 Airports might suggest that complainants, if dissatisfied with the airport response on a matter of wider interest, could contact the committee to raise the matter for discussion. However, it should be remembered that the consultative committee is not an arbiter of last resort, and its recommendations are not binding on the aerodrome. So, it should not be the committee's function to investigate individual complaints as a matter of routine. Where, exceptionally, this is done, for example because of wider issues arising, the secretariat should ensure that complainants are given anonymity unless express permission has been given for their identities and addresses to be circulated.

Good Practice for Engaging with the Community

- Wycombe Air Park holds a thirty minute open session after the meeting for the public to raise any concerns.
- London City allows the public to attend its meetings and, subject to prior notice, to speak on particular issues.
- Luton encourages local groups to join alliances to ensure the communication of accurate information to interested local residents.
- Gatwick invites the press to meetings, which allows matters of wider public interest to be publicised.

Interaction between Airport Consultative Committees

16. The sharing of good practice and information between consultative committees is strongly encouraged. The committee should determine how this is managed in practice.

17. The Government issues these guidelines to assist those who are required to provide adequate facilities for consultation under Section 35 of the Civil Aviation Act 1982 and any aerodrome with a consultation process. It believes that local issues are best resolved locally, through the consultative committee. It has no direct role in the operation or conduct of consultative committees.

18. Those aerodromes currently designated are listed in Statutory Instrument 2002/2421.

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