

**CONSTITUTION OF BIGGIN HILL AIRPORT**  
**CONSULTATIVE COMMITTEE**

**AGREED BY THE COMMITTEE ON 26<sup>th</sup> October 2023**

This Constitution shall come into effect on 26<sup>th</sup> October 2023 and shall replace all previous versions of the Constitution.

**1. NAME:**

The name of the Committee is the Biggin Hill Airport Consultative Committee (**BHACC**).

**2. PURPOSE:**

- 2.1. The Purpose of the Committee is to act as a means of consultation in accordance with the terms of Section 35 of the Civil Aviation Act 1982 and within the guidelines set out in the Guidelines for Airport Consultative Committees published by the Department for Transport in April 2014.
- 2.2. By establishing and facilitating the operation of the Committee, Biggin Hill Airport (**the Airport**) is acting to fulfil its obligations under section 35 of the Civil Aviation Act 1982. The Committee shall be independent of the management team of the Airport.
- 2.3. The Committee shall be a structured and independent forum that provides an opportunity for the two-way exchange of information between the management team of the Airport and interested parties on matters concerning the operation or administration of the Airport where these affect the interests of persons concerned with the Airport and its locality. The Committee may make recommendations to the Airport and other bodies when appropriate as well as being a place where there is an opportunity to reach common understanding between interested groups about the nature of the Airport's operation.
- 2.4. The Committee shall have no executive powers in relation to the operation of the Airport nor shall it operate as an arbiter of last resort for resolving disputes or complaints. The Committee shall act in a constructive manner as a 'critical friend', by providing objective feedback on aspects of the Airport which are working well, as well as areas where the Airport could make improvements. The Airport is expected to engage constructively with the Committee and to take the Committee's views into account (but is not bound by them) when making decisions about which the Committee has been consulted. Nothing said or done by the Committee shall detract from the responsibility of the management team of the Airport to manage.

### **3. AIMS:**

#### 3.1. The aims of the Committee are:

- 3.1.1. to consult with and inform the local community of current operational matters and future developments, including, but not limited to, matters of noise, air quality, environment and safety;
- 3.1.2. to hold the Airport to account by monitoring the implementation of commitments made by the Airport and challenging the Airport's performance, when necessary;
- 3.1.3. to allow the efficient functioning and economic development of the Airport, its airport business community, its resident workforce, while moderating its impact upon local communities and the environment;
- 3.1.4. to ensure that the Airport plays an active role in supporting the economic activities and objectives of the local and regional communities (business and residential);
- 3.1.5. to sustain an interactive and positive link between, and act as a representative of, all interested parties;
- 3.1.6. to identify priorities to help ensure the work of the Committee and discussions at Committee meetings remain focused and efficient;
- 3.1.7. to ensure that parties are kept adequately informed of matters affecting them; and
- 3.1.8. to develop and sustain links between the Airport and other community functions, businesses and initiatives.

### **4. PROVISION:**

#### 4.1. BHAL shall at its own expense provide adequate facilities, including but not limited to:

- 4.1.1. a quarterly meeting and an Annual General Meeting at a convenient time and place; and
- 4.1.2. a professional Committee Secretary, whom the Committee shall be able to satisfy itself is not closely identified with any particular interest that would jeopardise his or her independence.

## **5. MEMBERSHIP:**

- 5.1. Membership of the Committee, including the BHACC Chairman, Deputy Chairman and Chairman of the Noise and Safety Sub-Committee, shall not exceed 30 members.
- 5.2. There shall at all times be a fair and equitable balance of the three groups of interests specified in section 35 of the Civil Aviation Act 1985 represented among the membership of the Committee. No one interest (or group of interests) shall be permitted to dominate the Committee. These three groups are:
  - 5.2.1. Airport users (including but not limited to tenants, service providers, aircraft operators and owners, passengers and customers);
  - 5.2.2. local authorities in whose area the Airport is situated and local authorities whose area is in the neighbourhood of the Airport; and
  - 5.2.3. any other organisation representing the interests of persons concerned with the locality in which the Airport is situated (such as residents' associations, Councils of Parishes located within two miles of the Airport, local and regional businesses and enterprise groups, local environmental groups, and/or tourism and consumer bodies).
- 5.3. The membership of the Committee shall include:
  - 5.3.1. the BHACC Chairman;
  - 5.3.2. the Deputy Chairman;
  - 5.3.3. the Chairman of the Noise and Safety Sub-Committee;
  - 5.3.4. three representatives from the London Borough of Bromley;
  - 5.3.5. one representative from each of the London Borough of Croydon, Tandridge District Council, Sevenoaks District Council, Surrey County Council, Kent County Council and the Greater London Authority;
  - 5.3.6. one representative from Tatsfield Parish Council;
  - 5.3.7. three representatives from the Bromley Residents' Federation drawn from residents' associations that represent residents of localities in the vicinity of the Airport;
  - 5.3.8. one representative from the Biggin Hill Residents' Association;
  - 5.3.9. six representatives of Airport users;

- 5.3.10. one representatives of local and regional businesses; and
- 5.3.11. such other members as the Committee may from time to time agree in accordance with the process set out at paragraph 5.8 below, subject always to the maximum membership of the Committee specified at paragraph 5.1 above.
- 5.4. The Secretary shall maintain a register of members of the Committee.
- 5.5. Local authorities shall be represented on the Committee by local councillors. In the case of the London Borough of Bromley, one of the representatives on the Committee should be the local councillor with responsibility for managing the relationship of London Borough of Bromley with the Airport. The remaining two local councillors shall be from the Biggin Hill and Downe wards. Any changes to the individuals authorised to represent the local authority at meetings of the Committee should be reported promptly in writing to the BHACC Chairman.
- 5.6. In respect of all members other than those representing local authorities, at the outset of each Annual General Meeting, each member of the Committee shall confirm that they are duly authorised by the organisation they purport to represent on the Committee. Any changes to the basis of such authorisation or the individuals authorised to represent an organisation (or their substitute) must be reported promptly in writing to the Chairman. Individuals cease to be a member of the Committee upon their ceasing to be authorised to represent the relevant organisation.
- 5.7. Members representing residents' associations should represent the views of their wider association, consulting with other members of the association before meetings and feeding back afterwards. Residents' associations that are represented on the Committee should be limited to those which represent residents of areas in the locality in which the Airport is situated that are overflowed by aircraft arriving at and departing from the Airport and must have a written constitution and documented membership to help secure the legitimacy of representatives.
- 5.8. Members (excluding the BHACC Chairman, Deputy Chairman and Chairman of the Noise and Safety Sub-Committee) may appoint a substitute to represent them at a Committee meeting by written notice to the Secretary at least 24 hours in advance of each Committee meeting at which the substitute is proposing to attend in place of the member. The attendance and participation of a substitute (including but not limited to those who have not been duly notified to the Secretary) is at the discretion of the BHACC Chairman.
- 5.9. New members are to be appointed by the following process.
- 5.9.1. The Airport or any existing member of the Committee may at any time nominate a new member of the Committee.
- 5.9.2. Any nominee for membership of the Committee must confirm to the Secretary in writing that they have read, understood and are prepared to be bound by the

constitution of the Committee prior to any vote taking place on their admission as a member.

5.9.3. The Committee must be satisfied that the nominee will be capable of representing one of the groups of interests specified in paragraph 5.2 above and that the admission of the nominee would be consistent with the terms of this constitution, including the Purpose and Aims of the Committee (paragraphs 2 and 3 above), the Code of Conduct (paragraph 9.1.3 below) and the principles of membership specified at paragraph 5.2 above.

5.9.4. The nomination must be endorsed by a vote of a majority of the existing members at a meeting of the Committee, such membership to commence immediately upon a vote in favour.

5.10. Members may be removed from the Committee by a vote of a majority of the Committee. Members who represent an organisation listed at paragraph 5.3 should be duly replaced by the organisation and such replacement notified in writing to the BHACC Chairman as soon as possible following their removal from the Committee.

5.11. Without prejudice to the ability of the Committee to vote to remove a member for any reason in accordance with paragraph 5.10, the following conduct will, for the avoidance of doubt, be regarded as grounds for removal from the Committee.

5.11.1. failing to attend three successive Committee meetings; and

5.11.2. behaving in a manner inconsistent with this Constitution, in particular the Code of Conduct at paragraph 9.1.2 below, whether at a meeting of the Committee or otherwise.

## **6. BHACC CHAIRMAN, DEPUTY CHAIRMAN AND CHAIRMAN OF THE NOISE AND SAFETY SUB-COMMITTEE:**

6.1. Each of the Chairman, Deputy Chairman and Chairman of the Noise and Safety Sub-Committee shall be independent of the Airport and should, where possible, have relevant aviation experience but should not be closely associated or connected with any group of interests represented on the Committee.

6.2. The appointments of the Chairman, Deputy Chairman and Chairman of the Noise and Safety Sub-Committee shall be made by the Airport, in consultation with the Committee, and shall be renewable every three years. The appointments of the Chairman, Deputy Chairman and/or Chairman of the Noise and Safety Sub-Committee shall not be made unless and until the Airport has proposed the relevant individuals to the Committee at a Committee meeting and the Committee has been given the opportunity to discuss and make representations on the proposed appointments.

6.3. The Airport will remunerate the expenses of the Chairman and Deputy Chairman.

6.4. In the absence of the Chairman and Deputy Chairman, an acting-Chairman shall be chosen for the meeting from among the members of the Committee in attendance.

## **7. IN ATTENDANCE:**

7.1. The following non-members may attend and participate at a meeting of the Committee.

7.1.1. the Chairman of the Airport (or their representative as may be nominated by them in writing to the BHACC Chairman);

7.1.2. the Chief Executive Officer of the Airport (or their representative as may be nominated by them in writing to the BHACC Chairman);

7.1.3. the Secretary to the Committee;

7.1.4. the appropriate Officer of London Borough of Bromley responsible for planning policy in connection with the Airport;

7.1.5. the London Borough of Bromley Airport Monitoring Officer;

7.1.6. such other officials of the Airport as may be invited by the Chairman or proposed by the Airport and approved by the Chairman; and

7.1.7. such other individuals as may be invited or approved by the Chairman.

7.2. Non-members in attendance may speak during the meeting, subject to the approval of the Chairman, but may not vote, should a matter require a vote.

## **8. MEETING AGENDA:**

8.1. An agenda shall be circulated by the Secretary seven days prior to each meeting.

8.2. Agenda items should further the Purpose and Aims of the Committee (see paragraphs 2 and 3), should take account of established and emerging government aviation policy and should reflect a fair and appropriate balance of the issues that the Committee wishes to discuss. Regular agenda items may include (but are not limited to) the discussion of:

8.2.1. minutes of the previous meeting

8.2.2. a quarterly report from the management team of the Airport on economic, employment, environmental, community relations and other relevant matters;

8.2.3. reports on issues such as airport development, inward investment, noise and track keeping performance, planning issues relevant to airport activity;

8.2.4. updates from any sub-committees;

8.2.5. papers circulated prior to any meeting will only be distributed to appointed members and appointed attendees. Briefing of deputies remains the responsibility of the appointed member or appointed attendee.

8.2.6. any other business.

8.3. Items for the agenda of an upcoming meeting may be suggested by members either prior to publication of the agenda by giving sufficient notice to the Secretary, or otherwise raised under any other business.

## 9. CONDUCT OF MEETINGS:

9.1. The Committee shall conduct its meetings (including the Annual General Meeting) as follows:

9.1.1. It should be non-political and refrain from supporting any political party.

9.1.2. Members should abide by the following Code of Conduct:

- **Respect:** members should treat each other with respect and courtesy at all times.
- **Commitment:** members should dedicate sufficient time to prepare for and attend meetings, including seeking advice and views from others in their organisation where appropriate.
- **Conflicts of Interest:** members should identify and declare any conflicts of interest (actual, potential or perceived), particularly where members do not represent an organisation.
- **Participation:** members should participate fully in meetings and make all efforts to adopt the stance of “critical friend” towards the Airport. They should listen to what others have to say and keep an open mind while contributing constructively to discussions. Actions assigned to members should be fulfilled in a timely manner and progress reported back at the next meeting.
- **Openness and Accountability:** members should be open and accountable to each other and the organisations and communities they represent about their work on the Committee.
- **Confidentiality:** members should respect the status of any confidential issues they discuss.

- 9.1.3. The Airport will be represented at all meetings of the Committee by senior managers and advisers.
- 9.1.4. There shall be a Noise and Safety Sub-Committee, with terms of reference and membership set by the Committee (other than the appointment of the Chairman of the Noise and Safety Sub-Committee, which shall be in accordance with Clause [6.2] of this Constitution) and reviewed annually. Any other sub-committees shall be formed where appropriate, on terms of reference and membership set by the Committee, and reviewed annually.
- 9.1.5. Members of the public (including the Press) will be permitted to attend meetings (including the Annual General Meeting) as observers (subject to the prior approval of the Chairman) but can be excluded (at the discretion of the Chairman) from discussions considered confidential (the confidentiality rules used by the London Borough of Bromley will be adapted, as necessary). Members of the public are expected to act consistently with this constitution, in particular the Committee's Code of Conduct set out at paragraph 9.1.2 above, while attending Committee meetings.
- 9.1.6. The Chairman (and/or Duty Chairman, as appropriate) is responsible for the orderly conduct of meetings of the Committee in accordance with this constitution. If a member of the Committee or other attendee at a meeting is considered by the Chairman (or Deputy Chairman, as appropriate) to be preventing the orderly conduct of the meeting, the Chairman may ask the member of the Committee or attendee to leave the meeting.
- 9.1.7. Minutes of meetings will be distributed as soon as possible after each meeting and approved at the following meeting.
- 9.1.8. Meetings will normally start at 3.00pm on Thursdays, each quarter, to a schedule published up to twelve months in advance.
- 9.1.9. A quorum for all meetings shall be at least one third of the members and shall include at least one representative of the management team of the Airport.
- 9.1.10. Before the first normal business meeting in each calendar year there shall be held an Annual General Meeting to receive an Annual Report which shall be presented by the Chairman. The Annual Report shall set out what has been achieved by the Committee in the past year, including by reference to the Committee's agreed priorities, if any. The Secretary shall ask members to suggest items to be included in the Annual Report at the meeting immediately preceding the Annual General Meeting.
- 9.1.11. Details of the Committee will be shown on the Airport website and minutes of meetings, excluding confidential items, will be posted once approved.



## **10. VOTING**

- 10.1. It is expected that matters will generally 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, or to proposed changes to the constitution.
- 10.2. However, nothing shall prevent the Chairman from inviting a show of hands in support of a proposal by a member of the Committee. In the event that a show of hands is recorded in the minutes, the votes (or abstentions) of individuals may be recorded in those Minutes, at their own request.
- 10.3. Each member of the Committee (including the Chairman and Deputy Chairman) shall hold one vote.
- 10.4. Only members in attendance at a meeting of the Committee may vote.

## **11. CHANGES TO THE CONSTITUTION:**

- 11.1. This constitution shall be reviewed every five years at the Annual General Meeting of the Committee, or earlier if requested by a majority of members.
- 11.2. Up to six months and no less than two months prior to the meeting at which the constitution is to be reviewed, the Chairman shall prepare and circulate to the members and the management team of the Airport a written report on the constitution for consideration at that meeting. That report shall include the Chairman's proposed amendments to the constitution (if any).
- 11.3. Any amendment to the constitution proposed and seconded by two members other than the Chairman shall be submitted, in writing, to the Secretary at least thirty days before the meeting at which the constitution is to be reviewed, and such proposals shall then be circulated to the Committee's members no less than one week in advance of the meeting.
- 11.4. Changes to the constitution which are approved by a majority of the Committee present and voting shall be effective from the date of approval.