

## DoT Guidelines for ACC vs BHACC practice

Key Guidelines per Department of Transport 2014

✓/X *Comment*

<p>2.7 There must be sufficient representation from each of the three discrete groups identified at section 35 of the Civil Aviation Act 1982 to ensure that the views of that group are adequately expressed. There should be fair and equitable treatment of the different categories with no one interest dominating the committee</p>	<p>X</p>	<p>BHACC constitution has been re-written to exclude any other interested party more than 2 miles from the airport, thus excluding all those affected in areas such as Petts Wood, Crofton and Chislehurst. It also only allows 3 representatives from the Bromley Residents Federation (out of 35). The new constitution also allows only 3 Bromley councillors and stipulates 2 of these are from Biggin Hill and Downe: one of whom is known to be the most pro-airport councillor. LBB estimates 90,000 people live on the flight path, the vast majority of which are denied a voice at the ACC.</p>
<p>2.15 The existence and role of the committee, as well as members of the committee and the organisations they represent, should be easily accessible to the community online through a section on the airport's own website or on a dedicated website. If the committee has its own website, the airport should provide appropriate signposting from its website. The website should also include a schedule of the committee's meetings as well as minutes of the meetings themselves.</p>	<p>X</p>	<p>Section on the airports website re the committee and its minutes. But it does not name committee members - just their organisations; and is difficult to locate under a "Community" tag</p>
<p>2.17 Committees are encouraged to open their meetings to the public, unless there is a legitimate reason why it is inappropriate to do so. The manner in which the public are admitted to attend meetings should be decided by the committee according to local circumstances.</p>	<p>X</p>	<p>All BHACC meetings have been closed to public. Constitution says they will be included as observers - but this has yet to happen.</p>
<p>2.20 The airport management should be willing to be influenced by the discussions and opinions of the committee in order to make the process of consultation meaningful. The airport is expected to take the committee's views into account when making decisions on matters about which the committee has been consulted.</p>	<p>X</p>	<p>The view is that this only occurs where the topic is favourable to the airport. Criticism is quickly dismissed.</p>
<p>2.21 The airport should be clear about areas where decisions have already taken place or where the committee's views cannot influence the situation.</p>		<p>Lack of evidence to conclude.</p>
<p>2.22 When the views of the committee are expressed in response to being consulted, the presence of any significant minority opinion should be made clear, as well as those areas where there is agreement.</p>	<p>X</p>	<p>The minutes of the meetings are brief and only show the conclusion - not dissenting voices or minority views. Example - NAP review questions dismissed</p>
<p>2.23 Committees could consider setting up an annual work plan that identifies priorities to help ensure work and discussions remain focused or publishing a short annual report detailing what has been achieved by the committee in the past year.</p>	<p>X</p>	<p>Annual report produced, but not an annual plan.</p>

<p>3.1 Committees should be transparent about how and why they are funded and seek to demonstrate how independence is achieved despite the financial ties.</p>	<p>X</p>	<p>Website is clear on funding, but not on how this doesn't impair independence. The Chair has no separate funding, so it is unclear how the committee could ever receive independent advice, say on noise measurement, rather than accepting the views of the airports experts or management.</p>
<p>3.2 One of the most important ways in which committees can ensure their independence is by appointing a chair through an open and transparent process, with the involvement of the committee itself. The chair should not be closely identified with any sectional interest.</p>	<p>X</p>	<p>The Chair leases a hanger at the airport where he stores his vintage planes and runs a business. He is a friend of the owner, who installed him at the committee. He also posts pro airport development on Social media (see below). He cannot be considered independent. The same is also true of NSSC chair where the appointment process also lacks transparency. The Secretary of the ACC was recently replaced and chosen by the Airport - the process was not visible to ACC members or public.</p>
<p>3.3 It is important that consultative committees have an effective chair who is able to gain the respect of the other committee members and should have the ability to draw together a wide range of views into a coherent conclusion.</p>	<p>X</p>	<p>Chair cannot be considered effective whilst non-independent</p>
<p>3.4 The Secretary should not be closely identified with any sectional interest.</p>	<p>X</p>	<p>Secretary is appointed by the airport</p>
<p>3.5 A properly resourced secretariat should be appointed to ensure the effective working of the committee. A local authority (ideally, not a planning authority for the airport) may be suitably placed to carry out this function although other arrangements (such as an independent secretary) could also be appropriate.</p>	<p>X</p>	<p>All secretariat role performed by the airport</p>
<p>3.6 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, answering questions and responding to points raised by the committee. Those attending on behalf of the airport should be at an appropriately senior level (for example CEO or Managing Director).</p>	<p>X</p>	<p>The CEO attends and effectively runs the meeting</p>
<p>3.7 The consultative committee should meet at least three times a year, unless the committee is satisfied that fewer meetings would suffice.</p>	<p>✓</p>	<p>Meets quarterly plus AGM at Q1</p>
<p>3.8 Terms of Reference</p>		

<p>To foster communication and build understanding between the airport and its users, local residents and the business community: i) To stimulate the interest of the local population in the development of the aerodrome, ii) To consider and comment upon the impacts of the airport's administration, operation and development in relation to: - The environment - Surface access issues associated with the airport - Employment - The local, regional and national economy - The circumstances of local communities and their residents, iii) To protect and enhance the interests of users of the aerodrome, particularly those of passengers; iv) To consider and, if appropriate, comment upon any factual and consultative reports, from Governmental and other sources, that are material to the future character, operation and development of the airport.</p>	X	<p>Airport has added: 3.1.3 "to allow the efficient functioning and economic development of the airport" and 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" - both of which are contrary to the purpose of an ACC.</p>
<p>3.10 Sub groups Noise and track keeping group: to oversee the airport's production of statistics, information and complaint handling relating to aircraft noise and assist the airport to improve the impact of aircraft noise on the community around the airport.</p>	X	<p>The Noise and Safety Sub Committee (NSSC) tracks complaints. It doesn't "oversee the production of statistics" but receives them from management.</p>
<p>3.12 Papers should be circulated well in advance to allow representatives to prepare fully and obtain technical advice if necessary.</p>	X	<p>Target is to circulate just 7 days in advance that may not be considered sufficient for technical matters. In reality can be issued on day of the meeting.</p>
<p>3.14 Members code of conduct</p>	X	<p>Code of conduct is included in the ACC constitution (section 9). It also says members need to declare conflicts of interest. This has not been done by the Chair or the Secretary. The Code requires participation from all attendees. This is not the case, and the LBB members contribute little.</p>
<p>3.15 No organisation or one group should dominate proceedings.</p>	X	<p>Meetings are dominated by the Airport Chairman, CEO and COO with a lack of participation by most members. The NAP should be discussed, but any suggestion it might not be closed is shut down.</p>
<p>3.17 The minutes of the meeting should be concise, but representative of the issues and views discussed. 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. Actions should also be recorded and followed up on at subsequent meetings.</p>	X	<p>Latest minutes posted on website are "draft" only. Minutes only show majority view and not dissenting voices or alternative views.</p>
<p>3.18 While the airport should have an agreed formal procedure for recording complaints about aircraft noise as well as passenger service issues, committees are well placed to monitor trends or patterns of complaints (both noise related and from customers), to consider specific issues (for example how the airport responds to persistent complainants), and to monitor the airport's ongoing performance in dealing with complaints. The number, and for noise complaints general location, should be made available to the committee.</p>	X	<p>Trends and patterns can only be monitored by those provided with the information (NSSC members). Such data, including location of complaints is not available to ACC members.</p>

3.20 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.

X

Actively discouraged by the BHACC - where the Chair simply refers back to the CEO who will not respond

4.1 For committees at smaller aerodromes, sharing best practice on an informal and ad hoc basis may be appropriate. To facilitate this, committees should ensure their contact details are available on their websites.

Unknown

X

***BHACC has added to its constitution a provision that allows for the removal of any individual the committee wants to remove, using a simple majority voice. Therefore limiting or negating any dissenting voices.***