



## THE EFFECTIVENESS OF AIRPORT CONSULTATIVE COMMITTEES

On the 15th of December 2021, the Department for Transport wrote to all Airport Consultative Committees (ACCs) to advise them that the Department would be carrying out a short survey in the new year “to improve its view and understanding of ACCs and similar organisations”. The survey opened on the 10th of January.

In your letter, which was brought to AEF’s attention by our members, you stated: “Our objective is to encourage better working between airports and their ACC’s, and to ensure airport stakeholders and communities have an effective voice in airport-related matters that affect them”.

Some of AEF’s community group members have a seat on their airport’s ACC, while others do not. In both cases a significant number have expressed considerable and sustained concerns about the way in which their ACC is organised and run. That being the case, we felt that we should take the DfT’s short survey as an opportunity for our members to have their own say on ACCs in order to provide you with an important perspective that your own questionnaire might not elicit. Accordingly, we asked our members for their thoughts on the independence, funding, representation, and transparency of their ACC.

### Independence and funding

Section 35 of the Civil Aviation Act 1982 (CAA 1982) stipulates that “The person having the management of any aerodrome to which this section applies shall provide ... adequate facilities for consultation with respect to any matter concerning the management or administration of the aerodrome which affects their interests.”

The DfT’s *Guidelines for Airport Consultative Committees* (2014), sets out the form, structure and principles of consultation. Paragraph 1 of the Guidelines states: “The Government expects all aerodromes to communicate openly and effectively with their local communities and users of the airport about the impact of their operations”, and that “Airport Consultative Committees (ACCs) are a well-established way in which airports can engage with key stakeholders in the local area and beyond”.

Regrettably, our members’ responses suggest that some ACCs are falling far short of the Government’s expectations. While responses to our short survey revealed that our members are broadly positive about the guidelines themselves, many reported that their local ACCs do not adhere to the guidelines, while others questioned whether their ACC is aware of them. As a consequence of this failure, the consultative requirements set out in S35 of the CAA 1982 are not being met in some cases.

The Guidelines state that it is important that ACCs “are perceived as being independent from the airport in order to maintain the confidence of all interested parties” (para 2.2). The guidelines

acknowledge that airport funding of ACCs could be seen as “compromising” their independence, but that “there is little evidence that this is the case in practice” (para 3.1). However, several respondents told us that, owing to airport funding, they have considerable concerns about the independence of their ACC – not least with the airport’s influence over the appointment of the chair and secretariat. One group member said that their ACC is “entirely a creature of the Airport” and “does not hold the Airport to account at all.” Another respondent reported that their airport has pulled funding for its platform for community consultation and that lines of communication between communities and the airport had ceased as a result. Unsurprisingly, then, the majority of respondents told us that they support neutral funding of ACCs. They felt that this would encourage community confidence and trust in the way that ACCs are constituted and organised. Another view was that neutral funding should be found to supply ACCs with technical knowledge (for example around noise impacts) which they need to hold airports to account, but which they can lack.

## Representation

On representation, Paragraph 1.9 of the DfT’s guidelines explain that ACC membership (under S.35 of the 1982 CAA), includes “any ... organisation representing the interests of persons concerned with the locality in which the aerodrome is situated”, a category that extends to “local environmental groups and residents associations”. It is accepted by our member groups that “committees are not dispute resolution forums” but they nevertheless appreciate that ACCs “can facilitate constructive discussion and help resolve differences” (para 1.14). However, many of our members report that their community groups have been excluded from membership of their ACC. The guidance states (para 2.9) that – ideally – local groups should be properly constituted, and have documented membership, but this is not a requirement and ought not present a block. Yet some of our group members told us that they have been barred from their ACC, despite being properly constituted, or having a long-established community standing. One respondent told us that there had been no representative from their local community on their ACC for twenty years.

Where community groups had succeeded in becoming members of their ACC, success was “hard won”, achieved only through persistence and effort. Several respondents told us that their ACC either makes no effort to engage with community groups, or refuses requests to engage. One respondent told us that “no proactive work is done” by their ACC “to seek out communities who might have a legitimate interest in attending”. Another respondent expressed the view that their ACC’s “failure to allow representation of one of the communities most affected by airport operations was a disgrace”.

Some respondents expressed frustration that their ACC was not taken seriously by the airport’s executives who rarely, if ever, attended meetings to answer questions. Several other respondents reported that ACC proceedings are dominated by representatives of the airport management or owners, resulting in a “skewed” committee where community and environmental groups are sidelined and “barely tolerated”, with one respondent commenting that their ACC “is well packed with members who favour the airport”. By contrast, the Guidelines state that no single interest should dominate a committee (para 2.7), and that ACCs “should be holding airports to account” (para 1.15).

Respondents told us that the refusal of the ACC to adhere to paragraph 2.3 of the guidelines and “seek an appropriate range of views” meant that the impacts of the airport’s operations were not addressed in any meaningful way. Particular concerns were expressed about a failure of some ACCs to consider adequately emerging Government policy on decarbonisation as a result of a failure to seek a broad range of views.

## Transparency

Regarding transparency of ACCs, responses showed that some ACCs are falling far short of the Government's expectations in terms of open and effective communication. One member told us that until very recently, they were unaware that their airport had an ACC at all, despite the guidelines stating clearly that: “[t]he wider local community and airport users should be made aware of the existence of the consultative committee” (para 2.14). Another respondent said that their airport’s community engagement board has not met for over two years and no longer communicates with the general public, adding: “in no way do the communities or people affected by the aerodrome operations ... get what they are entitled to under the Civil Aviation Act”.

Moreover, while the guidelines provide that “Committees are encouraged to open their meetings to the public, unless there is a legitimate reason why it is inappropriate to do so”, information we gathered indicated that some ACCs are routinely barring community groups from observing at meetings. One respondent commented that “it is fiendishly difficult to get an invitation to attend meetings”, and where invitations have been secured, they have been allowed in as observers only.

Other respondents reported a lack of transparency around administrative procedures. For example, one respondent, who had a seat on their ACC, told us: “it was obvious that [the airport] was very aware that the minutes were publicly available documents and there were occasions when the minutes did not reflect criticism that had come from members of the ACC.”

## **Conclusion**

In summary, the information gathered from our members suggests that there are serious, and longstanding problems with some ACCs in terms of independence, representation and transparency (pre-dating the challenges presented by Covid). Some ACCs are simply not fit for purpose and do not meet the legal requirement set out in S.35 of the CAA 1982. We do hope that you will feel able to take the views of our members into consideration, and we invite you to discuss their views with us to seek a way forward.