

NOTICE OF MEETING

Tuesday 5th July 2005

7.00pm in the Board Room at City Aviation House,
London City Airport



AGENDA

1. **APOLOGIES FOR ABSENCE** should be notified to the Secretary at 9 Palace Green, Croydon, CR0 9AJ, Telephone: 01689 843434, Fax: 0208 251 9858, E-Mail: secretary@lcacc.org
2. **PRESENTATION – JET CENTRE**
The Jet Centre Manager, Darren Grover, will brief the Committee on the operation of the Airport's corporate aviation facility.
3. **THE MINUTES OF THE MEETING HELD on 5th April 2005 – previously circulated**
4. **MATTER ARISING**

(a) Item 1 – Airport Update

As agreed the Secretary wrote to the Docklands Light Railway (DLR) expressing the Committee's concerns about the reported decision that DLR would not at the outset be running services on the new Airport Extension direct from the Airport to Canary Wharf. The reply received from DLR was circulated to members on 7th June 2005

(b) Item 3(d) - Crossrail

As agreed at the last meeting the Secretary wrote to the Chairman of Crossrail on 8th April expressing the Committee's concerns about the impact of the project on the Airport's Jet Centre. Copies of the letter were sent to members on 14th April. There has been no reply to the letter but from a telephone call from the Crossrail office it is understood that they were in touch with the Airport and they were hopeful that any problems could be resolved. The Airport will no doubt comment on these discussions.

Meanwhile the Crossrail Bill has been carried over to the new Parliament. An e-bulletin from Crossrail describing the progress made with the project was circulated to members on 28 May.

(c) Item 3(e) –Thames Gateway Bridge

A move to secure a postponement of the public inquiry was unsuccessful and it opened as planned on 7th June but with a new Inspector. Information about the Inquiry from the Departments, and the Inquiry Manager/Programme Officer, is being circulated to members as it is received.

(d) Item 3(f) – Parker Street - Lighting

The further information promised at the last meeting was circulated with the minutes of that meeting.

(e) Item 7(a) – Jet Centre – Blast from Engines

The Airport will report.

(f) Item 7(b) – Noise Maps

The required maps were supplied immediately following the last meeting and copies were posted to the Committee's website on 7th April. The Summer 2004 Noise Contours were circulated to members on 7th June.

(g) Item 15 – Weekend Tubes: Later Start, Later Finish - Consultation

The Airport wrote on 22nd April objecting to these proposals and, as agreed at the last meeting, the Secretary sent a letter the same day supporting the Airport's representations. Thus far there has been no response from TfL.

(h) Item 17 – Airport Master Plan – Social Impact Study

The Secretary met Alice Sampson of the University of East London on 5th May for a structured interview contributing to this Study. It is understood that other members have likewise met with her.

5. **COMMITTEE MEMBERSHIP**

(a) Custom House and Canning Town Forum

It is with great regret that I have to inform the Committee of the death of the Forum's representative, Henry Philp. He regularly attended the meetings of the Committee and he was an active participant in its work. His contribution will be greatly missed. I have written to Henry's daughter expressing the Committee's condolences. The Community Forum has been asked to appoint a replacement.

(b) The London Borough of Newham

John Herman has replaced Malcolm Smith as the officer representative of the London Borough of Newham. He is the Council's Head of Physical Regeneration and Development based at Town Hall Annexe, 330-354 Barking Road, East Ham, London, E6 2RT, Tel: 020 8430 2694, Fax: 020 8430 2622 E-mail john.herman@newham.gov.uk

(c) London Chamber of Commerce and Industry

Elizabeth de Winton has been replaced by Dan Bridgett, Head of Media Relations at LCCI. He is based in the Chamber's HQ at 33 Queen Street, London, EC4R 1AP; Email: dbridgett@londonchamber.co.uk; Telephone: 020 7203 1897

(d) Renewal of Committee – April 2006

The present Committee is now in the last year of its three year term and its whole membership is due for renewal following the meeting in April 2006

6. **AIRPORT DIRECTOR'S REPORT**

7. **COMMUNITY REPORT**

(a) Quarterly Community Report

Angeline Barnes will report

(b) Community Review

The Airport will table a draft copy of this publication for the Committee's information.

(c) Airport Employment Survey

The Airport will report the findings of a recent exercise to provide up-to-date information on where people working at the Airport live.

8. STANDING ITEM ON ENVIRONMENTAL ISSUES

The report of the Airport's Environment & Planning Manager will be tabled at the meeting.

9. NOISE INSULATION PROGRAMME – PART IV

The Airport will report progress on the implementation of this part of the programme

10. DLR AIRPORT EXTENSION – PROGRESS REPORT

AMEC will update the Committee on the progress of this project.

11. AIRPORT TRANSPORT FORUM

The minutes of the meeting of the Forum held on Friday 15th April were circulated to members on 7th June. A number of members of the consultative committee were present and they will no doubt comment on the discussions at the meeting which included presentations by the DLR on the progress made with their various extension projects and by London Buses on proposals and ideas for local bus services after the opening of the DLR Extension to the Airport.

12. LOCAL DEVELOPMENT FRAMEWORK

At the last meeting it was agreed the Secretary would make inquiries about the process for drawing up and agreeing the Local Development Framework and circulate information to Members as soon as possible.

On 25th May the London Borough of Newham held a briefing meeting for External Stakeholders. This was attended by the Airport, and by a number of members of the consultative committee, who will no wish comment on the discussions at the meeting..

The meeting included a slide presentation which it was felt members might find useful in understanding the LDF and the process now in progress to secure it. The presentation was thus circulated to all members on 28th May. As mentioned in the slide show there is planned to be a further meeting of stakeholders on 21st September 2005.

13. PEOPLE WITH REDUCED MOBILITY (PRMS) – CONSULTATION ON EUROPEAN PROPOSALS

On 18th May 2005 the Department of Transport (Mobility and Inclusion Unit) launched the first round of what will be a two-part consultation exercise on the EU's proposals. The first round consultation paper is attached. It seeks the views of interested parties on the general principles set out in the Commission's proposal. This will help the Department in the preparation of its negotiating position in the European Council Working Group. The Department says its underlying aim will be to ensure effective legislation without imposing unreasonable additional burdens on the industry.

The closing date for comments is Friday 12 August 2005. The Committee is asked if it wishes to make any comment on the proposals which in fact match very closely those introduced recently at London City.

A further consultation exercise will take place in due course regarding the enforcement of any new legislation in the UK.

14. **ANNUAL LIAISON MEETING OF AIRPORT CONSULTATIVE COMMITTEES**

The Chairman and Secretary will report on this meeting to be held at Liverpool John Lennon Airport on 22nd /23rd June 2005. The agenda papers can be seen at <http://www.ukaccs.info/meeting05.htm>

15. **DATES OF FUTURE MEETINGS**

The Committee may wish to consider the following dates for its meeting in 2005/2006. All meetings would be held at the Airport at 19.00hrs.

Tuesday 11th October 2005

Tuesday 10^h January 2006

Tuesday 4th April 2006

Tuesday 4th July 2006

Tuesday 3rd October 2006

16. **ANY OTHER BUSINESS**

Annual Familiarisation Visit – 15th June 2005 – Geneva

Fifteen members of the Committee visited Geneva on Wednesday 15th June 2005 accompanied by four members of the Airport's staff. It was a very successful and enjoyable day.

17. **DATE OF NEXT MEETING**

Tuesday 11th October 2005 at 1900 hours at City Aviation House, London City Airport¹.

¹ As agreed at the last meeting this is one week later than that originally planned

Agenda Item 14

**PEOPLE WITH REDUCED MOBILITY (PRMS) – CONSULTATION ON
EUROPEAN PROPOSALS**

Annex B - Consultation Document

Department for Transport

Commission proposal for a Regulation concerning the rights of persons with reduced mobility travelling by air

Background

The handling of passengers with reduced mobility by airports and airlines has been a live issue on the European agenda for some years now. In 2000, under the joint auspices of the European Commission and the European Civil Aviation Conference, an industry/consumer task force was set up to develop voluntary agreements, to which airlines and airports would be invited to sign up, with regard to the handling of passengers. This led to separate voluntary commitments on passenger rights for both airlines and airports, unveiled in May 2001. These Commitments came into effect on the 14 February 2002 and included a specific protocol on PRMs, setting out their basic rights as travellers and stating that they should not be charged directly for the assistance they receive.

Soon after the introduction of the Voluntary Commitments, the Commission published a consultation paper on airlines' contracts with passengers. Respondents agreed on many of the PRM-related issues raised in this, but were split as to whether the responsibility for providing assistance at airports should fall to the airline or the airport.

In the UK, the Disability Rights Commission recently backed a legal challenge by a person of reduced mobility, Robert Ross, to the charge levied upon him for the use of a wheelchair 'airside' at Stansted airport. The Court of Appeal held last December that both the operator of the airport and the airline, Ryanair, had unlawfully discriminated against Mr Ross. Stansted Airport Ltd was ordered by the Court of Appeal to contribute 50% of Ryanair's liability as to the damages awarded by the County Court and interest. Any future EC legislation would take precedence over this court ruling which was based on interpretation of the UK's Disability Discrimination Act 1995.

In January 2004 the Commission published a 'staff working paper' on possible legislative proposals in this area. The Department then consulted industry on this; the responses showed that although all parties continued to agree on the importance of delivering the best possible service to PRMs, they also continued to disagree about how this should be done and how it should be paid for.

The Commission's proposal

The main points in the current proposal from the Commission are as follows:

Airport managing bodies would be responsible for providing comprehensive assistance to the PRMs who arrive at or travel through their airports. In exchange for this, the managing bodies would be able to place a levy on the airlines, proportional to the number of passengers carried by each airline at each airport

If an airport were to handle more than two million passengers a year, its managing body would be obliged to consult with airport users and PRM representatives and then draw up and publish quality standards for assistance

The proposal also sets out the assistance that would have to be provided by airports to enable a passenger to take the flight on which they held a reservation. This would go beyond providing a wheelchair, since the Commission defines PRMs as 'any person whose mobility is reduced due to physical incapacity (sensory or locomotors), intellectual impairment, age, illness or any other cause of disability when using transport and whose situation needs special attention and the adaptation to a person's needs of the service made available to all passengers.' The assistance

would have to be provided if the air carrier or tour operator has been notified of the passenger's particular needs at least twenty-four hours before the departure. Even if this notification had not been given, the airline would still be required to make all reasonable efforts to provide the assistance specified.

The proposal makes it clear that PRMs could not be denied boarding or embarkation, unless prescribed safety requirements were to make this unavoidable. To stop this being used as a loophole, the relevant safety rules would have to be made publicly available and the passengers affected would have to be informed in writing of the reasons for their being refused carriage or boarding.

Member States would be required to ensure that the rights of PRMs were respected, and that the quality standards for assistance at larger airports were published. All member states would also have to designate appropriate complaint and enforcement bodies.

The Department would welcome your views on the Commission's proposal, with reference in particular, but not limited to, the following questions:

Question 1

Does this proposal appear to you to provide for a suitable package of measures to assist PRMs at Community airports? Is there anything else which you would wish to see included in the eventual regulation?

Question 2

Is the definition of passengers with reduced mobility acceptable? (Article 2)

Question 3

Are the conditions for preventing air carriers and others refusing to carry a PRM in your view effective and proportionate? (Articles 3 & 4)

Are the timings proposed in Articles 3 & 5 workable?

Question 4

Are the obligations on airport managing bodies to assist PRMs reasonable? (Article 5)

Question 5

Do you agree that the airport managing body should organise the necessary assistance to PRMs?

If so, should the airport managing body be able to recover all the costs from the airlines? And should it merely be able to recover costs, or be obliged by law to do so?

Are the proposals adequate in respect of cost-effectiveness of provision? (Article 6)

Question 6

Could the assistance be organised in any other way? For example, should individual airlines be allowed to self-handle? Does the provision that the airport managing body may subcontract the assistance, for example at an entire terminal, affect this?

Question 7

Do you agree that the charge to airlines should be proportionate to the total number of passengers they carry at the airport, i.e. not specifically the number of PRMs?

Question 8

Are the proposals on quality standards appropriate? Do you agree with the cut-off of two million passengers per annum for the setting of quality standards? (Article 7 & Annex I)

Question 9

Are the provisions covering the assistance to be provided by air carriers appropriate (Article 8 & Annex II)

Question 10

Are the provisions on notification appropriate and workable (Article 9)

Question 11

Do you have any views on the appropriate bodies to oversee and enforce the provisions of this regulation? (Article 11)

Question 12

Do you have any other comments on the Commission's proposal?

An initial **Regulatory Impact Assessment** (RIA) accompanies this consultation paper in which a number of assumptions about the impact, costs and benefits of the proposed Regulation have been made. The Department fully recognises the importance of a thorough and accurate RIA and would therefore be grateful for your answers to the following questions. Such information will be invaluable to us in developing a well-informed and effective negotiating position.

Question 13

What assistance does your company currently provide to PRMs?

Question 14

Approximately how much does this service cost per annum and per passenger?

Question 15

What do you anticipate will be the impact of dividing the cost on a per passenger basis?

Question 16

Would this proposal, as currently drafted, increase or reduce the cost to your company of providing assistance to PRMs? If possible, could you quantify the increase or the reduction?

Question 17

Were airlines allowed to 'opt out' a.k.a. adopt the 'airline service option' what effect would it have on your costs? If possible, could you quantify the effect?

Question 18

Do you have any further relevant data that you would be happy and able to provide?

The production of a Regulatory Impact Assessment for proposals of this kind is an integral part of the Government's commitment to better regulation, and the Department urges you to contribute to this exercise as fully as possible.

**Department for Transport
May 2005**