

**COUNCIL MEETING**

**21<sup>st</sup> MARCH 2011**

**ORAL PUBLIC QUESTIONS FOR REPLY BY  
THE LEADER OF THE COUNCIL**

**1) Question for oral reply from Dr Harry J Ivey**

The Permitted User Clause of the Airport Lease specifically prohibits use of Biggin Hill Airport by individual fare-paying passengers. Will you now confirm that Bromley Council is under no obligation to permit such passengers – whether temporarily for the Olympics or more permanently for any further proposals concerning ‘wider variations’?

**Reply:**

The Leader replied that he could confirm this. The position in relation to the user clause was explained in paragraph 3.4 (under the heading ‘the user clause’) of the report to be considered by the Executive. He also drew attention to paragraph 3.1 of the report which stated that permitted uses included business aviation as defined by the Court of Appeal which allows hired air taxis.

**Supplementary Question:**

Dr Ivey stated that the new Manager of Biggin Hill Airport Ltd, Jennifer Monro, had written to all Bromley Councillors earlier this month about the Airport’s Olympic proposals. He referred to Ms Monro’s Question 11 (and quoted from it) and asked would the Council also confirm for the public to hear that in her letter she had said that the proposals were ‘not the thin end of the wedge’ but then said ‘the Airport will at some point want to review opening hours on a more permanent basis’. He asked in the light of this if the Council would now confirm that another request may be made by the Airport for permanent change.

***The Mayor interjected and said that this was not a question but a statement and he had already asked Councillors and members of the public to refrain from making statements. He then asked whether Councillor Carr wanted to respond to it.***

**Reply:**

Councillor Carr felt it was clearly a question for the Airport as to what they might want to do in the future. So far as the Council’s position was concerned he felt the best way was to deal with it on a case by case basis.

## **2) Question for oral reply from Mr Nicholas Voisey**

As an ex-pilot, I am concerned at the mixture of aircraft operating at Biggin Hill. This is difficult to manage and makes it a very dangerous airport. What assurances can you give that increasing the hours of operation and mix of aircraft will not increase the danger to the population?

### **Reply:**

The Leader replied that the Council was not in a position to give assurances on such matters. BHAL were required to maintain the operating licence of the airport as a term of the lease; this licence was issued by the CAA who were responsible for overseeing air safety issues in the UK.

### **Supplementary Question:**

Mr Voisey referred to the safety of the public and asked about security arrangements. He referred to a record of theft from aircraft and the ease of entry to the airport perimeter and asked what measures would be taken and what assurances could be given that Biggin Hill Airport would not become the terrorist's Airport of choice for the Olympics.

### **Reply:**

Councillor Carr commented that such remarks and other similar references he had heard over the period of the consultation were he felt scaremongering. However, he did take seriously the safety and security of all residents in the Bromley. It was the responsibility of all Council members along with the Police to secure the safety and well being of all residents and that would be a first priority at all times.

## **3) Question for oral reply from Mr Colin Cadman**

Could the Council please inform the meeting how it monitors, on a day to day basis, Biggin Hill Airport's adherence to all the Operating Criteria as set out in the Lease between the Council and the Airport?

### **Reply:**

The Leader responded that the Council had neither the expertise nor the manpower to monitor compliance on a day to day basis. BHAL were bound by the terms of the lease and, having granted them a long lease, it was not appropriate for the Council to attempt to micromanage the operation of the airport. However, when questions of any breach of the lease terms were raised the Council always investigated as appropriate.

### **Supplementary Question:**

Mr Cadman said that London City Airport and Newham Council had always cooperated over monitoring. It was reported that Biggin Hill Airport had not

allowed the Council to install monitoring equipment for security reasons. What security reason did BHAL have that London City do not have and would the Council continue to fail to monitor the airport (referring to ground running).

**Reply:**

Councillor Carr said that he was not sure he could satisfy the questioner on this matter. He had at all times where appropriate sought to try and resolve this issue so far as monitoring was concerned. As a Council we would look to rectify the situation and this was an issue that needed consideration but he did not think it related directly to the discussions at this meeting. As with any organisation the Council would try and ensure there were no breaches of the terms and conditions.

**4) Question for oral reply from Mr Michael Latham (on behalf of the Directors and Committee of Farnborough Park Estate)**

Will you acknowledge that the Chief Executive of the Princess Royal University Hospital Trust wrote to you on 22.09.04 and 3.03.05 seeking an assurance that the present lease and its content and operating hours will not be amended or extended as the patient care environment would be seriously affected?

**Reply:**

The Leader confirmed that the then Chief Executive of the Princess Royal University Hospital wrote to the Council seeking the assurances referred to.

**Supplementary Question:**

*Mr Latham began reading his supplementary question related to the Hospital and the disturbance to patients and Doctors as the flight path passed over the building. The Mayor repeatedly requested him to ask his question as opposed to making a statement and subsequently as it was taking more time asked Mr Latham to stop or he would have to leave the meeting. The Mayor then outlined the procedure in the Constitution which provided for members of the public to ask a question and were then allowed one supplementary question. It did not provide for the making of statements by questioners and he would not allow that to happen. The Mayor said he would move to the next questioner.*

**5) Question for oral reply from Mr Tony Trinick**

The Council Officers report to the Executive confirms that the 'Financial Implications' are impossible to assess. But have the Officers evaluated the extra cost to the borough for policing and paying for the costs associated with the entry of illegal asylum seekers as part of this proposal?

**Reply:**

The Leader replied that he suspected that Mr Trinick knew the answer to the question which was that the Council was not able to assess the likelihood of there being any illegal asylum seekers as a result of any alteration to the airport lease terms; nor was it able to make any assessment of the cost of policing or otherwise dealing with such matters.

**Supplementary Question:**

Mr Trinick said that the Executive report was not able to quantify neither the financial benefits nor the losses to the Borough from the proposal; nor give reassurances of additional permanent jobs to be created. Given that the temporary change to the lease could at a later date be construed as a precedent he asked why as reported the Leader supported this proposal?

**Reply:**

Councillor Carr referred to the first part of Mr Trinick's question and agreed that he was quite right that all these matters needed to be taken into account by the Council and the Executive as part of their deliberations. So far as the second part of the question was concerned he could categorically say that he had never in public either supported or opposed this application. Where ever Mr Trinick had got that information from it was wrong and the Leader found it offensive as it was untrue.

*Mr Trinick wanted to reply but was advised by the Mayor that this was not permitted.*

**6) Question for oral reply from Mr Ray Watson**

Will the Council acknowledge that Biggin Hill Airport (BHA) already enjoys far superior operating conditions than London City Airport (LCA) – for example, LCA shuts down 24 hours every winter weekend and 26 hours every summer weekend while BHA remains open?

**Reply:**

The Leader advised that the Council did not have a stated position on this. The operating hours of London City Airport were a matter for the operators and owners of that airport. The Council was bound by the terms of the lease of Biggin Hill airport and must act accordingly within those limitations.

**Supplementary Question:**

Mr Watson asked if the Council would further acknowledge that Biggin Hill airport's advantages did not stop there helicopters, single engine aircraft and recreation flights were all banded at London City but permitted at Biggin Hill.

**Reply:**

Councillor Carr responded that he was not sure that it was a question of benefiting or otherwise. It was simply a matter of the terms and conditions of the current lease and that the matter would be dealt with within those parameters.

**7) Question for oral reply from Mr Chris Cadzow, Chairman of Cudham Residents Association**

Will the Council now confirm that 95% of local residents and 85% of Residents' Associations and other local groups responding to the consultation, are against the Airport's Olympic proposals, with 4 of the 5 groups in favour also being aviation-related and based at the airport?"

**Reply:**

The Leader replied that on the basis of a total of 2192 responses, almost 95% of responders did not support the BHAL proposal and with a total of 37 groups responding, just about 80% of these groups were also against the proposal. The updated report confirmed that aviation businesses were in favour of the proposal.

**Supplementary Question:**

Mr Cadzow asked whether the Council would confirm that the more than 2000 responses to the consultations was a very strong measure of the serious concern felt by local residents and was remarkable given the indecently short time made available by the Council to respond.

**Reply:**

Councillor Carr thought it was a significant response but did not accept that it had been an indecently short time to reply to the consultation.

**8) Question for oral reply from Mr Hugh Bunce**

In creating an announcement of the airport's proposals to commence the consultation process, how has Bromley Council decided to pinpoint the most important features of the scheme?

**Reply:**

The Leader replied that we didn't the Council asked for comments and feedback and gave an open-ended opportunity based on the exact wording and information supplied by Biggin Hill Airport. Respondents could then see the proposals in full as they were presented to the Council.

**Supplementary Question:**

Mr Bunce said that he wanted to focus on the Hospital which had already been referred to – if it was so important, serving 300,000 people in this area, why did the Council not send details of the application to the South London Health Care NH Trust? Was this deliberate to avoid further opposition or did you just forget?

**Reply:**

Councillor Carr said the cynic might reverse the question and ask why the Trust built the hospital under the flight path originally. The Council had not taken any action to prevent any consultation with any party or any body. The Leader said he had recently been trying to contact the Hospital Trust to get a more formal view from them but had been unable to substantiate that. He considered it unfair to criticise the Council or suspect any kind of foul play.

**9) Question for oral reply from Jennifer Munro, Managing Director, Biggin Hill Airport**

We understand that Councillors will want to make a balanced decision, weighing up the advantages and disadvantages of this proposal to all members of the Bromley community, and that they will wish to take account of the economic contribution which Airport businesses make to the local community. Will the members be supporting our bid to create an estimated 75 additional jobs in the area, which is closely aligned to Mayor Boris Johnson's visions for jobs for London?

**Reply:**

The Leader said that was a correct observation, the Council would be seeking to make a balanced decision weighing up the advantages and disadvantages of the proposal. The Airport was an important and a valued contributor to the Borough's economy and, where appropriate, the Council would of course seek to support investment and job creation at the Airport. The Council's decision on whether or not to support the Olympic proposals would be taken by the Executive Committee following the debate at Full Council and subsequent debate at the Executive Committee meeting this evening.

**Supplementary Question:**

Ms Munro asked whether the officers and members had had sight of the study presented to the Council in August 2010 which showed the Airport generated 1060 jobs locally and 1310 jobs across London.

**Reply:**

Councillor Carr replied that he could not speak for all Councillors but he personally had seen it.

**10) Question for oral reply from Jennifer Munro, Managing Director, Biggin Hill Airport**

If the broad principles of the changes being discussed today are acceptable, could we work in conjunction with the Council to agree a set of parameters which would mitigate any remaining concerns about the acceptance of fare paying passengers, for the duration of the Games?

**Reply:**

The Leader replied that subject to the decision of Members, the Council would of course meet with the Airport to discuss the Council's response including any concerns we may have.

*Ms Munro did not have a supplementary question.*

**11) Question for oral reply from Jennifer Munro, Managing Director, Biggin Hill Airport**

Are councillors and officers satisfied that agreeing to the changes being put forward today can be viewed as a one-off, short term proposal driven by a genuine desire for the airport, its employees and tenants to benefit from this once-in-a-lifetime event of the Olympic Games for London?

**Reply:**

The Leader responded that the report made it clear that any decision made would, by itself, not set a precedent in determining how the Council would have to decide any future requests to vary the lease. It would be a decision on a specific one-off, short-term request, relating to a rare and unlikely to be repeated situation. If a future request were made to extend the hours or alter the use at the airport, Members would be able to consider and determine that request on its own merits at that time and would not be obliged to make the same decision as they make in this case. However, if consent were granted to this request and the extended hours then went ahead without any problems or serious complaints from residents, Members would need to be able to fully justify a refusal to a future request to extend the hours of the airport.

Councillor Carr said if he might ask a question in return - can you confirm that if your "one-off" proposal was agreed, BHAL would not come back to the Council requesting a permanent change of hours in the foreseeable future?

***The Mayor advised that Ms Munro did not have to answer that question and could go on to her supplementary question.***

**Reply from Ms Munro**

Ms Munro stated that it was clear that what we were discussing this evening was a one off request for the period of the Olympic Games which was a one off event for London. The Airport wanted to support this as much as they wanted to support the local Borough and show case our Airport and our

Borough in this important event for everyone. Any future requests to look at the operating hours or any other conditions would be in made isolation through the proper procedures.

**Supplementary Question:**

Ms Munro asked if the officers and Councillors had had sight of the documentation issued by her Office last week which clearly stated that this was a one off temporary application and distinct from any other or future applications which would be considered on their own merits.

**Reply:**

Councillor Carr responded to the first point and suggested Ms Munro might consider a future career in politics.

In reply to her question the Leader advised that he could only speak for himself and that he had seen the documentation and he knew it had been circulated to all members.

-----