

November 2021

## **THE FACC CONSTITUTION**

### **1 Overview**

The establishment of the Farnborough Aerodrome Consultative Committee was part of the S106 agreement between the developer (herein after referred to as the Farnborough Airport Licence Holder or the Airport) and Rushmoor Borough Council for planning application: 99/00658/OUT, when the aerodrome was first given permission to be used for business aviation and related activities, in the year 2000. The Farnborough Aerodrome Consultative Committee (“FACC” or “Committee”) has been established to provide an effective forum for the discussion of all matters concerning the development or operation of the aerodrome which have an impact on the users of the Airport and on people living and working in the surrounding area. It aims to promote a greater understanding of the impact of airport operations between local communities and users of the Airport.

It is a structured forum for the exchange of information on a variety of subjects which may be of interest to the local community and users of the airport, including but not limited to environmental issues, airport development, updates of airport operations, passenger service issues, any impact on the locality and surface access.

In its deliberations, the Committee should consider the role of the Airport as an important employer and influential driver in the local economy, alongside the local environmental impacts of the airport, as well as protecting and enhancing the overall user experience.

The Committee’s primary purpose is to facilitate constructive discussion and help resolve differences, as well as monitoring commitments made by the Airport. For the avoidance of doubt, the Committee is not a dispute resolution forum, nor does it have any decision-making power over the Airport.

Membership is limited to organisations that represent local interests across the three sections of membership: Users; Local Authorities; and Local Interests, that can demonstrate a willingness to constructively participate in the role of the Committee as defined within its constitution.

### **2 Purpose**

- A. To provide a means of consultation with respect to any matter, including noise, air quality, safety and environmental impact, concerning the operations, management and development of the aerodrome which affects the interests of:
- (i) The users of the Airport;
  - (ii) The local authorities in whose area the Airport or any part thereof is situated or whose area is in the neighbourhood of the Airport; and
  - (iii) Other organisations representing the interests of people concerned with the locality in which the Airport is situated.

- B. To serve as a focal point for the co-ordination of the interests of the Airport, its users and those who live, work and seek recreation in the local area, and to act as a means of exchanging information and promoting an understanding between the various interests.
- C. To consider questions concerned with the operation, management and development of the Airport in the light of their effect on the locality and, where possible, to agree solutions.
- D. To receive information on and have raised for discussion any matter relating to existing or proposed Airport operations, including events, at or from the Airport, and on any proposed developments which are likely to affect or be of interest to the local authorities, local residents and users of the Airport.
- E. To consider and, if appropriate, comment upon and respond to any factual and consultative reports, from Governmental and other sources, that are material to the future operation and development of the Airport. Any such comment or response shall be subject to the consensus of the Committee.

In addition to those items detailing the Purpose above, the Terms of Reference of the Committee shall have regard to the provisions of Section 35(1) of the Civil Aviation Act 1982 (as amended) and to the advisory Guidelines for Airport Consultative Committees issued from time to time by the Department for Transport, attached at Appendix 1.

### **3 Membership**

All parties whose interests are closely affected should be properly represented on the Committee and, where possible, the Committee should aim to have balanced representation from the three sectional interests described in the Civil Aviation Act 1982 Section 35 and listed in Schedule 1 of this document.

Member Organisations will be based in the area and demonstrate an established local connection.

A member organisation shall be entitled to appoint a deputy who shall be entitled to act in the same manner as the appointed member.

A member appointed by a body or organisation who ceases to be a member or officer of that organisation shall thereupon cease to be a member of the Committee unless specifically appointed by that organisation to continue to represent it.

Each organisation or body that has representation on the committee must reconfirm their representative and if appropriate their deputy, to the secretary of the FACC each year.

On the cessation of membership of a member, the organisation by whom the member was appointed, shall reappoint or appoint a replacement representative to serve for the balance of the period of office of the original member.

Any organisation or body which fails to send a representative for three or more consecutive meetings should be approached by the Chairperson to reconfirm their desire to still be part of the FACC. The Committee may then wish to consider taking a vote to have that organisation or body replaced with another appropriate entity.

Members shall respect and adhere to the Code of Conduct attached at Appendix 2. The Chairperson shall take appropriate action against those not doing so.

The Committee reserves the right to deselect Members when necessary. Deselection could be triggered by but not limited to: the Member organisation no longer existing; a Member consistently fails, following warnings, to abide by the Purpose, Terms of Reference or Code of Conduct of the Committee; or the Member does not comply with or abide by the terms of this Clause 3.

Deselection shall be determined by a majority of votes (majority meaning at least 75% of the vote by a show of hands or by proxy).

#### **4 Eligibility & Nominations**

Organisations wishing to fill a vacancy or join the Committee may do so on the basis of nomination by existing Members of the Committee, or by direct application to the Committee. Nominated organisations must have agreed to their nomination.

Organisations wishing to join the Local Interest Group section will demonstrate an established local connection and a balanced ethos reflecting an intention to consult and work with the FACC and the Licence Holder to address its stated objectives.

Organisations seeking membership of the Committee shall be properly constituted groups or societies, fulfilling the criteria mentioned in Section 3 above and demonstrating alignment with the Purpose of the Committee above and the Terms of Reference attached at Appendix 1.

Organisations applying for inclusion or re-election must supply a copy of their constitution, together with details of the area or areas which they represent both geographically and functionally, the terms of their membership, the number of local members, and any other relevant information required by the Committee.

#### **5 Meetings**

The Committee shall meet three times in each calendar year and at such other times as the Committee or the Chairperson may decide is necessary.

If the Chairperson receives a written request to hold an extraordinary meeting of the Committee signed by ten (10) Members, he or she shall call the meeting within seven (7) days of receipt of the request and it shall be held within twenty-one (21) days. In the event that the Chairperson fails or is unable to comply with this requirement, then any ten (10) Members of the Committee may forthwith call an extraordinary meeting.

The Committee shall have the right to receive expert advice on issues under its consideration from the specialist staff and/or consultants of any local authority member or other body represented on the Committee or of any other person or organisation able to provide such advice. Any such adviser shall not address the Committee without the approval of the Committee and shall not have the power to vote in any circumstances.

## **6 Procedures**

Members intending to raise a matter of concern at a meeting, shall notify the Secretary in writing at least fourteen (14) days in advance of the meeting in order for it to be included on the agenda and to provide time for a considered response to be sourced. Members shall then make any supporting information available to the Committee (through the Secretary) at least seven (7) days before the meeting.

It is likely Members will be asking questions on behalf of their residents or constituents in their own areas, parishes, boroughs/districts, counties or from their membership. It is the responsibility of the Member to submit only questions that relate directly to the Purpose of the Committee. If a Member does submit a question or series of questions which the Chairperson judges to be out with the scope of the Purpose, these may not be forwarded to Members for responses. The Chairperson will provide justification of his/her position to the member.

Public participation will consist of a statement by each participant of no more than five (5) minutes during the Public Question Time item of the meeting, on topics relating to matters arising on the agenda and/or within the remit of the FACC. The participant may ask no more than one question to any response. This section of the meeting shall be limited to no more than twenty (20) minutes. Registration of a desire to speak at the meeting should be lodged with Secretary five (5) working days before the meeting.

Questions from the public relating to topics on the agenda and/or within the remit of the FACC can be admitted to the meeting on the day subject to the efficient running of the meeting at the chairperson’s discretion. The period for public questions shall be limited to no more than twenty (20) minutes as stated above.

It is expected that matters should be resolved by consensus within fifteen (15) minutes of discussion. In general, the Chairperson should avoid taking votes on matters other than those relating to membership of the Committee.

If the Chairperson decides that a vote is necessary, then it shall be determined by a majority of votes (majority meaning at least 75% of the vote by a show of hands or by proxy) at a further meeting to be held within four (4) weeks of the original meeting, where due notice has been properly served and where the matter to be voted upon has been included in the agenda and circulated in advance. The Chairperson shall not have a casting vote. If there is no majority then the matter fails.

In the course of any discussion and vote should that come about, the Chairperson and Committee should ensure that the interests of all three elements of the consultative committee the Users, Local Authorities and Local Interests are taken into account.

In the event of a vote being taken on any matter, the number of votes and details of the motion should be recorded in the notes and made public.

In addition to the provisions set out above, Public Question Time shall be managed in accordance with the procedure set out in Appendix 3 and shall have regard to the current Guidelines for Airport Consultative Committees issued from time to time by the Department for Transport.

## **7 Minutes of Meetings**

Draft minutes providing a summary of the discussion and detailing any decisions made shall be prepared by the Secretary for agreement by the Chairperson and circulated to all Members within one (1) month of the meeting. Any comments, corrections or amendments from Members, should be sent to the Secretary. These comments, corrections or amendments shall be added by the Secretary and recirculated with all other papers ahead of the next meeting, at which point the draft minutes will be presented to the Committee for agreement as a fair summary of the proceedings.

It shall be for Members to report the proceedings of the Committee meetings to their respective appointing bodies.

## **8 The Chairperson**

The Farnborough Airport License Holder shall appoint and pay for an independent Chairperson, following consultation and with the agreement of representatives of the three sectional interest groups.

In the absence of the Chairperson from any meeting, a Chairperson for that meeting only shall be elected from those present.

## **9 The Secretary**

The Farnborough Airport License Holder shall appoint and pay for an independent Secretary to undertake the following duties:

- a) Prepare minutes recording decisions and actions assigned by the meetings and distribute them to Members within one (1) month of the meeting.
- b) Issue notices of the meetings of the Committee to the Members and place on the agenda for meetings any matters which are proper for the Committee to consider and which he or she is reasonably required to do by Members, including the circulation of any relevant documents provided by such Members and approved by the Committee or in emergencies by the Chairperson; and
- c) Take such action as is appropriate to give effect to the decisions of the Committee.

## **10 Quorum**

At least fifty percent (50%) of members or duly appointed deputies, a representative from the Farnborough Airport Licence Holder and a broad balance between the three sectional interests is required to form a quorum for all meetings of the Committee.

## **11 Agenda items**

Items for inclusion on the Committee agenda shall be notified to the Secretary and agreed with the Chairperson at least ten (10) days ahead of the meeting.

If the Chairperson decides an item should not be included on the agenda then he or she shall submit his or her reasoning, in writing, to the Committee.

## **12 Public Access**

Under legislation and guidance relating to the purpose and operation of airport consultative committees, there is no requirement for meetings to be open to the public or the press.

Meetings of the Committee shall be open to the public and press subject to the efficient and orderly running of the meeting.

The Chairperson may decide, with or without notice, to exclude the public and press during the whole, or part, of a meeting, whenever publicity could be prejudicial to the public interest by reason of the confidential nature of any matter or for other reasons stated and arising from the nature of the proceedings. If the Chairperson decides that a single meeting or meetings should not be open to the public or press, until further notice, he or she shall submit his or her reasoning, in writing, to the Committee.

Meetings may be held by interactive electronic means at the discretion of the Chairperson.

Notification of meetings, date, time and location should be published at least seven (7) days before the meeting on the FACC website and in the local press. The agenda for the meeting should also be published on the FACC website at least seven (7) days before the meeting.

## **13 Amendments to the Constitution**

Amendments to the Constitution, including the Membership, may be proposed at any meeting, provided that they are notified in advance for inclusion in the agenda. Amendments will be adopted subject to a vote in favour by at least seventy five percent (75%) of Members present. A motion to change the constitution must be lodged with the Secretary at least seven (7) days prior to the meeting at which the motion is to be considered.

The FACC should review the constitution on a periodic basis of five (5) years, starting from the date of adoption of this revised constitution.

## **SCHEDULE 1**

### **MEMBERSHIP**

The Committee shall comprise of 30 Members, 10 Members from each of the Users, Local Authorities and Local Interest Groups respectively. There should be one representative from the following organisations, unless otherwise specified:

#### **USERS – Appointed at the nomination of the Farnborough Airport License Holder**

- Farnborough Airport License Holder (3 Members)
- Farnborough International Ltd
- GAMA Aviation Ltd
- Gulfstream Aerospace Ltd
- NATS
- TAG Aviation Ltd
- WJE Associates
- Dassault Aviation Group

#### **LOCAL AUTHORITIES**

- Hart District Council (2 Members)
- Hampshire County Council
- Rushmoor Borough Council (2 Members)
- Surrey County Council
- Surrey Heath Borough Council
- Waverley Borough Council
- Woking Borough Council
- Guildford Borough Council

#### **LOCAL INTERESTS**

- Ash Parish Council
- Church Crookham Parish Council
- Crondall Parish Council
- Farnborough Airport Residents Association
- Farnborough College of Technology
- Farnham Town Council
- Fleet and Church Crookham Society
- Mytchett, Frimley Green & Deepcut Residents Association
- Ewshot Parish Council
- Blackwater Valley Friends of the Earth

#### **TOTAL VOTING MEMBERSHIP 30**

## Appendix 1

### TERMS OF REFERENCE

1. The Terms of Reference of the Committee shall have regard to the provisions of Section 35(1) of the Civil Aviation Act 1982 (as amended) (ANNEX A) and to the latest advisory Guidelines for Airport Consultative Committees issued from time to time by the Department of Transport.
2. Specifically, the Terms of Reference of the Committee are as follows:
  - a. To consider, scrutinise and advise on matters primarily concerning the management, development, operations and administration of the Airport.
  - b. To consider the impact of the Airport on the local community, the economy and the environment.
  - c. To consider matters affecting the experience of Airport users, including in particular passengers.
  - d. To consider the corporate affairs of the Airport which are publicly available.
  - e. To promote an informed understanding of Airport operations and of their impact on communities of interest.
  - f. To consider matters specifically referred by interest groups represented on the Committee, by the management of the Farnborough Airport Licence Holder or by the Government.
  - g. To share ideas and consider best practice from and with other airports and organisations.
  - h. To liaise with other Airport Consultative Committees on matters of common concern.
  - i. To make representations to the Government and other organisations as appropriate.
  - j. To take any action incidental to any of the above Terms of Reference.

## Appendix 2

### CODE OF CONDUCT

(Extract from Guidelines issued by the Department of Transport, April 2014)

**RESPECT:** Committee members should treat each other with respect and courtesy at all times.

**COMMITMENT:** Committee 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:** Committee 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. 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. Members should read all material sent to them for comment, review or approval in a timely manner. Comments regarding meeting minutes should be made to the Secretary ahead of their approval at meetings. Documents circulated for meetings shall be ‘taken as read’ for the purposes of any discussion.

**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.

## Appendix 3

### PUBLIC QUESTION TIME PROCEEDURE

#### Introduction

Subject to those guidelines laid out in the Constitution and other documents available on the FACC website, members of the public are invited to ask questions of the Committee at meetings. As further detailed, these questions can be submitted ahead of the meeting in writing or on the day in person. Before writing to the Committee or bringing a question in person, members of the public are first advised to have:

- a. Asked the question of Farnborough Airport Limited, using the contact details provided on its website; or
- b. Asked the question of the appropriate department at Rushmoor Borough Council, using the contact details provided on its website.
- c. If an appropriate response has not been forthcoming from either the Airport or the Council, members of the public should contact their own local representative(s) at parish, district/borough or county council or neighbourhood interest groups. Contact details of these representatives can be found on the FACC website.
- d. Or, if the member of the public would prefer, having adhered to the above, he or she could approach the Committee directly either in writing or in person and the member best placed to answer the question will be actioned to respond.

If the member of the public decides to attend a committee meeting, the following procedure will apply.

#### Procedure

1. Within each meeting of the Committee, twenty (20) minutes shall be allocated for questions or statements from the public.
2. The Public Question Time procedures (which may be amended from time to time by the Chairperson and/or the Committee) are as follows:
  - a. One question or one statement may be asked or made by the member of public in person at a Committee meeting. Whilst the member of the public shall be present at the meeting, the question or statement may be taken ‘as read’ if this has been sent in advance of the meeting.
  - b. The Chairperson may use his or her discretion to allow a supplementary question or statement.
  - c. Each initial or supplementary question or statement shall relate directly to any matter falling within the overall terms of reference of the Committee.

- d. Each question or statement shall be asked or made during the Committee’s deliberations as part of a formal agenda item of business referred to as ‘Public Question Time’ or some such name and listed as an item to be considered early on the agenda.
- e. Each initial question or statement shall last no longer than five (5) minutes.
- f. The formal ‘Public Question Time’ agenda item shall last no longer than twenty (20) minutes in total including the time for answers or responding comments to initial and to any supplementary questions or statements.
- g. Answers or comments shall be given or made orally in response at the actual Committee meeting or, if more appropriate, in written form within ten (10) working days of the Committee meeting at which the question or statement is asked or made. All such answers or comments shall be recorded in the minutes of the meeting at which they were made or within the agenda for the next meeting of the Committee.
- h. Adequate notice of a particular question or statement should be communicated in writing (including email) to the Secretary at least five (5) full working days before the date of the particular meeting.
- i. The Chairperson shall disallow questions or statements which raise in effect the same issue at successive meetings. He or she may also use his or her discretion in terms of managing the discussion where there is repetitiveness, irrelevance, offensiveness or any other inappropriateness.
- j. The Chairperson may allow, at his or her discretion, questions from the public, which are related to topics on the agenda and within the remit of the FACC, on the day, subject to the efficient running of the meeting.