

PRESENT: Councillor Bob Swann, Chairman of Consultative Committee  
Councillor Terry Aldridge, Lancashire County Council  
Alan Ascott, ARCH under the bridge  
Councillor Caroline Ashton, Frodsham Town Council  
Councillor Steve Ball, Halewood Parish Council  
Michelle Cameron, Liverpool & Sefton Chamber of Commerce  
Councillor Keith Deakin, St Helen's Metropolitan Borough Council  
Norman Elias, passenger representative  
Councillor Chris Ellams, Helsby Parish Council  
Councillor Roy Harvey, Hale Bank Parish Council  
Councillor Stan Hill, Halton Borough Council  
Councillor Evelyn Hudson, Hale Parish Council  
Marshall Morris, Deputy Chairman  
Alex Naughton, Merseytravel  
Simon Osborne, National Trust  
Councillor Steve Parish, Warrington Borough Council  
Tony Rice, disabled persons  
Councillor Colin Rowan, Hale Bank Parish Council  
Angus Tilston MBE, Wirral Transport Users Association  
Councillor Jeremy Wolfson, Liverpool City Council  
Others  
Jill Partington, Network Rail  
Liverpool John Lennon Airport  
Robin Tudor, Head of Public Relations, Peel Airports  
Christina Smith, Customer Relations  
Secretariat  
Mike A Jones, Assistant Secretary

## **1 APOLOGIES**

Apologies were received from:

Ron Abbey	Merseytravel
David Lovell	Friends of Liverpool Airport
Jordi Morell	West Cheshire and North Wales Chamber of Commerce
Ralph Oultram	Cheshire West and Chester Council
Steve Pearse	Friends of Liverpool Airport

## **2 DISCLOSURE OF PERSONAL INTERESTS**

There were no disclosures of personal interests.

## **3 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman welcomed Councillor Chris Ellams from Helsby and Councillor Stan Hill from Halton Borough Council to their first meeting.

The Chairman also announced that he was swapping items 10 and 11 of the agenda (the Quarterly report and the ASQ Survey results).

#### **4 MINUTES**

**DECIDED: That**

the minutes of the meeting of the Consultative Committee held on 12 February 2016 be approved as a correct record and signed by the Chairman.

#### **5 MINUTES OF SUB-COMMITTEES**

**DECIDED: That**

the minutes of the meeting of the Noise Monitoring Sub-Committee on 15 April 2016 be received.

#### **6 MEMBERSHIP**

The Committee noted the amendments which were listed on the agenda.

The Assistant Secretary detailed several instances where Members had not attended for three meetings. Under the Committee's Constitution, if a Member does not attend three meetings, they would be asked to explain their non-attendance and their comments would be given to the Committee, who could then decide whether to accept the reasons or seek a replacement of the member concerned.

The instances of non-attendance given were the following:

- For Sefton Council, Councillors Michael Roche and Andy Dams had not attended since May 2015, although apologies had been given to some meetings. The main representative had been very ill and had not contacted the reserve but he was recovering and hoped to attend all future meetings.
- For Wirral Older People's Parliament, the main representative had not attended since April 2015 as he did not have transport. A lift had been arranged but he had not contacted the driver for this meeting. The Assistant Secretary would contact him again to check the position.
- For Wirral Borough Council, Councillor Steve Niblock had not attended since at least April 2015 and had stopped attending Council meetings too and could not be contacted by officers. He was replaced at the election on 5 May 2016 by Councillor Bernie Mooney, but his replacement could not make this meeting at short notice.

**DECIDED: That**

- (1) the following changes in membership be noted:

Councillor Andy McPherson has been replaced as representative for Helsby Parish Council by Councillor Chris Ellams.

- (2) The non-membership issues be noted.

#### **7 PUBLIC QUESTION TIME**

No members of the public were present and no questions had been submitted in advance.

## 8 NETWORK RAIL IMPROVEMENT WORKS

Jill Partington from Network Rail gave a presentation on the upgrade to the rail network in Merseyside until 2019. Highlights included:

- Passenger numbers were increasing
- Lime Street station was to be remodelled to improve efficiency and add an additional platform
- Signalling will be centralised
- Several stations will be improved and new track will be laid
- There were 10 schemes, with £340 million of investment
- Halton curve, re-establishing a direct rail link between Cheshire and Merseyside via Runcorn, will be reopened as a two way route.
- The improvements should provide resilience for up to 60 years
- Increased capacity for freight with extra rail lines

Members debated aspects of the schemes, including:

- pointing out limits on parking at Frodsham which could impact on the Halton Curve usage
- whether Halton Curve could access North Wales. This was partly dependent upon the North Wales Rail Franchise renewal in 2017.
- links from the airport to railway stations, and the need for an additional new station serving Halewood.
- Consulting disabled groups about proposals.

Jill would respond directly to some comments, and made some specific responses at the meeting:

- Halewood South Station: this was one of 25 potential stations identified in the LCR's long term rail strategy. Work was being carried out on how these stations may be considered on a comparative basis to support the identification of the most promising options to take forward for further development. It was expected that an update on progress should be available in Summer 2016.
- Halewood Station: Anti-social behaviour issues at Halewood station were being investigated by Network Rail and Northern. Jill had logged this with the correspondence team. A response would be supplied to Councillor Roy Harvey.
- Earlestown Station: A report about the lack of access at Earlestown Station was recorded. Jill would pass this on to Northern as they managed the station.

### **DECIDED: That**

the update on Network Rail Improvement Works be received

## 9 AIRPORT SURFACE ACCESS STRATEGY (ASAS)

Robin Tudor informed Members that the Airport's Surface Access Strategy would be published on the website initially in the near future, circulated to stakeholders and should be ready for presentation to the next meeting.

The Strategy looked at how the Airport was looking to improve all methods of access to the Airport, and the Strategy was developed through the Airport Transport Forum.

There were two main targets: increasing passengers using public transport (currently 19.6%, target 22.4% by 2020) and reducing car access by employees (currently 73%, target 65% by 2020). Progress would be monitored although there were challenges, such as that 90% of people working at the airport not being directly employed by the Airport Company. Integrated ticketing for different transport modes would help.

**DECIDED: That**

progress toward the Airport Surface Access Strategy be noted.

## **10 QUARTERLY REPORT**

Robin Tudor, Head of Public Relations, presented the Airport's Quarterly Business Report, covering January to March 2016. Overall, there had been strong growth of 20% which had made Liverpool the second fastest growing major airport in the UK. Nine carriers operated out of Liverpool which was the highest ever. Key points (with increases given in comparison with the equivalent period in the previous year) included:

- EasyJet had increased the frequency of the Zakynthos route to twice daily and anticipated 4% growth;
- Ryanair announced a new route to Sofia, and were extending five routes to operate in Winter as well as Summer, and anticipated 8% growth;
- Flybe discontinued the Amsterdam route due to lack of code share issues;
- Wizz Air had five routes performing strongly, with the Budapest route now using a larger aircraft;
- Blue Air increased services and were extending a Summer route into Winter;
- Air Lingus will now run four daily services to Dublin, allowing better onward connections to North America;
- Vueling commenced three times weekly services to Barcelona;
- Czech recommenced its twice weekly service to Prague;
- Car parking was strong with a 0.001% incident rate;
- The extension of the perimeter fence to the East of the runway was progressing with legal agreements being finalised prior to the Stopping Up Order;
- The Airport Master Plan should be updated later in 2016.
- The ASQ Customer Services surveys continued to bring good results, with Liverpool outperforming Manchester in 9 of the 13 core results;
- The Airport Surface Access Strategy has been approved by the Airport Transport Forum and would be published on the Airport website before circulation;
- The Airport had responded to a CAA consultation on Surface Access

**DECIDED: That**

the quarterly report be received.

## **11 2015 AIRPORT SERVICE QUALITY RESPONSES**

Christina Smith, LJLA Customer Services Co-Ordinator, attended to speak about the ASQ (Airport Service Quality) surveys. 350 surveys were completed from passengers in departures, with a number from all flights over 7 days being given

questionnaires. The exercise was repeated each quarter. Since the last quarter there had been improvements in toilets, seating, flooring and signage so the next quarter should see improvements in scores. Any comments were looked into.

Members asked about the nature of the questions, especially that there was no mention of accessibility, and that the results in the Quarterly Survey (Minute 10 refers) were headline figures, though it was explained that there were approximately 22 others not shown as they dealt with existing subjects in more detail.

**DECIDED: That**

the update on ASQ surveys be noted.

## **12 UKACCS SECRETARIAT AND SUPPORT SERVICE**

The Assistant Secretary introduced a letter from the United Kingdom organisation of Airport Consultative Committees (UKACCS) regarding the national secretariat and support service.

The service was being changed to run on a commercial basis and there had been a shortfall in the finances. In addition, the ICT support had been concentrated on one person who was now retiring and a replacement was required.

Members discussed the options presented, and the Deputy Chairman and Assistant Secretary would take the resolutions to the annual meeting in June.

**DECIDED: That**

the Assistant Secretary and Deputy Chairman report that at the Liverpool Airport Consultative Committee:

- (1) the proposed £75 increase in subscription fees to UKACCS be approved.
- (2) the website be funded by subscriptions by Airports which had Consultative Committee websites, but also be updated and with individual Secretariats given administration rights.

## **13 COMPLAINTS AND QUERIES**

The Secretariat had received a letter from Richard Buttrey concerning the 'red route' no-parking route on the approach to the Airport on the Airport's land. He asserted that the signs were illegal and requested that the Committee investigate and no penalty charges be levied by the management company until the situation was regularised.

The airport circulated to Members a response from the Airport's legal team, attached to these minutes, which countered the allegations of criminal conduct. The Airport considered the matter closed. Members noted the position and statements.

**DECIDED: That**

the statement, questions and response be noted.

**14 ANY OTHER BUSINESS**

There was no business under this item.

**15 DATE OF NEXT MEETING**

The next meeting of the Consultative Committee was scheduled for Friday 16 September 2016 at 10.30 am in the Cavern Suite, Liverpool John Lennon Airport L24 1YD.

Chairman .....

Date .....

We at Liverpool John Lennon Airport ("LJLA") are aware of a question that has been raised by Mr Richard Buttrey and that Mr Buttrey has requested that his question be tabled at the May meeting of the Liverpool John Lennon Airport Consultative Committee (the "Committee").

We at LJLA are of course always willing to engage in active consultation with members of the public regarding matters of public interest effecting LJLA and, as set out in more detail below, we have engaged with Mr Buttrey on this issue previously. It is not immediately clear from Mr Buttrey's written request to the Committee whether he intends to attend the meeting in person (as he is obliged to do so in order have any question heard – see paragraph 10.2 of the Committee's constitution). We assume that he will be attending in person to raise his question so that proper process is followed. On this basis, and so as to assist the Committee in considering Mr Buttrey's question, we provide some further information below.

## **Background**

LJLA has been in correspondence with Mr Buttrey regarding parking at LJLA and the management of the same by Vehicle Control Services Limited ("VCS") for over 12 months. Mr Buttrey originally made contact with LJLA as a result of a parking fine imposed on him by VCS as a result of Mr Buttrey having parked incorrectly at LJLA and in breach of the applicable parking restrictions.

Throughout the last 12 months, Mr Buttrey has raised a number of different bases on which he has sought to challenge the fine imposed upon him. LJLA has dealt with each objection in an open and transparent manner and has explained on each occasion why, having given proper consideration to Mr Buttrey's challenges, such objection has been rejected.

More recently the focus of Mr Buttrey's challenge has shifted to alleged planning permission issues which Mr Buttrey alleges cause VCS' contract with users of LJLA to be invalidated. LJLA has already responded to Mr Buttrey on this latest challenge (prior to him raising his objection with the Committee).

Given that Mr Buttrey's written submission to the Committee fails to reference such correspondence (nor does it set out the full background to this matter and the historic correspondence that has been exchanged), we believe that it is useful for the Committee to be aware of the full context to Mr Buttrey's recent challenge.

## **Mr Buttrey's current complaint**

Mr Buttrey's current complaint can be summarised as follows:

- (a) there are signs erected at LJLA that Mr Buttrey alleges are in breach of the Town and Country Planning (Control of Advertisements) Regulations because they do not have planning permission;
- (b) VCS is, allegedly, an agent of LJLA which imposes fines on users of the LJLA who park incorrectly at LJLA on the basis of a contract between VCS and each user;
- (c) because the relevant signs are allegedly in breach of planning laws, it is alleged that it must be the case that the terms of the contract between VCS and each user are not clear and cannot be said to have been incorporated;
- (d) as such, VCS is allegedly committing the criminal offence of obtaining money under false pretences; and
- (e) as VCS is allegedly the agent of LJLA, LJLA is also guilty of the same criminal offence.

LJLA rejects Mr Buttrey's very serious allegations of criminal conduct in the strongest possible terms.

Dealing first with the signs at LJLA, it is correct that LJLA is currently in discussions with Liverpool City Council regarding its signs and there is the possibility that there may be some changes made to those signs in the future. This is not in any way an admission by LJLA that there is anything wrong with the current signs or that they are in breach of either the Town and Country Planning (Control of Advertisements) Regulations or the "Road Traffic regulations" as suggested by Mr Buttrey. Instead, this is simply part of LJLA ongoing dialogue with all local stakeholders regarding any improvements that can be made to the passenger experience at LJLA.

However, even if this were not the case and even if Mr Buttrey's allegations regarding the signs at LJLA were correct, Mr Buttrey's allegations against VCS/LJLA fall down completely when he seeks to link the alleged planning issue to the enforceability of parking fines imposed by VCS.

It is correct that LJLA has sub-contracted traffic enforcement at LJLA to VCS. It does not however follow that VCS is an agent of LJLA merely as a result of being a sub-contractor. Instead, it simply follows that VCS has responsibility for traffic enforcement measures at LJLA.

VCS controls traffic enforcement at LJLA through contract law. Each user who attends the LJLA enters into a contract to do so. This is not unusual and people who park on private land always enter into such contracts (e.g. when parking at supermarkets or out-of-town shopping centres). The terms of that contract are set out on signs at LJLA. Again, this is not unusual and the same approach is typically always taken in similar circumstances (again, such as at supermarkets or out-of-town shopping centres).

The incorporation of such terms is not in any way linked to the question as to whether the signs have planning permission. Instead, the incorporation of such terms is purely down to a question as to whether they are brought sufficiently to the notice of users of LJLA. By way of example, one such sign appears as follows:



Whilst ultimately this is a matter between VCS and each individual user, LJLA is of the view that such signs make it very clear that stopping is not permitted and that fines will be imposed if a user nonetheless acts in breach of this restriction. On this basis, the suggestion that such signs are without contractual force is entirely rejected.

Mr Buttrey goes further in his challenge to seek to link an alleged lack of contractual force with the committing of the criminal offence of obtaining money under false pretences. There is simply no basis for making this link as against VCS or LJLA. Even if there was no contractual basis for imposing the fine (which is not the case), this does not result in a criminal offence having been committed.

## Conclusion

As noted above, LJLA is always open to constructive dialogue with the Committee and members of the public. In recognition of this, it has entered into correspondence with Mr Buttrey over a prolonged period of time and has dealt with each of his objections. However, LJLA does not accept that Mr Buttrey's current complaint has any valid basis and does not believe that there is any useful purpose in the Committee investigating it further.

Of course, should Mr Buttrey wish to provide further information in respect of his ongoing challenge to his parking fine, LJLA would consider such further information appropriately.