

Consumers and Markets Group



Andrew Macmillan
Chief Strategy Officer
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Dear Andrew

I am writing to express significant disappointment with the misleading remarks attributed to Javier Echave in The Sunday Telegraph yesterday, headlined, "Heathrow holds course on £1.7bn hike in airline charges".

The quote attributed to Javier claims incorrectly that the Q6 price control in some way includes provisions that require us to grant HAL's request to re-open the price control. Such obligations do not exist. Accordingly, it is both inappropriate and wrong to claim or imply that the CAA may be acting outside our legal obligations.

When setting the Q6 price control, the CAA recognised that it might be requested to consider requests to re-open the price control. As HAL is fully aware, however, and as our recent consultation on the request makes clear, neither the Q6 price control nor the licence conditions include any provisions that require the CAA to grant such requests. As we have stated clearly in our consultation, we are considering HAL's request against our statutory objectives, and in particular, furthering the interests of consumers.

We would strongly urge that HAL ensures that any further comments it makes about the scope for re-opening the Q6 price control are clear about what the control requires, and in particular, do not state or imply, that the CAA is in some way legally obliged to grant HAL's request.

Another article suggested that the CAA had issued a thinly veiled threat to nationalise Heathrow. This is not and never has been the case. It is not within the scope of our powers. We will seek to challenge and clarify these and any further erroneous comments or suggestions that are made.

In addition, I note the article's claim that Javier's aim is to change the CAA's mind. Rather than threatening legal action in the media, I would encourage HAL to engage fully with the formal consultation process. In that process we have set out our expectations of the evidence that would be required for us to consider the request a proportionate measure.

Due to the significance of this matter and the nature of the misleading remarks that have been reported in the national press, we will be publishing this letter on the CAA website before the end of today, to enable all stakeholders and any interested parties to understand our position.

As always, I would be happy to discuss this issue with you, but I would first ask that you take all necessary steps to prevent erroneous remarks of this kind being made in the future.

Yours sincerely

Paul Smith

Paul Smith
Group Director of Consumers and Markets