

1st August 2014

Freya Whiteman
Civil Aviation Authority
CAA House
45-59 Kingsway
London
WC2B 6TE

Dear Freya

CAA Consultation on additional guidance for operational resilience plans required under Condition D2 in the Licence for Heathrow Airport Limited

The Heathrow Airline Operator's Committee (AOC) in conjunction with and London Airport Consultative Committee (LACC) welcomes the opportunity to respond to the CAA on the above consultation. Our response is set out below under the headings contained in the CAA's consultation letter of 09 July 2014.

Risk Management

The AOC welcomes and supports the additional guidance set out in this section.

Passenger Welfare

The AOC welcomes and supports the additional guidance set out in this section. We also welcome the proposal of the CAA that the AOC be the airline representative body through whom the agreement of airlines is to be sought by HAL – noting that larger airlines may wish to provide an individual notification to HAL of the extent of their agreement.

In supporting the content of this section we would ask for clarity on the second sentence:

Where agreement cannot be reached, HAL should be clear in its plans that, if it considers it necessary, it will be prepared to step in to offer welfare assistance and may recover its reasonable costs.

In our view this sentence appears to refer to individual incidents during which agreement may not be reached between HAL and an airline on the requirement to offer passenger welfare and that on any such occasion HAL can step in to offer welfare and then seek cost recovery from the affected airline in conjunction with the AOC. If this is the case we support the additional guidance. If this is not what the CAA intends then we would welcome clarification and an opportunity for discussion on what is intended by the CAA.

We also note the following provision for HAL:

HAL should ensure that is fully indemnified by airlines for where it has to make backstop provision and should consider whether, and to what extent, some penalty for such an outcome should be levied.

Whilst we accept that HAL should be able to recover from airlines the reasonable costs incurred by it in the provision of welfare (in the absence of that welfare being provided by the airlines themselves) we do not think it is appropriate for HAL to be able to levy a penalty on any airlines for any absence of the provision of welfare. The concept of a punitive sanction is absent from the framework of airport regulation in the UK; we do not think the regulated airport should be able to avail of punitive sanctions to impose on its customers – the airline.

Learning Lessons

The AOC welcomes and supports the additional guidance set out in this section.

Joint Business Continuity Planning

The AOC welcomes and supports the additional guidance set out in this section.

Process for reducing demand during times of disruption

The AOC welcomes and supports the additional guidance set out in this section. In particular the AOC welcomes the retention of voluntarism in the balancing of demand and capacity in times of disruption. This approach has served all the stakeholders at Heathrow well and we are strong advocates of this approach continuing to be the basis on which responses are made to disruption events.

Findings of the report by Steer Davies Gleave for the CAA on operational resilience plans

The AOC welcomes the indication to HAL by the CAA that it should consider the findings of the Steer Davies Gleave report on the resilience response plans of other sectors and airports in the development of the resilience plans at Heathrow.

Monitoring of Adherence to Guidance

The AOC welcomes and supports the additional guidance set out in this section.

Finally, with respect to paragraph 2.87 in the original guidance in set in the Q6 regulatory settlement we would note that it is not only 'key infrastructure' which can be divided into component parts such as terminals and runways. Terminals, as a distinct entity, can also be divided into component parts such as facilities for the specific handling of Passengers, Aircraft and Baggage. HAL should be required to have contingency plans for the loss of these type of specific elements as well as holistic plans for the wider infrastructure.

We look forward to continuing to work with the CAA on these issues and do please let us know if you require any further input from the AOC.

Yours sincerely



Jim Hunter MBE
Managing Director
Heathrow AOC Limited