
REPORT TO:	COUNCIL	AGENDA ITEM: 14
DATE OF MEETING:	9 NOVEMBER 2006	CATEGORY: DELEGATED
REPORT FROM:	DEPUTY CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	RICHARD GROVES (EXTN. 5738)	DOC:
SUBJECT:	NOTTINGHAM EAST MIDLANDS AIRPORT – REQUEST FOR DESIGNATION UNDER SECTION 78 OF THE CIVIL AVIATION ACT 1982	REF: u:/richard/committees/Council2
WARD(S) AFFECTED:	ALL	

1.0 Recommendations

- 1.1 Members views are requested.

2.0 Purpose of Report

- 2.1 To seek a committee resolution in regard to a letter received from the Department for Transport in response to this Council's request to the Secretary of State for Transport to reconsider his previous decision to decline to formally designate Nottingham East Midlands Airport under Section 78 of the Civil Aviation Act.

3.0 Detail

- 3.1 The Nottingham East Midland Airport Draft Master Plan was considered at Finance and Management Committee on 16th May, 2006 (minute FM/144 refers). As part of it's resolution the Committee determined that the Secretary of State for Transport be asked to formally designate the airport under Section 78 of the Civil Aviation Act 1982 so that its regulation and operation would fall within his control. This followed an earlier request for designation by this Council made as part of it's response to the Future of Air Transport consultation exercise in 2002 which was considered by Finance and Management Committee on 28th November 2002 (minute FM/66 refers).
- 3.2 A response to the Council's latest request for designation was provided by the Department for Transport in a letter dated 4 July 2006, a copy of which is attached at Annexe A.

4.0 Financial Implications

- 4.1 None

5.0 Corporate Implications

- 5.1 Designation may have implications for the following Key Aims of the Council's Corporate Plan:

- Safeguard and enhance a sustainable environment
- Develop a vibrant and sustainable economy

6.0 Community Implications

6.1 Designation may have implications for the following themes of the South Derbyshire Community Strategy:

- Healthy communities
- A vibrant economy
- A sustainable environment

7.0 Conclusions

7.1 The main points being made by the Department of Transport in its letter are as follows:

- It will only reconsider the request for designation if it can be shown that there has been a material change in circumstances.
- It anticipates a submission from the Independent Consultative Committee (ICC) in regard to the "Ten Point Plan" which had not been received at the time of writing.
- It considers that it would be premature to make a decision on whether to reconsider the issue of designation before the Master Plan has been adopted.
- It would be willing to reconsider designation where reasonable controls are not forthcoming.

7.2 Nottingham East Midlands Airport has indicated that the Master Plan will be adopted before the end of 2006. It would therefore seem appropriate to wait for this and then, having had regard to the content of the document, decide whether a further approach should be made to the Secretary of State for Transport requesting designation. Members may wish to consider the establishment of a new Working Panel, comprising the members previously nominated in relation to the Draft Master Plan consultation exercise, to evaluate the final document with a view to preparing a report and recommendations to a future meeting of Finance and Management Committee.

7.3 It is understood that the matter referred to in the second bullet point relates to an anticipated response to the Draft Master Plan from the ICC. However, it is further understood that the ICC determined earlier this year that rather than providing a collective response to the consultation exercise, the individual organisations represented on the Committee should respond individually.

8.0 Background Papers

Letter from Department for Transport

4 July 2006