

CIVIL AVIATION AUTHORITY
MINUTES OF THE 538th BOARD MEETING HELD ON
WEDNESDAY 19 FEBRUARY 2020, AVIATION HOUSE

Present:

Dame Deirdre Hutton Chair
Richard Moriarty
Katherine Corich
AVM Ian Gale
David King
Anne Lambert
Graham Ward
Paul Smith
Kate Staples Secretary and General Counsel
Chris Tingle

Apologies:

Marykay Fuller
Rob Bishton
Richard Stephenson

In Attendance:

Peter Drissell
Tim Johnson
Richard Stephenson
Stephanie Shaw for Rob Bishton
Philip Clarke Minute taker
Alison Harris Minute taker
Helen Zambuni for item 5
James Eales for item 5
Rachel Gardner-Poole for item 7B

I. APOLOGIES AND INTRODUCTIONS

1. Apologies were received from Marykay Fuller, who had recently had an operation; Rob Bishton, who was overseas; and Richard Stephenson, who was unwell.

II. CONFLICTS OF INTEREST, PREVIOUS MINUTES AND MATTERS ARISING

2. No new conflicts of interest were declared.
3. The minutes for both the December 2019 and January 2020 meetings were approved, with minor corrections and would be published on the CAA website in due course.

4. The matters arising from previous meetings were noted without comment.

III. CHAIR'S UPDATE

5. The Chair gave an update of recent meetings and events that she had attended since the January Board meeting. These included welcoming Paul Maynard MP, formerly the Government's Aviation Minister, to Westferry House, when he came to thank CAA colleagues for their hard work on the Thomas Cook repatriation exercise and more recently on settling Thomas Cook claims. The Chair and the Chief Executive also met US Federal Aviation Authority (FAA) colleagues in early February to discuss the return to service of the Boeing Max 8. Finally, the Chair said that she was in the process of commissioning Flint Global to carry out an independent review of how the Board receives and processes safety information, and subsequently makes decisions. The review would be concluded in time for the May 2020 Board meeting.
6. The Board noted the update.

IV. CHIEF EXECUTIVE REPORT (DOC 2020-12) BY RICHARD MORIARTY

Approvals: CAA Pension Scheme (CAAPS) – CAAPS trustees' reappointment

7. Richard Moriarty asked the Board to reappoint Mike Nicholson and Reiner Krammer as CAAPS trustee directors.
8. The Board agreed the two reappointments.

Update on live issues

9. **FAA meeting:** Richard Moriarty provided more details of the meeting that he and the Chair, along with other CAA colleagues, had held with Steve Dixon, the recently appointed Administrator for the US FAA. Mr Moriarty said that most of the conversation had focused on the Boeing MAX 8. CAA and FAA had agreed that the return to service was still some time off and that a staggered return to service across the globe was possible, though not desirable, with any dislocation between the European and US aviation authorities likely to last only a few weeks. Mr Moriarty confirmed that the CAA continued to participate in the European-led meetings and calls about the Boeing MAX 8 return to service. A fuller update would be provided at the March Board meeting.
10. Mr Moriarty reported the FAA also had an Innovation Hub, like the CAA. He and Mr Dixon had discussed how the two Hubs could work more closely together on issues such as drones and airspace changes.

11. Finally, Mr Moriarty said that he and Mr Dixon had discussed airspace change in general, including the benefits and risks associated with the US's more centralised model and the UK's more decentralised model.
12. **Heathrow expansion:** Richard Moriarty provided a general update on the CAA's work on the Heathrow expansion and discussions with companies with an interest in expansion.
13. Paul Smith added that he and his team would come back to the Board in due course about Category C costs. The team would also attend the Board in March to present its assessment of the viability of Heathrow West's expansion proposals.
14. Finally, Kate Staples said that the outcome of the judicial review into Heathrow expansion was due by the end of the week.
15. **Coronavirus:** Richard Moriarty said that he and his team were monitoring the situation carefully for adverse impacts on the aviation industry, the CAA and our staff. He said that the CAA was following Public Health England's advice on how to prevent the virus from spreading.
16. **EU Exit:** Richard Moriarty reported that, according to the Government's most recent statements about the UK's future relationship with the EU, the UK was likely to become a rule maker than a rule taker. Mr Moriarty said that the UK would import the entire European rule book from 1 January 2020 and would then gradually be able to diverge if it wished. This would mean a different future relationship between the CAA and EASA. He said that the CAA had prepared previously for this potential outcome and that the plans would be stepped up, in particular standing up the State of Design team.
17. **NATS Competition and Markets Authority (CMA) referral:** At Richard Moriarty's request, Paul Smith provided an update on the CMA referral hearing, where CAA had given evidence. He added that the CMA was keeping to its original timetable and the CAA should receive the initial findings report in mid-March. These would be brought to the Board in due course.
18. **Thomas Cook claims:** Richard Moriarty reported that to date, 340,000 claims had been settled, and some £335 million paid out. Approximately 11,500 claims were still outstanding, due to being particularly complex to resolve. New claims were still being made but encouragingly these were being turned around quickly. Mr Moriarty confirmed that an internal "lessons learnt" exercise would start soon, considering a number of aspects, including whether any technological changes were needed to assist with any future airline failure claims handling.