

CIVIL AVIATION AUTHORITY
MINUTES OF THE 527th BOARD MEETING HELD ON
WEDNESDAY 20 FEBRUARY 2019, CAA HOUSE

Present:

Dame Deirdre Hutton	Chair
Mr Richard Moriarty	
Ms Marykay Fuller	
Mr Peter Kirk	(for Peter Drissell) until item V
Ms Anne Lambert	
Mr David Gray	
AVM Gerry Mayhew	
Mr Michael Medlicott	
Mr Graham Ward	
Ms Kate Staples	Secretary & General Counsel
Mr Mark Swan	
Mr Chris Tingle	

Apologies:

Mr David King
 Mr Peter Drissell
 Mr Paul Smith

In Attendance:

Mr Tim Johnson			
Mr Richard Stephenson		Ms Sophie O'Sullivan	for item IX
Ms Angela Lynch	minute taker	Mr Rob Toal	for item VII
Mr Ed Weston		Mr Andrew Walker	for item VII
Ms Julie Bryer	for item VI		
Mr Jim Frampton	for item V		
Mr Reiner Krammer	for items I-V		
Mr Will Nathan	for item VIII		
Mr David Oastler	for item V		

I. APOLOGIES AND INTRODUCTIONS

1. There were apologies from Mr King, Mr Drissell and Mr Smith.
2. Board members welcomed new Non-Executive Director Ms Lambert to her first formal Board meeting.

II. CONFLICTS OF INTEREST, PREVIOUS MINUTES, AND MATTERS ARISING

2. There were no new conflicts of interest declared.
3. The previous minutes were agreed, subject to minor corrections to the attendees list. Ms Staples explained that a redaction would be required in the published minutes to protect the identity of an individual.
4. Under matters arising, the Chair asked for an update on work under the CAA fitness policy. Mr Swan confirmed that the policy had been put in place and that the action related to the final amendments to associated documents would be completed as soon as resources allowed. On the basis of this response the Board agreed that the corresponding action should be marked closed.

III. CHAIR'S UPDATE

5. The Chair gave an update on recent meetings and events attended, including the latest meeting of the UK Regulators Network Chairs Group.
6. The Board noted the forthcoming publication of the Airline Insolvency Review, following its previous discussions on the topic (which included a Policy and Innovation Exchange session in December). Mr Moriarty confirmed that the CAA had provided support to the Airline Insolvency Review in the form of secretariat and technical advice but that it had not been directly involved in the policy proposals, as this was an issue for Peter Bucks. It was agreed that the outcomes of the review would be carefully considered.
7. The Board noted the update.

IV. CHIEF EXECUTIVE REPORT (DOC 2019-010) BY RICHARD MORIARTY

8. Mr Moriarty updated the Board on key meetings and live issues.
9. The Board accepted the NATS nomination to appoint Mr Bullock as an Employer Nominated Director (NATS) of CAAPS for the period 1 April 2019 to 31 March 2022.
10. Ms Staples gave an oral update on the Piper Malibu N264DB Accident on 21 January 2019. She confirmed that the safety investigation led by the AAIB was ongoing and clarified relevant aviation regulations and processes in response to questions from the Board.
11. Mr Moriarty briefed the Board on activity following FlyBMI's recent announcement that it had gone into administration. As the airline was not covered by the ATOL scheme, the CAA had no direct passenger assistance role. The team did, however, support DfT in providing technical advice and it published information aimed at those passengers affected.

12. The Board noted an update on engagement with Heathrow and its stakeholders on the expansion planning process.
13. Under the report's update on dangerous goods, Ms Staples confirmed that the decisions to ban dangerous goods from carriage by air fall under the purview of the Secretary of State. Mr Swan informed the Board of the current safety team review on rules relating to the transportation of lithium batteries. He confirmed that the findings would be discussed through the Safety Leadership Group and reported to the Board in due course. The Chair asked that the review be expanded to consider whether a ban of the carriage of lithium batteries in the holds of passenger aircraft would be desirable and if so, on what basis the CAA would want it to be implemented.

Action: Mr Swan

14. The RP3 consultation document has now been published, with the team now content that the document accurately and adequately describes the information provided by NATS.
15. Mr Moriarty highlighted the information in the report on airline and travel market financial results.
16. An update was given on the proposed acquisition of Flybe by Connect Airways. In line with standard CAA processes the team was carrying out work to assess the financial and ownership aspects of the process. Mr Krammer confirmed that the acquisition was also subject to European Commission approval.
17. Ms Staples responded to a question on the report on preparatory work for the ICAO audit in Bermuda. She confirmed that Air Safety Support International (ASSI) would be reviewing the results of the dry run and, where appropriate, would carry out its own actions in key areas. Mr Kirk noted that ASSI's remit now included security issues in UK Overseas Territories. Ms Staples confirmed that ASSI's governance structure dictates that it reports directly to the Secretary of State.
18. The Board noted the report.

V. CAA NO DEAL BREXIT READINESS REVIEW (DOC 2019-011) BY TIM JOHNSON

19. The Board welcomed Mr Oastler and Mr Frampton to the meeting.
20. Mr Johnson gave an update on Brexit-related developments since last month, which included positive confirmation yesterday from the European Commission that it would guarantee Third and Fourth Freedoms of the Air in the event of a no deal (subject to final parliamentary acceptance). The Board agreed that this was reassuring, reducing the severity of the risk to air connectivity agreements. In response to a question, Mr Johnson said that the UK's position on cabotage rights