thereafter.

5.12 A Committee Representative may resign their membership at any time by giving written notice to the Committee Secretariat.

6 Committee Code of Conduct

6.1 All representatives shall abide by the Code of Conduct as detailed here and based on that contained within the guidelines on Airport Consultative Committees issued by the Department for Transport in 2014.

6.2 **Respect:** Committee representatives should treat each other with respect and courtesy at all times.

6.3 **Commitment:** Committee representatives should dedicate sufficient time to prepare for and attend meetings, including seeking advice and views from others in their organisation where appropriate.

6.4 **Conflicts of Interest:** Representatives should identify and declare any conflicts of interest (actual, potential or perceived).

6.5 **Participation:** Representatives should participate fully in meetings. They should listen to what others have to say and keep an open mind while contributing constructively to discussions. Actions assigned to representatives should be fulfilled in a timely manner and progress reported back on at the next meeting.

6.6 **Openness and Accountability:** Representatives should be open and accountable to each other, to the organisations and communities they represent and to the wider Committee. Representatives should communicate information provided to the Committee accurately, fully and fairly.

6.7 **Confidentiality:** From time to time, Birmingham Airport Limited may disclose confidential and/or sensitive information to aid full and proper discussion by the Committee. All members must respect the status of that information until (i) publication of “Approved” Minutes – where such information is recorded in either the preamble and/or resolution; or (ii) in all other circumstances, with the prior written consent of either Birmingham Airport Limited or the Secretary in consultation with Birmingham Airport Limited. It shall be the responsibility of Birmingham Airport Limited to identify confidential and/or sensitive information. Any disclosure of confidential and/or sensitive information contrary to the above shall be a breach of the Code of Conduct[2].

6.8 The Code of Conduct shall confer disciplinary powers on the Committee Chairman and Steering Group.

[2] AGM 2024 revision – revised provisions for Confidentially.

6.9 Where representatives believe that the Code of Conduct has been breached, they shall inform the Committee Secretariat in writing detailing their concerns and requesting that these are investigated. Anonymous complaints shall not be accepted.

6.10 The Secretariat, in conjunction with the Committee Chairman, shall normally seek an informal resolution of the situation, but more serious cases may be referred to the Steering Group for investigation.

6.11 Where an informal resolution cannot be achieved, representatives may be subject to such sanctions as may be deemed appropriate by the Steering Group, which may include requests for a formal apology, warnings as to future conduct, suspension from the Committee for one or more meetings or (in the most serious cases) the representative's entitlement to attend the Committee being permanently revoked and their organisation being requested to nominate an alternative representative.

6.12 Where the Chairman or a member of the Steering Group faces an alleged breach of the Code of Conduct, they shall remove themselves from involvement in the investigative and disciplinary process.

7 Appointment of an Independent Chairman

7.1 Birmingham Airport Limited shall appoint, as Chairman of the Committee, a person who they consider to be independent of interests represented on the Committee.

7.2 The position of the Chairman of the Committee shall be advertised appropriately and the Committee shall be represented during the shortlisting and interview stages of the process. It is envisaged that the Committee shall be represented by the Vice-Chairman or another member of the Steering Group should the Vice-Chairman be unavailable.

7.3 The Chairman's term of office shall be a period of three years from the date of appointment. This appointment is renewable for a further two terms at the Annual General Meeting (serving a total of nine years). After this time, the post of Independent Chairman shall be re-advertised by Birmingham Airport Limited[3].

7.4 In exceptional circumstances and after nine years have been served, by resolution of the Committee and in consultation with the serving Chairman and Birmingham Airport Limited, the serving Chairman can be re-appointed on an annual basis at the Annual General Meeting[4].

7.5 The Chairman shall have all the rights of representatives as provided by this Constitution.

[3] AGM 2021 revision – Duration of Chairmanship Term of Office.
[4] AGM 2021 revision – Chairmanship beyond three Terms of Office.

7.6 If any vacancy occurs to the office of Chairman, the Vice-Chairman shall preside until the vacancy is filled in accordance with paragraph 7.1.

8 Annual Appointment of Vice-Chairman

8.1 The Committee, by unanimous or majority resolution, shall appoint from amongst its membership, a Vice-Chairman at each Annual General Meeting to hold office until the next Annual General Meeting. Any such person shall be eligible for re-appointment to that position in consecutive or subsequent years.

8.2 Unless by resolution of the Committee, any person co-opted to membership of the Committee shall not normally be eligible to hold the position of Vice-Chairman.

8.3 If any vacancy occurs to the office of Vice-Chairman, the Committee may, by unanimous or majority resolution, appoint one of its members to hold office until the next Annual General Meeting.

9 Secretariat Arrangements

9.1 The Secretariat arrangements for the Committee shall normally be administered by an officer of Solihull Metropolitan Borough Council (Solihull MBC).

9.2 The appointment of that officer (or their substitute representative) shall be drawn from a Directorate of that Council which is not directly responsible for the delivery of that Council's Local Planning Authority function.

9.3 The Secretariat shall make arrangements for keeping a register of members of the Committee and for producing the agendas for meetings and the production of minutes.

9.4 In order to facilitate the free exchange of information between members of the Committee and subject to the requirements of the [5]General Data Protection Regulation, the Secretariat shall make arrangements for the contact details of Committee members to be available for all members of the Committee.

9.5 The Secretariat shall be an officer of the Committee and not a member of the Committee.

9.6 The Secretariat arrangements for any Working Groups or Sub-Committees directly appointed by the Committee shall normally be administered by Birmingham Airport Limited.

[5] AGM 2019 revision – to replace Data Protection Act.

10 Meetings of the Committee

10.1 The Committee shall normally meet four times in each year and shall designate one meeting as an Annual General Meeting.

10.2 Meetings shall be held at a venue to be provided by Birmingham Airport Limited or at such other venue that the Chairman may decide in consultation with Birmingham Airport Limited and the Committee Secretariat.

10.3 A “special meeting” shall be called by the Committee Secretariat upon the direction of the Chairman following consultation with Birmingham Airport Limited and upon 21 clear calendar days notice being given by the Committee Secretariat to each member of the Committee in writing. This notice period may be waived in exceptional circumstances or on the grounds of urgency.

10.4 If more than ten representatives give written notice to the Committee Secretariat requesting a “special meeting” of the Committee, the Committee Secretariat shall as soon as practicable call a “special meeting” to be held within 28 days of the request. Those ten members requesting a “special meeting” shall provide all reasonable background information and reasoning to support such a request to the Committee Secretariat.

10.5 The Secretary shall produce and circulate to each representative an agenda for the meeting according to the scheduled cycle of annual meetings published at the Annual General Meeting.

10.6 The agenda shall incorporate Standing Items[6] which shall include, but not be limited to, issues concerning:

- Chairmans quarterly updates.
- Airport Activities quarterly updates.
- Sustainability quarterly updates.
- Community Noise Report.
- Health & Wellbeing Forum.
- Noise Sub-Group.

10.7 In addition to the Standing Items, the agenda shall normally include, but not be limited to, discussions of the following items:

- Updates from Birmingham Airport Limited on operations at the airport, including passenger numbers and new services.
- Airport Development
- Surface Access
- Updates on local plans and policies that may impact the airport.
- Consultation Responses
- Airspace Change (where relevant)

[6] AGM 2024 revision – updated Standing Agenda items.

10.8 Unless it is reasonable to be considered as “any other business”, a meeting shall not deal with any item of business which is not on an agenda unless the Chairman and Birmingham Airport Limited agrees that the matter can conveniently be dealt with at that meeting.

10.9 Any representative requiring a specific matter to be considered as part of the agenda for a meeting shall give the Committee Secretariat due notice according to the scheduled cycle of annual meetings published at the Annual General Meeting.

10.10 The quorum for a meeting shall be 10 representatives, exclusive of any co-opted representatives.

10.11 [7]The Committee may, by resolution, appoint a Working Group to consider an individual item of business in greater depth. Such business may be identified either through regular debate at Consultative Committee meetings or by advance suggestion by Birmingham Airport Limited. The membership, chairmanship, terms of reference and lifespan of any Working Group shall be agreed by the Committee at the time of establishment. The minutes of any Working Group shall be reported to the Committee on a regular basis and the recommendations from any Working Group shall be reported to the Committee for formal consideration as soon as practicable following completion. Where the establishment of a Working Group is considered urgent and falls outside the normal calendar of Consultative Committee meetings, the Chairman and Vice-Chairman, in consultation with the Committee’s Steering Group and BAL be authorised to approve any establishment. Any Working Group shall be supported by Birmingham Airport Limited. Any Working Group established under the Committee shall conduct itself in accordance with all aspects of the Committee’s Constitution where applicable.

11 Procedure for Meetings

11.1 The Chairman, if present, shall preside at each meeting of the Committee.

11.2 If the Chairman is not present at the start of a meeting, the Vice-Chairman shall preside at that meeting in the absence of the Chairman.

11.3 It is expected that matters should be resolved by consensus. In general, the Chairman or person presiding at a meeting shall avoid taking votes on matters other than those relating to membership of the Committee.

11.4 In the event that 11.3 cannot be achieved, any matter which needs to be decided at a meeting of the Committee may be determined by a show of hands and each member of the Committee shall have one vote.

11.5 In the event of a tied vote, the Chairman (or Vice-Chairman if they are

[7] AGM 2018 revision - to formalise the establishment of ad-hoc Working Groups.

presiding) shall have a second or “casting vote”.

12 Publicity and Access to Meetings

12.1 The only persons normally entitled to attend meetings of the Committee (other than the eligible representatives) shall be such representatives of Birmingham Airport Limited as may be designated by the Chief Executive Officer or his or her deputy; technical support officers from Solihull Metropolitan Borough Council and Birmingham City Council; and the officer(s) comprising the Committee Secretariat.

12.2 Other persons shall normally only attend meetings by invitation of the Committee.

12.3 The press and public shall not normally be admitted to any meeting unless the Committee has resolved to open the meeting to the press and public.

12.4 Agendas shall be published not less than 5 working days in advance of a meeting. Minutes shall be published within 5 working days following approval by the Committee.

12.5 Agendas, Minutes and the Calendar of Meetings of the Committee shall be published on the Airport Company’s website:

https://corporate.birminghamairport.co.uk/community-and-environment/airport-consultative-committee/

13 Steering Group and other Sub-Groups[8]

13.1 The Committee shall include three permanent Groups as follows:

13.2 A **Steering Group** composed of the following permanent members:

- Chairman (ACC).
- Vice-Chairman (ACC).
- Secretary (ACC).
- Birmingham Airport Limited representative.
- Committee representatives.

13.3 A **Noise Sub-Group** composed of the following permanent members:

- Chairman (ACC).
- Vice-Chairman (ACC).
- Birmingham Airport Limited representatives.
- Committee representatives.

[8] AGM 2024 revisions – to formalise the inclusion of the Noise Sub-Group and the Health & Wellbeing Forum.

- Solihull Metropolitan Borough Council Environmental Heath representative.
- Secretary (provided by Birmingham Airport Limited).

13.4 A **Health & Wellbeing Forum** composed of the following permanent members:

- Vice-Chairman (ACC).
- Birmingham Airport Limited representatives.
- Committee representative.
- Solihull Metropolitan Borough Council Environmental Heath representative.
- Solihull Metropolitan Borough Council Public Heath representative.
- Birmingham City Council Environmental Heath representative.
- Secretary (provided by Birmingham Airport Limited).

13.5 The **Steering Group** shall include four representatives elected from and by the Committee.

13.6 The role of the Steering Group shall be to:

- Consider items for inclusion on the agenda for Committee meetings.
- Consider issues for consideration by the Committee.
- Consider membership and representation on the Committee.
- Oversee the induction of new members of the Committee.
- Consider breaches of the Code of Conduct as outlined in 6.10/11.
- Preparing responses to consultation papers or other matters on behalf of the Committee where time constraints do not allow for their consideration by the Committee.

13.7 The four representatives of the Committee shall hold office until the next Annual General Meeting of the Committee, at which time they shall be eligible for re-election until the next Annual General Meeting thereafter.

13.8 Any member of the Committee shall be entitled to stand for election to the Steering Group.

13.9 The Secretary shall make arrangements for the election of the Committee representatives on the Steering Group.

13.10 It is expected that matters considered by the Steering Group should be resolved by consensus.

13.11 In the event that consensus cannot be achieved, any matter which needs to be decided at a meeting of the Steering Group may be determined by a show of hands and each member of the Steering Group shall have one vote, with the exception of the Secretary, who shall be a non-voting member of the group. The Steering Group may also refer the issue back for discussion at the Committee.

13.12 The Steering Group shall normally meet according to the scheduled cycle of annual meetings published at the Annual General Meeting, but may meet at any time, as its members deem necessary.

13.13 The Steering Group shall normally meet virtually, but may meet in person at any time, as its members deem necessary.

13.14 The **Noise Sub-Group** shall include up to 8 representatives drawn from the Committee and, ideally, its composition shall contain a reasonable geographic distribution of members. Membership of this Sub-Group automatically implies a duty on its members to represent the entirety of the Committee's interests.

13.15 The role of the Noise Sub-Group shall be to:

- Consider all noise issues on behalf of the Committee.
- Consider noise issues that require further consideration by the Committee.
- Provide overview and scrutiny of the development and drafting of current and future noise policy.

13.16 In consultation with the Steering Group, the Noise Sub-Group shall be responsible for the production, agreement and review of its own Terms of Reference.

13.17 It shall be expected that matters considered by the Noise Sub-Group should normally be agreed by consensus. If not, the matter(s) shall be brought to the next Committee for consideration.

13.18 The Noise Sub-Group shall normally meet approximately 4 weeks ahead of the scheduled meeting calendar of the Committee, but may meet at any time, as its members deem necessary.

13.19 Birmingham Airport Limited shall be responsible for the reasonable provision of all relevant data and information to enable the Noise Sub-Group to undertake its role.

13.20 The business of each meeting transacted at the Noise Sub-Group shall be reported to the Committee as a standing agenda item.

13.21 The Noise Sub-Group shall normally meet in person, but may meet virtually at any time, as its members deem necessary.

13.22 The **Health & Wellbeing Forum** shall fulfil the primary objective to promote the consideration of community health issues and opportunities into the operation and development of Birmingham Airport and to monitor the effectiveness of mitigation and community support initiatives, in partnership with Solihull Metropolitan Borough Council and Birmingham City Council

13.23 The Health & Wellbeing Forum shall normally meet approximately 2 days ahead of the scheduled meeting calendar of the Committee, but may meet at any time, as its members deem necessary.

13.24 The business of each meeting transacted at the Health & Wellbeing Forum, and any associated workstreams shall be reported to the Committee as a standing agenda item.

13.25 The Health & Wellbeing Forum shall normally meet in person, but may meet virtually at any time, as its members deem necessary.

13.26 The agreed Pathways for collaborative working are:

- Employment, Education and Social Capital.
- Air Quality & Noise.
- Health & Wellbeing.

14 Review

14.1 This Constitution, Terms of Reference, and Membership Framework shall be subject to review on an annual basis, and, subject to such amendments as the Committee may approve, be adopted at the Annual General Meeting.