



Access to Public Information Request

Date of receipt: 21 October 2020

Date of response: 20 November 2020

Access to Public Information request regarding Aurigny and licence applications

Request:

I am making these requests under the Code of Practice for Access to Public Information because the relevant department, T&R, has ceased to exist. Specifically, I wish to request access to:

- A copy of the presentation given by KPMG to T&R on 7 September 2010 in respect of the business case for the acquisition of the Aurigny Group by Blue Islands.
- Legal advice received by T&R between November 2009 and September 2010 in regard to a proposed 'golden share' arrangement in regard to control over Gatwick slots (in particular that which indicated that such an arrangement was possible, and subsequent advice to the contrary)
- Any documentation held in regard to Flybe's three offers to purchase the Aurigny Group between 2005 and February 2010
- Hansard of the debate on acquisition of Aurigny Air Services from Close Brothers in June 2003.
- Any information held in relation to air route licence applications involving Aurigny as a requestor or objector.

Response (provided by the Policy & Resources Committee and States Trading Supervisory Board):

- A copy of the presentation given by KPMG to T&R on 7 September 2010 in respect of the business case for the acquisition of the Aurigny Group by Blue Islands

This presentation deals with commercially sensitive information which cannot be provided and is exempted under exception 2.13 (Third party's commercial confidences) of the Code of Practice for Access to Public Information.

- Legal advice received by T&R between November 2009 and September 2010 in regard to a proposed 'golden share' arrangement in regard to control over Gatwick slots (in particular that which indicated that such an arrangement was possible, and subsequent advice to the contrary)

Any such legal advice would be exempt under the Code of Practice for Access to Public Information under exception 2.5 (Law enforcement and legal proceedings) as 'information covered by legal professional privilege.'

- Any documentation held in regard to Flybe's three offers to purchase the Aurigny Group between 2005 and February 2010

Any such information would be subject to exception 2.13 (Third party's commercial confidences) under the Code of Practice for Access to Public Information.

- Hansard of the debate on acquisition of Aurigny Air Services from Close Brothers in June 2003.

The States of Guernsey began producing Hansard transcripts for States Meetings in 2012, prior to this debates were recorded. More recent States Meeting were recorded digitally and can be listened to through a 'playback' facility but this is only available from 2006 onwards. Before 2006, recordings were made on analogue 'reel-to-reel' and the States and the Royal Court do not have a facility for playing these.

- Any information held in relation to air route licence applications involving Aurigny as a requestor or objector.

The States of Guernsey is able to provide the following in relation to Aurigny and licence applications:

Aurigny Guernsey Air Transport Licences 1960 to 2018

Guernsey air transport licences have been issued from 1996. Prior to that they were issued by the CAA and we have therefore no records of any licence applications made before Guernsey authorities took over the licensing function in 1996.

With the recent approval of the quasi open skies policy, only two routes were designated as essential routes (Alderney and Gatwick) for which a licence would be required. There are extant licences for these routes and no further applications for the essential routes have been received since the adoption of the policy.

Airlines are permitted to operate any other routes without having to hold an air transport licence.

Licences issued to Aurigny immediately after the commencement of the licensing law in 1996

When the licensing function passed to Guernsey, the first 28 licences were more or less issued en bloc. These were for services that had been licensed by the CAA and were being operated at the time of the change-over. This was done to maintain the status quo.

As part of this process Aurigny was granted 4 licences as follows:

GTB 7	Jersey	Scheduled, extant
GTB 8	Bournemouth	Charter licence that expired on 31.12.96
GTB 9	Alderney	Scheduled, extant
GTB 26	Exeter	Charter licence that expired on 13.10.96

Subsequent licence applications made by Aurigny 1996 to 2018

GTB 30	Southampton	made 25.10.96, charter licence that expired on 05.10.97
GTB 34	Southampton	made 28.02.97, charter application that was withdrawn
GTB 35	Exeter	made 24.03.97 Charter licence that expired on 31.12.97
GTB 36	Bournemouth	made 24.03.97, charter licence that expired on 31.12.97
GTB 37	Southampton	made 24.03.97, charter, application rejected
GTB 40	Bournemouth	made 16.05.97, charter licence that expired on 13.12.97
GTB 44	Southampton	made 08.12.97, scheduled, application rejected
GTB 55	Bournemouth	made 27.10.98, charter licence that expired on 03.01.98
GTB 57	Bournemouth	made 15.02.99, charter licence that expired on 31.10.99
GTB 59	Stansted	made 25.02.99, scheduled, extant
GTB 61	Bournemouth	made 20.08.99, charter licence that expired on 03.01.00
GTB 64	Manchester	made 30.11.99, scheduled, extant
GTB 65	Bournemouth	made 30.12.99, charter licence that expired on 31.10.00
GTB 71	Bournemouth	made 23.02.01, charter licence that expired on 26.10.01
GTB 74	East Midlands	made 20.09.01, scheduled, revoked 05.09.08
GTB 77	Bournemouth	made 21.01.02, charter licence that expired on 30.06.02
GTB 78	Bournemouth	made 21.01.02, charter licence that expired on 25.10.02
GTB 79	Bristol	made 14.02.02, scheduled, extant
GTB 86	Southampton	made 15.01.03, scheduled, application withdrawn
GTB 87	Bournemouth	made 15.01.03, scheduled, application withdrawn
GTB 89	Gatwick	made 15.05.03, scheduled, extant
GTB 91	Bournemouth	made 21.07.03, scheduled, revoked 05.09.08
GTB 97	Newquay	made 08.10.03, charter licence that expired on 30.04.04
GTB 98	Southampton	made 08.12.03, scheduled, revoked 22.11.10
GTB 128	East Midlands	made 09.02.09, scheduled, extant
GTB 145	London City	made 22.01.14, scheduled, extant
GTB 146	Leeds/Bradford	made 26.02.15, scheduled, extant

GTB 147	Norwich	made 26.11.15, scheduled, extant
GTB 149	Luton	made 22.01.16, scheduled, extant

In regard to representations made by Aurigny on applications submitted by other airlines, as a general trend, an airline that is the incumbent operator on a route has tended to make a representation to the licensing authority if a licence application has been received from another airline to compete on the same route. The fact that a representation has been received and the substance of such a representation are not made public as the details may include commercially sensitive information. It would be necessary to approach the relevant airline to ask if a representation had been made in any particular instance and if the airline was prepared to release any details of such a representation.