

**REPLY BY THE PRESIDENT OF
THE STATES' TRADING SUPERVISORY BOARD
TO QUESTIONS ASKED PURSUANT TO RULE 14 OF THE
RULES OF PROCEDURE BY DEPUTY SIMON VERMEULEN**

Question 1

In light of recent ongoing events in Alderney where the island was left without air connectivity over the Easter weekend breaching Alderney's Public Service Agreement.

Would the President be able to confirm the identity of the Dornier Aircraft through their registration number and what checks were undertaken before the aircraft were purchased?

Answer

There are two Dornier 228NG aircraft in the Aurigny fleet. The registrations are G-OAUR and G-ETAC and they were delivered to Aurigny in 2015 and 2018 respectively. Both aircraft were newly built and purchased directly from the manufacturer (RUAG¹). Prior to accepting the aircraft, both were subject to a comprehensive range of pre-delivery contractual and airworthiness checks by Aurigny. These were a pre-requisite to the aircraft being licensed to fly by the Civil Aviation Authority.

Question 2

Would the President please be able to confirm how many days the Alderney route has been serviced by just one aircraft?

Answer

Under its Public Service Obligation (PSO) contract with the Policy & Resources Committee, Aurigny is required to provide two Dornier aircraft dedicated to the Alderney services. Under that contract, only one is scheduled at any time for operation; the second is held for medevac and back-up purposes, except during periods of maintenance, when it is acknowledged that only one will then be available. Whilst greater resilience can be provided, options for doing so could inevitably involve greater cost to the States.

For the year ending 31st March, 2022, there were 143 days when only one Dornier was available for the whole day because of maintenance requirements. Of those, 107 days were during the quieter winter months² when Aurigny tries to schedule planned maintenance events. Since the start of April, one aircraft has been out of service as a result of delays in completing its annual maintenance programme, the reasons for which are set out in my response to Question 3 below. Aurigny's current expectation is that this aircraft will return to service in early May.

Whilst acknowledging that it will be little comfort to those passengers caught up in the disruption over Easter, it should be noted that between the start of the PSO arrangements in January of 2021

¹ RUAG acquired the production rights and type certificate for the Dornier 228 in 2002/3. In 2020, RUAG sold the Dornier 228 programme to General Atomics.

² 1st November 2021 to 31st March 2022.

and the end of March, Aurigny reports that on-time performance for its Alderney services has been 86% and that less than 1% of flights have been cancelled as a result of technical problems with the aircraft. This equates to 25 of the 4500 sectors operated over that period. Whilst the numbers for this month compare very poorly, this is not indicative of a long-term trend.

Question 3

Would the President please be able to explain why the island was only left with one serviceable aircraft and why there was no contingency plan put in place to provide the lifeline air service?

Answer

Aurigny has already issued a detailed public statement on 17th April explaining in full the circumstances that lead to the service disruption over the Easter weekend, which I have copied in below:

“Disruption to Alderney Services

Aurigny would like to apologise to its customers and all others who have been inconvenienced by the cancellation of Alderney flights over the past few days. Aurigny has two Dornier aircraft dedicated to providing services to and from Alderney and over the past four days neither of them has been continuously available for service due to technical problems. This is highly unusual and has come about for the following reasons:

One of our two Dornier aircraft has been undergoing its mandatory annual maintenance for several weeks and it should have returned to regular service two weeks ago. However a small number of components needed to be replaced and unfortunately the manufacturer of the aircraft, General Atomics, did not have any of the required parts in stock and had to manufacture them. After waiting for the manufacturing, the parts were delivered to us at which point we realised that General Atomics had manufactured the wrong parts. We are now waiting for the correct parts to be manufactured and in the meantime the aircraft remains in our hangar in an unserviceable condition. When the correct parts are received the aircraft will quickly be returned to service which we expect to be on 28th April.

Last Wednesday our second Dornier aircraft developed a technical problem with one of its essential avionics systems. We identified the faulty component and checked to see if we could take the same component from the aircraft in the hangar and use that whilst we waited for the replacement part to arrive. Unfortunately, the component on the aircraft in the hangar was a different part number and General Atomics advised us that we could not use it on the other aircraft. General Atomics did not have the component we needed in stock, so we ordered one from the supplier in the USA. The part was shipped using FedEx as they were the only courier company that the part supplier would use. The part has arrived in the UK, but FedEx is now closed until Monday morning, the part will arrive with us on Monday afternoon. Last Thursday General Atomics changed their minds and advised us that we could use the component from our aircraft in the hangar, but that it would have to have a number of software settings changed to make it compatible. With the guidance of General Atomics, we made the required settings changes and fitted the component to the other aircraft, and it was taken on a test flight on Friday morning and declared serviceable. Due to the foggy conditions on Friday afternoon the aircraft was not used until Saturday morning when after operating the first flight of the day a similar technical problem returned. After further discussion

with General Atomics we are making further changes to software settings and conducting further test flying to ensure that we can return the aircraft to passenger services at the earliest possible opportunity.

We have learned from these events. The avionics component that failed on the second aircraft has not failed previously on either of our aircraft in the 5 years we have been operating this variant of the Dornier 228. Given the \$50,000 cost of this component and its history of good reliability it is not something that we would routinely stock in our parts inventory. However we could all but remove the impact of any future failure of this component or its equivalent on the other aircraft if we harmonised the systems on both aircraft. We will now work with General Atomics to explore that possibility. We will also discuss all of these events with General Atomics with a view to them providing a better level of support for our operations including access to a wider range of “off the shelf” components from their own stock inventory. It is important to note that there are very few Dornier aircraft of the type used for the Alderney commercial service elsewhere in the world. Regrettably this limits the availability of parts and the level of support from the manufacturer.

We know and understand that our customers rely on us to get them to and from Alderney. We will continue to work hard to ensure that our customers can travel. Over the past few days, we have tried to charter in alternative aircraft to replace our own but found there were none available, in part due to the limitations of the Alderney runway, we have tried to charter in ferries and also found there were none available. We have managed to charter a number of small boats of 12 seats or less and by using several of these we have managed to keep customers moving. We recognise that this is not the level of service expected of Aurigny and we apologise again for this.”

As a result of the contingency arrangements put in place, which involved organizing 27 extra sailings in either direction and use of the Salty Blond scheduled passenger sailings, Aurigny was able to ensure that 90% of booked passengers were eventually able to get to their destination, with some electing not to take up the sea option.

Question 4

Would the President be in a position to provide the house with a copy of the expired agreement that was in place to allow flights to Dublin in 2021.

Answer

A copy of the permit issued by the Irish Department of Transport to Aurigny for the operation of scheduled air services between Guernsey and Dublin in 2021 is appended. This provided for the operation of two return rotations per week between 1st August and 30th October, 2021.

Question 5

Would the President be able to explain the situation with the planned Dublin connection? Could the president please let us know if Aurigny will be applying for a European Air Operating Certificate?

Answer

Only airlines that are based in and have their principal place of business in the European Union (EU) are able to apply for and be granted a European Air Operating Certificate. Therefore, Aurigny cannot apply for and be granted an EU operating licence.

Airlines based outside of the EU can only fly into or out of it under the terms of bilateral or multilateral air service agreements agreed between their country and EU member states.

The Trade & Cooperation Agreement (TCA) between the United Kingdom (UK) and EU, negotiated as part of the Brexit arrangements, is a multilateral agreement which, inter alia, permits most UK registered airlines (i.e. those that previously held EU operating licences) to fly into the EU. However, the TCA does not apply to those UK registered airlines that did not hold EU operating licences prior to Brexit, which category includes Aurigny. This does not preclude Aurigny from flying into EU countries, but instead of flying in under the TCA, Aurigny needs to fly in accordance with bilateral agreements between the UK and the relevant EU Member State. If the terms of the relevant bilateral agreements do not permit flights by Aurigny to the intended destinations, it is possible to ask the UK to re-negotiate them to enable Aurigny to operate (which has already been done in relation to some jurisdictions) or for the other State to permit flights on an extra-bilateral basis.

In the case of the services to Dublin, last year the Irish authorities granted a permit to Aurigny to operate there and it was assumed this would continue into 2022. However, the Irish authorities have not been able to grant a renewed permit for the whole season and so the scheduled services launched between Guernsey and Dublin earlier this year had been operating under a temporary derogation. As a result of the issues arising it became clear that the relevant bilateral air service agreement between the UK and Ireland needed amending to secure the ability to fly between Guernsey and Dublin without interruption in future and so the UK Government has made a request to amend that bilateral accordingly. The bilateral also requires formal designation of airlines permitted to fly under the agreement and this has been done by the UK Department for Transport in respect of Aurigny. The amendments to the bilateral agreement are in hand but not yet finalised. In the meantime, as the temporary derogation provided by the Irish authorities has now expired, Aurigny is having to divert its flights to Belfast and transfer passengers to/from Dublin by coach pending the amendments to the bilateral being finalised.

The STSB's understanding is that both the Irish and UK authorities are working proactively and constructively to address the matter so that direct flights to Dublin can be resumed as soon as practicable. However, transferring passengers to and from Belfast by coach is not sustainable – even in the short-term – so if a temporary or permanent solution cannot be identified very soon, Aurigny has indicated it will have to consider suspending the operation.

Question 6

Would the President please be able to explain the constraints of the current runway to operating the Embraer Jet fully loaded (fuel, passengers, luggage)?

Answer

The payload and range of the Embraer E195 jet is dependent on the atmospheric conditions at the time of travel. However, as a rule of thumb, Aurigny has advised that it would operate scheduled services on the following basis:

- All 122 seats can be sold on flights scheduled in duration of up to 1¼ hours (such as Guernsey to Manchester);

- Thereafter, for each additional three minutes of scheduled flying time, the seats available for sale have to be reduced by one.

So, on a flight scheduled to take 1¾ hours, a total of 112 seats could be sold. On a flight scheduled to take 2¼ hours, a total of 102 seats could be sold.

Question 7

Would the President be able tell us if an itemized budget has been put together for the proposed extension of Alderney's runway to accommodate the landing of aircraft over 20 passengers to include general airport infrastructure including the terminal, fire provision, baggage operations, lighting, perimeter fencing? And if so, what is the cost?

Answer

An extension to the main runway at Alderney Airport is one of three options under consideration. Those options also include a full refurbishment of the asphalt runway, but retaining the current length. Subject to the approval of the Policy & Resources Committee, the STSB is proposing to seek tenders for all three schemes and the preferred option will then be identified.

The Alderney Runway project is being progressed per the Government Work Plan and is currently going through the States of Guernsey approved process for Capital Projects. The STSB has approved an Outline Business Case, which has been submitted to the Policy & Resources Committee for further discussion.

It would be commercially inappropriate and not in the interests of the States at this stage of its capital investment process to release details of pre-tender estimates for the various options. I can confirm however that costings to a level of detail required for a project at this point in the process have been carried out in order to inform the options appraisal in the Outline Business Case.

Question 8

How long have the marina facilities at the Albert Pier been out of action and what is the intended date for reopening? Will it be operational for the 2022 visitor season?

Answer

On Thursday 14 April 2022, a fault occurred within the water heater flue extraction system, which in turn disabled the boilers from firing due to in built gas safety protocols. There are 2 direct gas heaters for resilience but on this occasion the fault was common to both units, leaving no provision for hot water and an inability to maintain required water hygiene standards.

As a result, the facility had to be closed until such time as the fault had been rectified and tested. The facility reopened on Wednesday 20 April 2022 and will be fully operational for the 2022 visitor season.

Appendix: Department of Transport (Ireland) – Scheduled Air Service Permit Reference: S2021.AUR

Date of Receipt of the Question: Tuesday 19 April 2022
Date of Reply: Wednesday 4 May 2022

GRANTED

Air traffic rights to operate
Scheduled air services
Ireland



An Roinn Iompair
Department of Transport

21 July 2021

Reference Number(s): S2021.AUR

Air operator and ICAO code	AURIGNY AIR SERVICES (AUR)
EASA TCO authorisation	EASA.TCO-GBR-0061.01

Authorised
1. First freedom - Overflights of Ireland
2. Second freedom - Stops for non-traffic purposes at any point in Ireland

Authorisation, for the abovementioned air operator to operate the scheduled air services detailed herein has been granted pursuant to Section 8 of the Air Navigation and Transport Act, 1965.

Operated air services				Reference number: S2021.AUR			
Dates effective		Route (from - to)		V.V. return	Weekly		Code sharing
From	To				Days op.	Total freq.	
01/08/2021	30/10/2021	EGJB	EIDW	Y	2,4	2	N

NOTE:
These routes will operate with third and fourth freedoms and vice versa returns, with no associated code sharing marketing air operators.

Please note:

Air operators engaging in cooperative marketing arrangements, such as code sharing, must ensure that all passengers are fully informed of the identity of the air operator and means of transport on each segment of the route.

A valid EASA TCO Authorisation is required with regard to the provision of commercial air transport operations with a Member State of the European Union.

Ensure that valid insurance certificates and other documentation are communicated when those previously supplied have expired.

The carriage of armed In-Flight Security Officers (IFSOs) or their equivalents is not permitted, unless separately agreed between the relevant national authorities.

The carriage of munitions of war, outside of that carried by permitted IFSOs or their equivalents, on any flight operating in accordance with this authorisation is not permitted under the Air Navigation (Carriage of Munitions of War, Weapons and Dangerous Goods) Orders, 1973 and 1989, unless an exemption to do so is sought from the Department of Transport prior to the flight and is applied for in accordance with established procedures.

The carriage of Dangerous Goods on a flight operating in accordance with this authorisation is permitted when such carriage complies with and is permitted by the ICAO Technical Instructions for the Safe Transport of Dangerous Goods by Air. For all other instances, please contact the Irish Aviation Authority at: FOD@IAA.ie and AWSD@IAA.ie.

The Department of Transport retains the right, at any time, to seek information and data regarding a flight or flights operated or proposed to be operated in accordance with this authorisation.

The Department of Transport retains the right, at any time, to introduce restrictions, conditions or limitations regarding any flight or flights operated or proposed to be operated in accordance with this authorisation.

Ensure all information included with this authorisation is correct once received.

Please quote the abovementioned reference number in any correspondence.

Amendments to or cancellation of any of the authorised scheduled air services detailed herein must be immediately communicated, via email, to: civilair@transport.gov.ie.

TRAVELLING TO IRELAND DURING THE COVID-19 PANDEMIC
Information on restrictions and requirements is available at the link below
<https://www.gov.ie/travel>

Céad mile fáilte!

Liam Gallagher,
Civil Air Ireland,
Aviation Services Division,
Department of Transport,
Ireland

Link to the air traffic rights for third country air operators webpage:
<https://www.gov.ie/en/publication/14a9d-air-traffic-rights-in-ireland/>