

Meeting Note

Project	Luton Airport
Reference	TR020001
Status	FINAL
Author	Janet Wilson
Meetings with	Members of the Public and others
Attendees (IPC)	Janet Wilson (Head of Casework) Kath Haddrell – Senior Case Manager IPC Alison Downs - EIA Officer IPC
Attendees (non IPC)	Howard Bassford, DLA Piper UK LLP Ian Shrubbsall, GL Hearn
Meeting date	12 January 2012
Location	IPC Offices
Meeting purpose	To discuss the IPC processes and the implications of changes to the Planning Act 2008 as a result of the Localism Bill.
Summary of outcomes	<p>IPC – Referred to Openness and Transparency policy and the requirements of s.51 of the Planning Act 2008 which requires the IPC to publish advice it gives about making an application or making a representation about an application.</p> <p>The purpose of the meeting was for the Luton Team to outline their clients' proposals and the anticipated timing.</p> <p>IPC – Gave an overview of the changes proposed as a result of the Localism Bill:</p> <ul style="list-style-type: none"> • Secretary of State to become the decision maker. SoS decision to be made within a statutory 3 month period after receipt of a recommendation by the examining authority. • IPC to be abolished and its functions to be transferred to the Planning Inspectorate in April 2012. • Government commitment to a seamless transition with no delays for projects currently going through the process.

HB clarified that his client is London Luton Airport Ltd (LLAL), the owner of the airport. The airport is managed and operated by London Luton Airport Operations Ltd (LLAOL), an entirely separate and unrelated company, under a concession agreement.

There are two projects

1. futureLutoN:Optimisation (FLO)
2. futureLuToN:Expansion (FLE)

A brief discussion was held about the way in which the project is named and the issue of accessibility of information. It was advised that IPC would use plain text to list the project name rather than the futureLuToN:Expansion style.

IPC were asked to outline the changes which would take place in April following abolition. IPC explained that the national infrastructure function would become part of the National Infrastructure Directorate within the Planning Inspectorate however the external branding would be "Planning Inspectorate" rather than National Infrastructure Directorate.

Ian Shruballs outlined the FLO project, which would include reconfiguration of part of the airport and its circulation to ensure that the throughput of the existing site be optimised. This would take the passenger capacity from circa 10 million passengers per annum (mppa) to circa 18 mppa. This would involve enhancement to the existing terminal, airside works, etc and would be incremental in nature. This application would be made to the LPA through the TCPA process and consultation on it was to begin as early as week commencing 16th January 2012.

There is currently no limit (via planning conditions or legal agreements) on passenger levels or movements at the airport. It is, at present, governed by the current operational limits of what can be achieved.

It was explained that the FLE project envisaged 30 mppa.

Discussion on principles of EIA. The project team would be assessing EIA effects of the FLO scheme on its own, the EIA for the subsequent FLE DCO application would address the in-combination effects of both schemes.

The FLE scheme responds in part to the government white paper on the future of aviation and plans for Luton stem from there.

The details of the FLO and FLE proposals remain fluid at present. It is unclear at this stage whether the proposals will involve a new terminal or other infrastructure. It was not known at this stage whether additional land take (and any resulting Compulsory Acquisition) would be needed for the FLE project.

The IPC advised that the applicant should make the situation as clear as possible in relation to their consultation particularly as the two projects would be promoted under different statutory regimes (TCPA 1990 and PA 2008), and there is the need to avoid confusion. It should be made clear who people should make their comments to and when.

HB advised that the timescale of the DCO application is open. However, the clients are keen to have the project registered on the forthcoming list as a live project to ensure there is clarity. It is intended that scoping will be carried out in the summer by that stage the TCPA application for optimisation should be well under way.

There is likely to be only one stage of consultation on the FLE project. LLAL have decided on this approach as the scheme is not linear and nor does it have a range of sites to consider. It will stem from what options can be accommodated within the existing land holdings (and any consequential adjustments that need to be made).

The section 42 consultation may well be as late as Q3 2012 with submission in the latter part of 2013.

Insofar as the local authorities are concerned, LBC is a unitary authority and Central Bedfordshire and North Hertfordshire are adjoining authorities. Dialogue has commenced with the local authorities involved.

LBC is very aware of the proposals as it has a land interest in the site and is becoming familiar with the NSIP process as there is a project relating to the motorway junction under consideration.

In relation to the next meeting it was agreed that this would probably be most appropriate before the scoping stage. KH would be the principal contact for this scheme, regular contact would be via KH.

As the project team were familiar with the component parts of the process from their experience with the first application it was concluded that they did not at this stage need any further advice on IPC processes.

Specific decisions/follow up required?	<p>HB to clarify/update the details which they wish to publish and forward these to the IPC.</p> <p>IPC to prepare meeting note and advise of reference number. (Now registered TR020001).</p> <p>KH to maintain regular updates with project team</p> <p>Next meeting to be arranged prior to scoping – HB to advise when this is most appropriate.</p> <p>In the meantime the project team will be concentrating on the TCPA application for the consolidation of the existing site and the preparation for the ES.</p>
---	---

Circulation List	Attendees as above



DLA Piper UK LLP
3 Noble Street
London
EC2V 7EE
United Kingdom
DX 33866 Finsbury Square
T +44 20 7796 6969
F +44 20 7796 6666
W www.dlapiper.com

Ms Kath Hadrell
National Infrastructure Directorate
The Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Your reference

Our reference

EJRJ/DAB/88082/120002
UKM/41817955.1

8 June 2012

Dear Madam

**LONDON LUTON AIRPORT
FUTURE LUTON EXPANSION**

We refer to your recent email and to the meeting which took place earlier this year

As you are aware, we act for London Luton Airport Limited ("**LLAL**") which is the owner of London Luton Airport (the "**Airport**"). Further to our previous discussions on this matter, and having examined the options for the future of the Airport, LLAL is not currently promoting the futureLuToN:Expansion project for a 30 mppa capacity airport. Consequently, we should be grateful if the Inspectorate would amend the web content of the National Infrastructure planning portal accordingly so as to indicate this.

Should development/expansion proposals for the Airport be brought forward at any stage in the future, and should they be of such a scale as to be within the jurisdiction of the Planning Inspectorate, then LLAL will alert the Inspectorate to such plans at that point. However, there are not, at present, any such plans.

Yours faithfully

DLA PIPER UK LLP

DLA Piper UK LLP is authorized and regulated by the Solicitors Regulation Authority.

DLA Piper UK LLP is a limited liability partnership registered in England and Wales (number OC307847) which is part of DLA Piper, a global law firm, operating through various separate and distinct legal entities.

A list of members is open for inspection at its registered office and principal place of business, 3 Noble Street, London, EC2V 7EE and at the address at the top of this letter. Partner denotes member of a limited liability partnership.

A list of offices and regulatory information can be found at www.dlapiper.com.

UK switchboard
+44 (0)8700 111 111



INVESTOR IN PEOPLE