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My Ref : LTN/ED/MK
Your Ref : TR020001
Date : 22 March 2023
Contact : Marko Kalik
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Department : Planning Policy & Conservation

Dear Ms Evans

Planning Act 2008 (as amended) – Section 55

Application by London Luton Airport Limited for an Order Granting Development Consent for the Expansion of London Luton Airport

Section 42 Duty to Consult

Three Rivers District Council has no reason or evidence to assume that the contents of the 6.01 Consultation Report are other than generally correct with regard to the requirements of s42 and that those requirements have been satisfied.

An exception to this, as recognised within the 6.01 Consultation Report, is in relation to s42 (1)(b) Duty to Consult each local authority that is within s43 insofar this applies to Three Rivers District Council. It appears that until 9th February 2022 Three Rivers District Council had failed to be classified by the applicant as a neighbouring s43(2) authority (6.02 Appendix H2).

In terms of the First Statutory Consultation this meant that Three Rivers District Council should have been consulted as a neighbouring authority but were not (6.01 Consultation Report, footnote 2 and paragraph 6.4.6).

Section 47 Duty to consult local community

As indicated above, it appears that until 9th February 2022 Three Rivers District Council had failed to be classified as a neighbouring authority. This has meant that neither the draft (Appendix B1, paragraph 1.14) nor published (Appendix B5, page 5/6) contain reference to Three Rivers as a neighbouring authority.

Three Rivers should have been consulted on Appendix B1, but were not and therefore were not afforded the opportunity to comment upon it. As a result of the failure to consult Three Rivers District Council 'Table 3.1: Summary of consultation on 2019 draft SoCG and regard had to responses received' of the 6.01 Consultation Report contains no reference to Three Rivers District Council.

This has meant that neither the draft (Appendix G1, paragraph 2.1.8) nor published (Appendix G4, paragraph 2.2.9) Statement of Community Consultation 2022 contain reference to Three Rivers being a neighbouring authority.

Three Rivers should have been consulted on Appendix G1, but were not and therefore were not afforded the opportunity to comment upon it. As a consequence of the failure to consult Three Rivers Council Table 5.1: Summary of consultation on 2022 draft SoCC and regard had to responses received' (and insofar as this table replicates Appendix G2) of the 6.01 Consultation Report contains no reference to Three Rivers District Council.

Section 48 Duty to Publicise

Three Rivers District Council has had regard to the 6.01 Consultation Report and has no reason or evidence to assume that the contents of that report are other than correct and that the s48 Duty to Publicise requirements have been satisfied.

Yours sincerely

Marko Kalik
Head of Planning Policy and Conservation