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All Interested Parties, Statutory Parties and  
any Other Person invited to the Preliminary  
Meeting

Your Ref:

Our Ref: TR020001

Date: 17 August 2023

Dear Sir/ Madam

## **Planning Act 2008 – Section 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 8, 9 and 13**

### **Application by London Luton Airport Limited for an Order Granting Development Consent for the London Luton Airport Expansion project**

#### **Examination Timetable and procedure and Notification of Hearings**

This letter (the Rule 8 letter) provides important information about the Examination of this application. The letter includes:

- The Examination Timetable
- An invitation to submit Written Representations
- A request for Local Impact Reports from Local Authorities
- Other Procedural Decisions made by the ExA
- Notification of Hearings
- Information about Hearings
- Information about the availability of Examination Documents
- Guidance on the use of the 'Make a submission' tab on the project webpage

All documentation associated with this Examination, including a note of the Preliminary Meeting and the recording of that meeting, can be viewed under the [Documents tab](#) on the project webpage of the National Infrastructure Planning website ([project webpage](#)).

#### **The Examination Timetable**

The Examining Authority (ExA) has made a Procedural decision about the way the application will be examined. The final Examination Timetable is attached at **Annex A** to this letter.

The Examination Timetable set out at **Annex A** to this letter, replaces the draft timetable that was included in our [Rule 6 letter](#). In finalising the Examination Timetable, we have



sought to accommodate requests and suggestions made orally or in writing to the Preliminary Meeting. A list of the main changes we made to the draft Examination Timetable is set out at **Annex B** to this letter.

Please note that the Examination Timetable contains a number of Deadlines for receipt of information by the Planning Inspectorate. All Deadlines are at 23:59 on the date specified. Please ensure submissions arrive by the Deadline. If you do not make your submissions by the dates specified in the timetable, we may disregard them.

We request that all Interested Parties make their submissions using the [Make a submission tab](#) on the project webpage on or before the applicable Deadline. **Annex E** to this letter provides further information about using the [Make a submission tab](#).

If we consider it necessary to vary the Examination Timetable during the Examination, notification will be sent to Interested Parties, Statutory Parties and Other Persons invited to the Preliminary Meeting. The changes will be published on the [project webpage](#).

### **Written Representations**

All Interested Parties are now invited to submit Written Representations and any comments on the Relevant Representations already submitted. These should be submitted by **Deadline 1** (Tuesday 22 August 2023) in the Examination Timetable.

Written Representations can cover any relevant matter and are not restricted to the matters set out in our [Initial Assessment of Principal Issues](#).

Any person, other than the Applicant, who submits a Written Representation must identify those parts of the application with which they agree and those parts with which they do not agree, explaining the reasons why. Interested Parties should also provide with their Written Representations any data, methodology and assumptions used to support their submissions to avoid delays in the Examination (see paragraph 74 of [Planning Act 2008: Guidance for the examination of applications for development consent](#)).

We have requested further types of written submissions at various points in the Examination (see **Annex A**).

Any Written Representations and any further written submissions requested during the Examination, that exceed 1500 words, should also be accompanied by a summary which should not exceed 10% of the original text. The summary should set out the key facts of the written submission and must be representative of the submission made.

Representations **must not include hyperlinks** to documents/evidence hosted on third party websites. Please see the Planning Inspectorate's [Advice Note 8.4: The Examination](#) for further information about Written Representations.

### **Other Procedural Decisions made by the Examining Authority**

**Annex B** to this letter contains important details and clarifications about other Procedural Decisions we made at, or following, the Preliminary Meeting. These include:

- requests to change the Examination Timetable;
- statements of common ground;
- submission of an errata document;
- joint submissions by the Hertfordshire Host Authorities;
- definition of sustainable development;
- participants who registered to speak virtually but did not attend the PM; and
- principal issues.

## Notification of hearings

As explained in our Rule 6 letter and at the Preliminary Meeting, the Examination will principally be a written process (see [Advice Note 8.4: The Examination](#)), supplemented where necessary by various types of hearings (see [Advice Note 8.5: Hearings and site inspections](#) and [Advice Note 8.6: Virtual Examination events](#)).

We have made a Procedural Decision to hold the following hearings:

- Issue Specific Hearing (ISH1) on the draft Development Consent Order on 26 September 2023
- Compulsory Acquisition Hearing (CAH1) on 26 September 2023
- ISH on Environmental Matters (ISH2) focusing on Need, Socio-Economic matters, Green House Gases and Climate Change on 27 September 2023
- ISH on Environmental Matters (ISH3) focusing on Noise and Vibration and related effects on 27 September 2023
- ISH on Environmental Matters (ISH4) focusing on Traffic and Transport on 28 September 2023
- ISH on Environmental Matters (ISH5) focusing on Air quality and related effects on 28 September 2023
- ISH on Environmental Matters (ISH6) focusing on Biodiversity/ water/ land use/ heritage/ landscape and visual/ design and any other matters on 29 September 2023

**Annex C** provides details about what Interested Parties should include in a request to be heard at a hearing, and the procedure that will be followed at hearings.

**You must register by completing the [Event Participation Form](#) by Tuesday 12 September 2023 if you intend to participate in any of the hearings and provide all the information requested in Annex C to this letter.**

If you simply wish to observe any of the hearings then you do not need to register as you will be able to either:

1. Attend the physical event to observe the proceedings;



2. watch a livestream of the event. A link to the livestream will be made available on the [project webpage](#) shortly before the event is scheduled to begin.

Alternatively, you can attend the physical hearing at the venue to observe the proceedings; however, to ensure there is adequate seating capacity at the venue we request that you register your attendance to **observe only** by **Tuesday 12 September 2023** using the [Event Participation Form](#). Please note that it may not be possible to participate on the day if you have not registered your wish to speak by **Tuesday 12 September 2023**.

## Managing Examination correspondence

Given the volume and frequency of letters the Planning Inspectorate needs to send to Interested Parties during an Examination, we aim to communicate with people by email as electronic communication is more environmentally friendly and cost effective for the taxpayer.

If you have received a letter from the Planning Inspectorate but are able to receive communications by email, please inform the Case Team using the contact details at the top of this letter as soon as possible.

As the Examination process makes substantial use of electronic documents, it will be useful for you to become familiar with the [project webpage](#).

A [Make a submission tab](#) is available on the website which provides a portal through which parties should make written submissions at relevant deadlines during the Examination. Further information about the 'Make a submission' portal is provided at **Annex E** to this letter.

There is also a function on the right-hand side of the project webpage called 'E-mail updates'. This provides you with an opportunity to register to receive automatic e-mail updates at key stages during the Examination.

## Your status in the Examination

You have received this letter because you fall within one of the groups described in the Planning Inspectorate's document [What is My Status in the Examination?](#)

If your reference number begins with '2003', '2004' 'LUTN-0', 'LUTN-AFP', 'LUTN-S57' 'LUTN-APP' you are in Group A. If your reference number begins with 'LUTN-SP' you are in Group B. If your reference number begins with 'LUTN-OP' you are in Group C. The meaning and purpose of those groups are explained in the document published at the link above.

If having read this document you are still unsure about your status, please contact the Case Team using the details at the top of this letter.

## Awards of costs

All parties will normally be expected to meet their own costs. Costs can be awarded against a party who has acted unreasonably and has caused the party applying for the

award of costs to incur unnecessary or wasted expense during the Examination. You should be aware of the relevant costs guidance [Awards of costs: examinations of applications for development consent orders.](#)

### **Management of information**

Information, including representations, submitted in respect of this Examination (if accepted by the Examining Authority) and a record of any advice which has been provided by the Planning Inspectorate is published on the [project webpage](#).

Examination Documents can also be viewed electronically at the locations listed in **Annex D** to this letter.

Please note that in the interest of facilitating an effective and fair Examination, it is necessary to publish some personal information. To find out how we handle your personal information please view our [Privacy Notice](#).

We look forward to working with all parties in the Examination of this application.

Yours faithfully

*Jo Dowling*

**Lead Member of the Examining Authority**

### **Annexes**

- A** Examination Timetable
- B** Other Procedural Decisions made by the Examining Authority
- C** Notice of hearings and requests to participate
- D** Availability of Examination Documents
- E** Information about the Make a submission tab

This communication does not constitute legal advice.  
Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.

## Examination Timetable

The Examining Authority (ExA) is under a duty to complete the Examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting.

The Examination of the application primarily takes the form of the consideration of written submissions. The ExA will also consider any oral representations made at hearings.

<b>Item</b>	<b>Matters</b>	<b>Date</b>
1	<p><b>Procedural Deadline A</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Responses to the Rule 6 letter including any written submissions on the Examination procedure and draft Examination Timetable</li> <li>• Requests to be heard orally at the Preliminary Meeting including which agenda items you wish to speak on, points you wish to make and why these need to be made orally rather than in writing</li> <li>• Request by Interested Parties to be heard orally at the Open Floor Hearings</li> </ul>	<b>Thursday 27 July 2023</b>
2	<b>Preliminary Meeting</b>	<b>Thursday 10 August 2023 at 10:00</b>
3	<b>Open Floor Hearing (OFH1)</b>	<b>Thursday 10 August 2023 at 18:30</b>
4	<b>Open Floor Hearing (OFH2)</b>	<b>Friday 11 August 2023 at 10:00</b>
5	<p><b>Issue by the ExA of:</b></p> <ul style="list-style-type: none"> <li>• Examination Timetable</li> </ul>	As soon as practicable following the Preliminary Meeting
6	<p><b>Deadline 1</b></p> <p>For receipt by ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on any updates to application documents submitted by the Applicant before or at the Preliminary Meeting (PM)</li> <li>• Comments on Relevant Representations (RR)</li> <li>• Summaries of all RR exceeding 1500 words</li> <li>• Written Representations (WRs)</li> <li>• Summaries of all WRs exceeding 1500 words</li> </ul>	<b>Tuesday 22 August 2023</b>

Item	Matters	Date
	<ul style="list-style-type: none"> <li>• Notification by Statutory Parties of their wish to be considered an Interested Party (IP) by the ExA</li> <li>• Notification of wish to be heard at an Issue Specific Hearing (ISH)</li> <li>• Request to be heard at a Compulsory Acquisition Hearing (CAH)</li> <li>• Request by IPs to be heard at any subsequent Open Floor Hearings (OFH)</li> <li>• Provision of suggested locations and justifications for an Accompanied Site Inspection (ASI) for consideration by the ExA (if held)<sup>1</sup></li> <li>• Post-hearing submissions including written submissions of oral cases put at OFH1 and OFH2</li> <li>• Response to Action Points arising from the PM, OFH1 or OFH2 (unless otherwise stated in Action Points)</li> <li>• Guide to the Application</li> <li>• Submission of information requested in Annex F of the Rule 6 letter</li> <li>• Notification of wish to have future correspondence received electronically</li> <li>• Any further information requested by the ExA under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010</li> <li>• Comments on any further information/ submissions accepted by the ExA</li> </ul>	
7	<p><b>Deadline 1A</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Local Impact Reports (LIRs)</li> </ul>	<p><b>Friday 25 August 2023</b></p>
8	<p><b>Deadline 2</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Initial Statements of Common Ground (SoCGs) requested by the ExA (<b>see Annex F of the Rule 6 letter</b>)</li> </ul>	<p><b>Tuesday 12 September 2023</b></p>

<sup>1</sup> When suggesting locations, please have regard to the places visited by the ExA on its Unaccompanied Site Inspections (USIs) [EV1-001-EV1-011]. Suggestions must explain why the site needs to be visited, information about whether the location can be accessed or seen using public rights of way or publicly accessible land, and what access arrangements need to be made.

Item	Matters	Date
	<ul style="list-style-type: none"> <li>• Statement of Commonality of SoCG</li> <li>• Comments on WRs</li> <li>• The Applicant's comments on oral and written submissions of oral cases put at OFH1 and OFH2</li> <li>• The Applicant's revised draft Development Consent Order (draft DCO)(if required)</li> <li>• Status of Negotiations/ Compulsory Acquisition Schedule</li> <li>• Applicant's draft itinerary for the ASI (if held)</li> <li>• Updated Principal Areas of Disagreement Summary Statements (PADSS)</li> <li>• Any further information requested by the ExA under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010</li> <li>• Comments on any further information/ submissions received by Deadline 1</li> </ul>	
9	<p><b>Deadline 2A</b></p> <p>For the receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on the LIRs</li> </ul>	<b>Friday 15 September 2023</b>
10	<b>Issue Specific Hearing (ISH1) on the draft DCO</b>	<b>Tuesday 26 September 2023 at 09:30</b>
11	<b>Compulsory Acquisition Hearing (CAH1)</b>	<b>Tuesday 26 September 2023 at 14:00</b>
12	<p><b>Issue Specific Hearing (ISH2) on Environmental Matters</b></p> <ul style="list-style-type: none"> <li>• Need, Socio-Economic matters, Green House Gases and Climate Change</li> </ul>	<b>Wednesday 27 September 2023 at 09:30</b>
13	<p><b>Issue Specific Hearing (ISH3) on Environmental Matters</b></p> <ul style="list-style-type: none"> <li>• Noise and vibration and related effects</li> </ul>	<b>Wednesday 27 September 2023 at 14:00</b>
14	<p><b>Issue Specific Hearing (ISH4) on Environmental Matters</b></p> <ul style="list-style-type: none"> <li>• Traffic and Transport</li> </ul>	<b>Thursday 28 September 2023 at 09:30</b>



<b>Item</b>	<b>Matters</b>	<b>Date</b>
15	<b>Issue Specific Hearing (ISH5) on Environmental Matters</b> <ul style="list-style-type: none"> <li>• Air Quality and related effects</li> </ul>	<b>Thursday 28 September 2023 at 14:00</b>
16	<b>Issue Specific Hearing (ISH6) on Environmental Matters</b> <ul style="list-style-type: none"> <li>• Biodiversity, Water, Land-Use, Landscape and Visual, Design and Heritage and any other matters</li> </ul>	<b>Friday 29 September 2023 at 09:30</b>
17	<b>Deadline 3</b> For receipt by the ExA of: <ul style="list-style-type: none"> <li>• Post-hearing submissions including written submissions of oral cases</li> <li>• The Applicant's revised draft DCO (if required)</li> <li>• Status of Negotiations/ CA Schedule</li> <li>• Updated SoCG</li> <li>• Updated Statement of Commonality of SoCG</li> <li>• Updated PADSS</li> <li>• Updated Guide to the Application</li> <li>• Comments on the Applicant's draft itinerary for the ASI (if held)</li> <li>• Any further information requested by the ExA under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010</li> <li>• Comments on any further information/submissions received by Deadline 2</li> </ul>	<b>Thursday 5 October 2023</b>
18	<b>Publication by the ExA of:</b> <ul style="list-style-type: none"> <li>• Written Questions (ExQ1)</li> </ul>	<b>Tuesday 10 October 2023</b>
19	<b>Deadline 4</b> For receipt by the ExA of: <ul style="list-style-type: none"> <li>• Response to the ExA's Written Questions (ExQ1)</li> <li>• Comments on the Applicant's revised draft DCO (if submitted)</li> <li>• Any further information requested by the ExA under Rule 17 of the Infrastructure</li> </ul>	<b>Wednesday 1 November 2023</b>

Item	Matters	Date
	Planning (Examination Procedure) Rules 2010 <ul style="list-style-type: none"> <li>• Comments on any further information/submissions received by Deadline 3</li> </ul>	
20	<b>Deadline 5</b>  For receipt by the ExA of: <ul style="list-style-type: none"> <li>• Notification of wish to attend the ASI (if held)</li> <li>• Comments on responses to the ExA's Written Questions (ExQ1)</li> <li>• Any further information requested by the ExA under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010</li> <li>• Comments on any further information/submissions received by Deadline 4</li> </ul>	<b>Tuesday 14 November 2023</b>
21	<b>Dates reserved (if required) for:</b> <ul style="list-style-type: none"> <li>• Any Compulsory Acquisition Hearing</li> <li>• Any Issue Specific Hearing</li> <li>• Any Open Floor Hearing</li> <li>• Accompanied Site Inspection (if required)</li> </ul>	<b>Week commencing Monday 27 November 2023</b>
22	<b>Deadline 6</b>  For receipt by the ExA of: <ul style="list-style-type: none"> <li>• Post-hearing submissions including written submissions of oral cases (if held)</li> <li>• The Applicant's revised draft DCO</li> <li>• Status of Negotiations/ CA Schedule</li> <li>• Updated SoCG</li> <li>• Updated Statement of Commonality of SoCG</li> <li>• Updated PADSS</li> <li>• Updated Guide to the Application</li> <li>• Any further information requested by the ExA under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010</li> <li>• Comments on any further information/submissions received by Deadline 5</li> </ul>	<b>Friday 8 December 2023</b>

<b>Item</b>	<b>Matters</b>	<b>Date</b>
23	<p><b>Publication by the ExA of:</b></p> <ul style="list-style-type: none"> <li>• Further Written Questions (ExQ2) (if required)</li> <li>• Report on the Implications for European Sites (RIES)(if required)</li> </ul>	<b>Friday 15 December 2023</b>
24	<p><b>Deadline 7</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Response to the ExA's Further Written Questions (ExQ2) (if required)</li> <li>• Comments on the Applicant's revised draft DCO</li> <li>• Comments on the RIES (if required)</li> <li>• Any further information requested by the ExA under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010</li> <li>• Comments on any further information/submissions received by Deadline 6</li> </ul>	<b>Tuesday 9 January 2024</b>
25	<p><b>Publication by the ExA of:</b></p> <ul style="list-style-type: none"> <li>• ExA's commentary on, or schedule of changes to the draft DCO (if required)</li> </ul>	<b>Tuesday 16 January 2024</b>
26	<p><b>Deadline 8</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on the ExA's commentary on, or schedule of changes to the draft DCO (if required)</li> <li>• Final PADSS</li> <li>• Any further information requested by the ExA under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010</li> <li>• Comments on any further information/submissions received by Deadline 7</li> </ul>	<b>Tuesday 23 January 2024</b>
27	<p><b>Deadline 9</b></p> <p>For receipt by the ExA of:</p>	<b>Tuesday 30 January 2024</b>

Item	Matters	Date
	<ul style="list-style-type: none"> <li>• Final version of the draft DCO in clean, tracked and word versions</li> <li>• Final draft DCO to be submitted by the Applicant in the SI template with the SI validation report</li> <li>• Final Book of Reference (BoR) and schedule of changes to the BoR</li> <li>• Final status of Negotiations/ Compulsory Acquisition Schedule</li> <li>• Final SoCG</li> <li>• Final Statement of Commonality of SoCG</li> <li>• Final Guide to the Application</li> <li>• Signed and dated planning obligations (if required)</li> <li>• Any further information requested by the ExA under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010</li> <li>• Comments on any further information/ submissions received by Deadline 8</li> </ul>	
28	<p><b>Deadline 10</b></p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Any further information requested by the ExA under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010</li> <li>• Comments on any further information/ submissions received by Deadline 9</li> </ul>	<b>Monday 5 February 2024</b>
29	The ExA must complete the Examination of the application within six months.	<b>Saturday 10 February 2024</b>

### Submission times for deadlines

The final time for submission of documents at all deadlines is 23:59 on the relevant deadline date although you are welcome to submit documents in advance of the deadline. The acceptance of documents received after the deadline is subject to the exercise of discretion by the ExA.

### Publication dates

All information received will be published on the [project webpage](#) as soon as practicable after the Deadlines for submissions. See **Annex D** of this letter for more information.

## **Report into the Implications for European Sites (RIES)**

Where an applicant has provided a No Significant Effects Report or a Habitats Regulations Assessment (HRA) Report with the application, the ExA may decide to issue a RIES during the Examination. The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the Examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake the HRA. It is not the ExA's opinion on HRA matters. Comments on the RIES will be invited by the ExA and any received will be considered as part of the ExA's Recommendation to the Secretary of State.

The Secretary of State may rely on the consultation on the RIES to meet the obligations under Regulation 63(3) of the Habitats Regulations 2017 and Regulation 28 of The Offshore Marine Regulations.

## Other Procedural Decisions made by the Examining Authority (ExA)

In addition to the Procedural Decision published in the Rule 6 letter of 13 July 2023 [PD-007] the ExA has made a number of Procedural Decisions following the Preliminary Meeting (PM)<sup>2</sup>:

### 1. Examination Timetable

#### Local Impact Reports (LIRs)

Following representations made by the local authorities for the extension of the deadline for the submission of LIRs. The ExA has carefully considered this request and has inserted a new deadline, **Deadline 1A** which is Friday 25 August 2023, for the submission of LIRs.

The ExA has also amended the timetable so that the deadline for comments on the LIRs is now **Deadline 2A** which is Friday 15 September 2023.

#### Applicant's response to submissions made at the Open Floor Hearings (OFHs)

Following a request made by the Applicant at OFH1 the ExA has amended the timetable so that the Applicant's responses to the submissions made at OFH1 and OFH2 can now be submitted at **Deadline 2** which is Tuesday 12 September 2023 to enable them to fully consider any post hearings submissions submitted at Deadline 1.

#### Initial Statements of Common Ground (SoCG)

Following representations made by both the local authorities and the Applicant the ExA has amended the timetable so that initial SoCG are now required to be submitted at **Deadline 2** which is Tuesday 12 September 2023.

#### Action Points arising from the PM or OFHs

A number of Action Points resulted from the PM and OFH1 and OFH2. Unless otherwise stated in the Action Points, responses to these points need to be submitted at **Deadline 1**, which is Tuesday 22 August 2023. The Action Points can be found in the Examination Library (EL) at references [EV2-008], [EV3-006] and [EV4-004].

The ExA has considered fully the other requests for changes to the Examination Timetable, including the extensive reworking suggested by the Applicant. The ExA has taken these requests very seriously and has explored numerous options to accommodate them. However, due to the time available for the Examination, the availability of the ExA and the subsequent effects on later deadlines it was not considered possible to accommodate these requests.

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<sup>2</sup> Section 89(1) of the Planning Act 2008

## **2. Statements of Common Ground (SoCG)**

The ExA confirm that for the reasons set out in the Applicant's letter [PDA-001] it is not required to prepare a SoCG with either Shell UK Ltd or Network Rail.

## **3. Submission of an Errata Document**

The ExA confirm that the Applicant can submit an errata document at Deadline 1 to capture the minor errors it has identified in the application documents. The ExA also request that when updating documents at future deadlines that they are reviewed for any existing errors or omissions and amended as necessary before submission.

## **4. Joint submissions by the Hertfordshire Host Authorities**

To enable the authorities to engage in the process most effectively and in the interests of the efficient use of limited resource the Hertfordshire Host Authorities [PDA-002] requested that, wherever possible, they engage as a collective. The ExA confirm that they are generally content with this approach but request that it is made explicit in all written or oral submissions whether a response is given on behalf of all host authorities or is on behalf of a specific council/ councils.

## **5. Huntingdonshire District Council**

Huntingdonshire District Council has advised the ExA [AS-063] and [PDA-004] that it does not intend to participate in the Examination. Following the issuing of this letter the ExA confirm that the council will be removed from the consultee database for this application.

## **6. Definition of Sustainable Development**

At the PM [EV4-001] LADACAN asked for clarification regarding how the ExA were defining sustainable development for the purposes of the Initial Assessment of Principal Issues (IAP).

Section 88(1) of the Planning Act 2008 (PA2008) requires the ExA to make "*such an initial assessment of principal issues arising from the application as the ExA thinks appropriate*". The ExA has undertaken this initial assessment, having regard to the Airports National Policy Statement (NPS), the National Networks NPS and the National Planning Policy Framework (NPPF). These documents provide definition of the sustainable development framework that is required to be considered in the context of planning decision making.

## **7. Participants who registered to speak but did not attend the PM**

At the PM a concern was raised that a number of participants who had pre-registered to participate virtually had not attended. The ExA agreed to investigate this and can confirm that the participants were provided with the correct joining instructions. A number of these participants attended and spoke at the subsequent OFHs. Furthermore, the Action Points for the PM [EV4-004] request that anyone who pre-registered to speak at the PM but did not do so to watch the recording of the PM

and submit any comments that may wish to make at **Deadline 1**, which is Tuesday 22 August 2023.

## **8. Principal Issues**

The ExA has paid careful attention to submissions made about its IAPI (Annex C to the Rule 6 letter [PD-007]). That assessment represents a snapshot in time, a non-exclusive list of issues identified during the pre-examination period. Additional important and relevant issues are likely to continue to emerge during the Examination and all important and relevant issues will be examined. For these reasons the ExA does not propose to amend or republish the initial assessment.

The Applicant [PDA-001], Luton Borough Council [PDA-005] and Hertfordshire County Council [PDA-003] asked whether need and the national and local policy context would form part of the examination. As set out in the IAPI [PD-007], legal, policy and consenting requirements and documents associated with the PA2008 as well as wider planning practice form an integral part of the Examination and were therefore not set out as separate Principal Issues. Furthermore, the ExA can confirm that, in addition to being cited as an overarching principal issue in the IAPI, need has a significant degree of overlap with a number of issues and therefore will be considered across the relevant topic areas in the Examination.

With regards to the requests by The Harpenden Society [PDA-006], LADACAN [PDA-008], David Endon Stuart Shipley [PDA-009] and Richard Holmes [PDA-011], the ExA can confirm that we will consider finance and governance, where appropriate to this application, under the topics of Compulsory Acquisition, the draft Development Consent Order and Green Controlled Growth and therefore they do not need to be listed as issues in their own right.



## Notification of hearing

### Notice of hearings and requests to participate

The Examining Authority (ExA) provides notice of the following hearings:

<b>Date</b>	<b>Hearing</b>	<b>Start time</b>	<b>Venue and Joining details</b>
<b>Tuesday 26 September 2023</b>	<p><b>Issue Specific Hearing (ISH1)</b></p> <p>ISH1 on the draft Development Consent Order</p>	<p><b>Virtual Registration Process from:</b></p> <p><b>09:00</b></p> <p><b>Hearing starts:</b></p> <p><b>09:30</b></p>	<p>By virtual means using Microsoft Teams</p> <p>Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered</p>
<b>Tuesday 26 September 2023</b>	<p><b>Compulsory Acquisition Hearing (CAH1)</b></p> <p>CAH1 on the Applicant's Compulsory Acquisition (CA) and temporary possession (TP) case and on any CA and TP objections (if there are requests to be heard)</p>	<p><b>Virtual Registration Process from:</b></p> <p><b>13:30</b></p> <p><b>Hearing starts:</b></p> <p><b>14:00</b></p>	<p>By virtual means using Microsoft Teams</p> <p>Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered</p>
<b>Wednesday 27 September 2023</b>	<p><b>Issue Specific Hearing 2</b></p> <p>ISH2 on Need, Socio-Economic matters, Green House Gases and Climate Change</p>	<p><b>Registration and seating available at venue from:</b></p> <p><b>09:00</b></p> <p><b>Virtual Registration Process from:</b></p> <p><b>09:00</b></p> <p><b>Hearing starts at:</b></p>	<p>Riverside Suite, Venue 360, 20 Gipsy Lane, Luton, LU1 3JH</p> <p>and</p> <p>By virtual means using Microsoft Teams</p> <p>Full instructions on how to join online or by telephone will be</p>

Date	Hearing	Start time	Venue and Joining details
		09:30	provided in advance to those who have pre-registered
<b>Wednesday 27 September 2023</b>	<b>Issue Specific Hearing 3</b> ISH3 on Noise and vibration and related effects	<b>Registration and seating available at venue from:</b> <b>13:30</b> <b>Virtual Registration Process from:</b> <b>13:30</b> <b>Hearing starts at:</b> <b>14:00</b>	Riverside Suite, Venue 360, 20 Gipsy Lane, Luton, LU1 3JH and By virtual means using Microsoft Teams Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered
<b>Thursday 28 September 2023</b>	<b>Issue Specific Hearing 4</b> ISH4 on Traffic and Transport	<b>Registration and seating available at venue from:</b> <b>09:00</b> <b>Virtual Registration Process from:</b> <b>09:00</b> <b>Hearing starts at:</b> <b>09:30</b>	Riverside Suite, Venue 360, 20 Gipsy Lane, Luton, LU1 3JH and By virtual means using Microsoft Teams Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered
<b>Thursday 28 September 2023</b>	<b>Issue Specific Hearing 5</b> ISH5 on Air Quality and related effects	<b>Registration and seating available at venue from:</b> <b>13:30</b> <b>Virtual Registration Process from:</b> <b>13:30</b>	Riverside Suite, Venue 360, 20 Gipsy Lane, Luton, LU1 3JH and By virtual means using Microsoft Teams Full instructions on how to join online or by

Date	Hearing	Start time	Venue and Joining details
		<b>Hearing starts at:</b> <b>14:00</b>	telephone will be provided in advance to those who have pre-registered
<b>Friday 29 September 2023</b>	<b>Issue Specific Hearing 6</b> ISH6 on Biodiversity, Water, Land-Use, Landscape and Visual, Design and Heritage and any other matters	<b>Registration and seating available at venue from:</b> <b>09:00</b> <b>Virtual Registration Process from:</b> <b>09:00</b> <b>Hearing starts at:</b> <b>09:30</b>	Riverside Suite, Venue 360, 20 Gipsy Lane, Luton, LU1 3JH and By virtual means using Microsoft Teams Full instructions on how to join online or by telephone will be provided in advance to those who have pre-registered
<p><b>NOTE:</b> If any of the above hearings are no longer required then notification that a particular date is no longer required will be published as soon as practicable on the <a href="#">project webpage</a>, providing reasonable notice to Interested Parties of the decision to cancel them.</p>			

Any request to participate in a hearing **should include** the following information:

- Name and unique reference number (found at the top of any letter or email from the Planning Inspectorate);
- email address (if available) and contact telephone number;
- name and unique reference number of any person/organisation that you are representing (if applicable);
- for blended events, confirmation of whether you will participate virtually or in-person;
- confirmation of the hearing(s) you wish to participate in and brief details of the topic(s) that you would like to raise;
- for Compulsory Acquisition Hearings, the plot number(s) of the relevant land provided in the Book of Reference and the Land Plans; and
- the Examination Library reference number (with paragraph/page number where appropriate) of any documents you wish to refer to.

Requests to participate should be made using the [Event Participation Form](#) on or before **Deadline 2, Tuesday 12 September 2023**.

**Please contact the Case Team using the contact details at the top of this letter if you require any support or assistance to attend the hearings, either virtually or in person.**

### **Hearing agendas**

Details of what topics will be covered for each of these hearings are set out in the table above and have also been included in the Examination Timetable which can be viewed on the project webpage to help you inform your decision about whether to register to participate.

For Issue Specific Hearings and Compulsory Acquisition Hearings the ExA will publish a detailed draft agenda on the [project webpage](#) at least five working days in advance of the hearing date. However, the actual agenda on the day of each hearing may be subject to change at the discretion of the ExA.

### **Procedure at hearings**

The Examination will principally be a written process (see the Planning Inspectorate's [Advice Note 8.4: The Examination](#)), supplemented where necessary by various types of hearings. Please refer to the [Advice Note 8.5: Hearings and site inspections](#) and [Advice Note 8.6: Virtual Examination events](#) as these provide important information about hearing procedures.

The procedure to be followed at hearings is set out in Rule 14 of The Infrastructure Planning (Examination Procedure) Rules 2010. The ExA is responsible for the oral questioning of a person giving evidence and the process affords very limited scope to allow cross-questioning between parties.

### **Hearing livestream and recording**

A link to a livestream for each hearing will be made available on the [project webpage](#) shortly before any hearing is due to open. The livestream is available to anybody who wishes to observe a hearing in real time.

All hearings are recorded, and the recordings will be made available on the [project webpage](#) as soon as practicable after the close of the hearing. The recordings allow any member of the public who is interested in the application and the Examination to find out what has been discussed.

## Availability of Examination Documents

The application documents and Relevant Representations are available to view on the [project webpage](#).

All further documents submitted in the course of the Examination will also be published under the [Documents tab](#) of the project webpage.

## The Examination Library

For ease of navigation, please refer to the [Examination Library](#) (EL) which is accessible by clicking the blue button under the Documents tab. The EL is updated regularly throughout the Examination.

The EL records and provides a hyperlink to:

- Each application document;
- each representation and submission made to the Examination; and
- each Procedural Decision made by the Examining Authority.

Each document is given a unique reference number which will be fixed for the duration of the Examination. **Please quote the unique reference number from the EL when referring to any Examination Documents in any future submissions that you make.**

## Electronic deposit locations

Documents can be viewed electronically, free of charge, at the electronic deposit locations listed in the table below. Please note that you may need to bring a form of identification and register as a member/library member in order to use a computer at these locations.

Local authority	Venue/address	Opening hours	Printing costs
Hertfordshire County Council	Harpenden Library 27 High Street Harpenden Hertfordshire AL5 2RU	Monday: 9:00am to 18:00pm Tuesday: 13:00pm to 18:00pm Wednesday: closed Thursday: 9:00am to 19:00pm Friday: 13:00pm to 18:00pm	A4 BW 20p A4 COL 60p

**Annex D**

		Saturday: 9:00am to 17:00pm Sunday: closed	
	Hertfordshire County Council Offices Hertfordshire County Hall Pegs Lane Hertford SG13 8DQ	Monday: 8:00am to 18:00pm Tuesday: 8:00am to 18:00pm Wednesday: 8:00am to 18:00pm Thursday: 8:00am to 18:00pm Friday: 8:00am to 18:00pm Saturday: Closed Sunday: Closed	A4 BW 20p A4 COL 60p A3 BW 40p A3 COL £1.20
	Hitchin Library Paynes Park Hitchin Hertfordshire SG5 1EW	Monday: 13:00pm to 18:00pm Tuesday: 10:00am to 19:00pm Wednesday: closed Thursday: 10:00am to 18:00pm Friday: 10:00am to 18:00pm Saturday: 10:00am to 17:00pm Sunday: closed	A4 BW 20p A4 COL 60p A3 BW 40p A3 COL £1.20
	Stevenage Central Library Southgate Stevenage Hertfordshire SG1 1HD	Monday: 10:00am to 17:00pm Tuesday: 10:00am to 18:00pm Wednesday: 10:00am to 18:00pm	A4 BW 20p A4 COL 60p A3 BW 40p A3 COL £1.20

		<p>Thursday: 10:00pm to 18:00pm</p> <p>Friday: 10:00pm to 18:00pm</p> <p>Saturday: 10:00am to 17:00pm</p> <p>Sunday: 12:00pm to 16:00pm</p>	
<b>Local authority</b>	<b>Venue/address</b>	<b>Opening hours</b>	<b>Printing Costs</b>
Luton Borough Council	Luton Central Library Information and Stock Services Team Fourth Floor Luton Central Library St George's Square Luton, LU1 2NG	<p>Monday: 9:00am to 19:00pm</p> <p>Tuesday: 9:00am to 18:00pm</p> <p>Wednesday: closed</p> <p>Thursday: 9:00am to 18:00pm</p> <p>Friday: 9:00am to 18:00pm</p> <p>Saturday: 9:30am to 17:00pm</p> <p>Sunday: 11:00am to 17:00pm</p>	<p>A4 BW 20p</p> <p>A4 COL 40p</p> <p>A3 COL 80p</p>
Luton Borough Council	Stopsley Library Information and Stock Services Team Fourth Floor Luton Central Library St George's Square Luton, LU1 2NG	<p>Monday: 11:00am to 19:00pm</p> <p>Tuesday: 9:00pm to 19:00pm</p> <p>Wednesday: 9:00pm to 19:00pm</p> <p>Thursday: 9:00pm to 19:00pm</p> <p>Friday: 9:00pm to 17:00pm</p> <p>Saturday: 9:30am to 17:00pm</p> <p>Sunday: 10:00pm to 16:00pm</p>	<p>A4 BW 20p</p> <p>A4 COL 40p</p> <p>A3 COL 80p</p>

## Information about the Make a submission tab

The [Make a submission tab](#) is available on the project webpage.

You will need to enter your unique reference number ('Your ref' found at the top of your postcard or email from the Planning Inspectorate) beginning either '200' or 'LUTN'. If you are making a submission on behalf of another person or organisation, and do not have your own unique reference number, then you should enter the unique reference number of the person or organisation you are representing. If you are not a registered Interested Party then it is at the discretion of the Examining Authority whether or not your submission is accepted.

Submissions will be published on the [project webpage](#) as soon as practicable following the close of the relevant Deadline. For further information about publishing submissions please view our [Privacy Notice](#).

You will be able to submit a document (upload file), make a text representation or both. It is possible to upload multiple files for each individual submission item. Electronic attachments should be clearly labelled with the subject title and not exceed 50MB.

Submissions **must not include hyperlinks** to documents/evidence hosted on a third party website eg technical reports, media articles etc. See the Planning Inspectorate's [Advice Note 8.4: The Examination](#) for further information about making written submissions. All submissions must be made in a format that can be viewed in full on the National Infrastructure Planning website. Any submissions that exceed 1500 words should also be accompanied by a summary; this summary should not exceed 10% of the original text.

You should select the relevant Deadline for your submission and then, on the next webpage, select the appropriate Submission item as described in the Examination Timetable at **Annex A** to this letter. Please ensure you make a separate submission for each Submission item and **do not duplicate your submission**. If you consider that your submission does not fit the description of any of the Submission items then please select the Submission item 'Other' and ensure that it is titled appropriately.

If you experience any issues when using the [Make a submission tab](#) please contact the Case Team using the contact details at the top of this letter and they will assist.