

I wish to comment on the additional document presented by Luton Rising as Application Document Ref: TR020001/APP/8.29, in particular the governance measures represented as being in place to manage potential conflicts of interest arising out of the Local Planning Authority's ownership of Luton Rising and the active involvement of local authority staff in the promotion of this expansion proposal.

Because Appendix 1 purports to provide context, I will take this first. It lists 19 airports that are in partial or complete public ownership in the UK. What it does not give is any information about the scale of the operations of these airports, or whether the owner of the airport company is its own local planning authority. This would have been easy to do but for whatever reason the Applicant has chosen not to do it. My Appendix completes this information for the airports owned by single local authorities; I have ignored Newcastle Airport and the airports owned by the Manchester Airports Group because no individual local authority has a controlling interest in any of them.

My Appendix shows clearly that Luton is the only major airport 100% owned by its own planning authority. There is no such conflict on remotely the same scale anywhere else in the UK, and any attempt to persuade the Inspectors otherwise is disingenuous. The second largest airport owned by a single local authority is less than one twentieth of the size of Luton. No other local authority has anywhere near the balance sheet exposure to an airport that Luton has. My issue is not with the principle of public ownership, on which I am agnostic, but on the unique inherent conflicts of interest.

The Inquiry ought to know that in the recent past there have been clear and overt departures from best practice in the Council's management of its ownership, with Cllr Malcolm having been simultaneously chairman of Luton Rising and Finance portfolio holder, and Robin Porter chief executive of both Luton Rising and the Council. Mr Gurtler as a senior planning official has been a firm and energetic supporter of airport expansion and in the Call-In Inquiry made a strong defence of the Council's failure at any point to enforce its own noise-related planning conditions.

In 2019 the conflicts were so egregious that LADACAN made a submission to the Evans committee as it seemed the arrangements in place at the time breached the Nolan Principles in almost every respect.

In spite of all the newly-minted Chinese walls, which seem to have been erected expressly for the purpose of this DCO, Mr Mark Turner is still the Monitoring Officer for the Borough Council, an important statutory office, as well as now being an executive director of Luton Rising. He was of course also the author of the 2014-2016 council papers documenting excessive growth as a favourable KPI in the then LLAL's reporting process.

The Overview and Scrutiny Committee, which included Cllr Javeria Hussain, chair of LR, Cllr Amy Nicholls, vice chair, and Cllr Charmaine Isles, director, was renamed the Overview and Scrutiny Board with apparently reduced powers as recently as 23 May this year, and Cllrs Nicholls and Isles continue to sit on it.

Inspectors might find it informative to understand the timeline behind these relatively new governance rules and whether they have been put in place expressly for the purpose of the DCO application. If effective they will have been long overdue.

Appendix: Airports in Public Ownership 2023

Airport	Owner	Sole owner	LPA if sole owner	Commercial passengers latest
Biggin Hill	London Borough of Bromley	Yes	Yes	Not permitted under lease
Blackpool	Blackpool Council	Yes	Yes	0
Brighton City Airport (Shoreham)	Brighton and Hove City Council	Yes	Yes	0
Cardiff	Welsh Government	Yes	No	859,805
Carlisle Airport	Carlisle City Council	Yes	Yes	Closed until further notice
City of Derry Airport	Derry and Strabane Council	Yes	Yes	163,379
Cornwall Airport (Newquay)	Cornwall Council	Yes	Yes	244,675
Glasgow Prestwick Airport	Scottish Government	Yes	No	455,211
Highlands and Islands Airports Limited owns 11 airports in Scotland	Scottish Ministers	Yes	No	1,426,391
Oban	Argyll and Bute Council	Yes	Yes	Approx 3,000
Plymouth City	Plymouth City Council	Yes	Yes	Closed
Southend	Southend Borough Council	Yes	Yes	89,361
Teeside International Airport Authority	Tees Valley Combined	Yes	No	150,735

Note

Of the 19 airports listed in Appendix 1 to document 8.29, only four, City of Derry, Cornwall Newquay, Southend and Oban are owned by the relevant Local Planning Authority and accept commercial fare-paying passengers. The largest, Southend, has lost all its major airlines and the operating company is up for sale. Between them they carried around 500,000 passengers compared with over 13 million at Luton, rising towards 18 million and beyond if permission is granted.

The remainder are either closed to commercial passengers, owned by multiple public authorities, or owned by public bodies such as the Scottish Government who are not the Local Planning Authority.