

AUDIO_ISH5_SESSION2_28092023

Fri, Sep 29, 2023 8:26AM • 37:07

00:07

Hello again, everyone. The time is now 345 and will recommence the session.

00:16

Before we get back onto the subject of green control growth, I realized that I hadn't given the local authorities an opportunity to respond on odor, and whether there are any particular comments that the local authorities wanted to make on that particular subject.

00:34

Thank you Fiona Ross for the Hartfordshire host authorities, I think provided that there's a commitment by the applicant to employ appropriate means to minimize the risk of detectable odor outside of the site boundary, then that shouldn't be an issue, I think we consider that that should be set out in the outline, operational air quality plan.

00:55

And in relation, if I made to the point around jettisoning fuel, I would like to invite Roger Pippen to his online to make some representations on that point, please. Thank you, Mr. Putin.

01:25

may still be making tea.

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Mr. Pittman Are you with us and

01:36

in which case, we can include it in our post submission node. And what we could do is we could come back under any other business and just see if he is back with us.

01:49

So Michael fry for Luton Borough Council. Thank you. Really, again, just to point the examining authority and direction of the statement, common ground LBC 70. The council's agreed in respect of the outer impact methodology and results and has requested additional information on the odor report methodology. But I don't have an update on where we are on that. But again, it's something that I'll undertake to find out and deal within post hearing submission, sir.

02:20

If I may, I've just been advised by a colleague that the online stream is not back on at the moment. And could Miss Evans possibly look into

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the apparently the online stream is not back on?

02:45

Apparently, and may just be Mr. Pittman. So again, I think we'll we'll come back to him at the end of the session. And before we get back onto the subject of green controlled growth, then kind of just ask if the applicant had any comments about the joint councils, comments there.

03:04

Rebecca, clap for the applicants so we can take that point away and kind of look at whether we're able to, to make that commitment. Okay, thank you.

03:20

So, Rebecca, time for the applicant. Just before we get back into detail questioning on GCG, in relation to the issue that we were just discussing around phase two a and the air quality limits or potential absence of those during that period, we will take that point away and consider how it whether and how we need to strengthen that part of the framework. And we'll come back to you at that on deadline for

03:51

Thank you helpful.

04:03

So we have been talking about level two thresholds.

04:09

What would be the likely lag time between identifying an issue through monitoring commencing additional monitoring to determine whether contributions are related to the airport and commencing the green control growth process if applicable?

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Mark day on behalf of the applicant so I think it's probably worth saying that the timings that are set out in the green controlled growth explanatory note and that are secured sorry, that's APB 217. And that are secured through the draft development consent order our worst case, I think we touched on that in hearing one, and that, you know, we would encourage the airport operator to engage, provide monitoring results to the environmental scrutiny group and the relevant technical panels as soon as possible.

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What we would say is

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that the air quality limits within green controlled growth are set out as annual averages. So we're looking at annual average concentrations. Monitoring would therefore take place throughout a calendar

year. And I think Mr. Behringer, in one of his earlier responses said that typically by the time you've applied bias adjustments, you would be looking at sort of April the following year to report we've then talked about the sort of deadline for the environmental scrutiny group to meet and consider a monitoring report put to it by the airport operator would be in June July of a given year. And the timing of that has essentially been set out so that the outputs from that discussion can influence the airport's capacity Declaration the following year summer season, which typically hadn't typically happens at the end of September. I do appreciate that slots and capacity are probably less relevant to air quality than they are some of the other environmental topics within the scope of green controlled growth. But we're trying to set it out in a way that works across all four of those environmental topics.

06:06

Because monitoring for air quality assets, as in the AP P two to two is ongoing throughout the year, and uses a mixture of different techniques, but the airport's operator will then essentially have early warning of any problems associated with air quality. And provided they're taking a proactive approach to that monitoring, they should have early warning of any potential exceedances of a limit associated with the annual average that we believe will give the airport operator time both to consider the cause of any exceedance. And the best way to mitigate any impact that may be required back and then form part of the monitoring results. And the monitoring report is submitted to the technical panels and the environmental scrutiny group in the following year. But I would just conclude by saying it would be in the airport operators interests strongly in their interest, I'd suggest to try and mitigate any impacts as early as possible. Essentially, if they can see an issue and mitigate it within the year to avoid the limit being exceeded, then they don't have issues in terms of how the airport can then subsequently. Great.

07:08

Thank you.

07:10

Given that

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pollution from vehicles within

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Luton is an acknowledged issue.

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And significant proportion of the initial emissions will be from existing vehicle traffic on the network. Do you anticipate that you would ever conclude that the effects of the airport was

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of a sufficient magnitude to warrant triggering green control growth?

07:48

So the approach we've taken out to green control growth and to act well, let's see, I think reflects that issue. We have recognized in the way that we've set up the approach to air quality that concentrations of pollutants are going to be influenced by a wide range of sources, both airport related and non airport related. But we mentioned earlier on the 5% sort of thresholds that we have in terms of action under the green controlled growth framework. So what we are committing to doing is taking action where the airport's contribution to an air quality exceedance is greater than forecast. You know, that's almost irrespective of how big the airport's contribution was forecast to be in the first place, that 5% bucket will still apply.

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And

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but

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I'm struggling to see a situation where you would actually ever conclude that the airport contribution was of a sufficient magnitude to trigger green control growth

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if it is always about the proportionate contribution to the issue.

09:02

So I think it probably goes back to the question about the purpose of green controlled growth, essentially, it's there to act as a as a backstop against the environmental impacts being greater than forecast. So I think it's probably fair to say that the airport's contribution is relatively small, to air quality across Leaton. And I think that's reflected in the conclusions of the air quality assessment in the environmental statement that there are no significant effects that require mitigation. But if that happens to not to be the case in future for whatever reason, the applicant is making a commitment or agreeing controlled growth to address them.

09:36

What would you say is the biggest source of pollutants from the airport?

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James Ballenger on behalf of the applicants,

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road traffic is typically like is most likely to be the biggest impact at any local receptor location.

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That's something that's seen not only in our own modeling, but at modeling from other airports and noted

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In the air navigation guidance 2017.

10:03

And so what roughly is the oceanic contribution from aircraft?

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James manager on behalf of the applicants, the proportion is relatively small, we'd be able to come back to you with the exact numbers, but it will vary depending on locations, spatial distance from airport sources, and other factors.

10:28

I think what I'd like to understand is your and controlled growth for air quality deals with one set of emissions for the airport. But obviously, there are many sources of emissions from the airport. And I'd like to understand

10:44

whether you really have addressed the kind of the main source of emissions from what you're saying, it sounds like you have because the road traffic seems to be proportionately higher. But if you could provide some figures around that, that would be helpful.

10:56

James velodrome half of that, because we are happy to provide that.

11:06

And paragraph, three point 3.22 of the greens and controlled growth explanatory note, states that where there's a breach of the limit squares may be allowed to continue to continue subject to a proportionate contribution to mitigation being delivered by a third party. Can you explain how that financial contribution would be calculated?

11:28

marked a on behalf of the applicant, we have not set out a precise methodology for that we believe there's a variety of different circumstances where that may apply. But ultimately, it will be at the discretion of the environmental scrutiny group.

11:44

They have the ability to approve or refuse a mitigation plan. And so it needs to be demonstrated to their satisfaction that the approach to mitigation was proportionate.

11:58

And so there's no formal mechanism for that financial contribution simply because there are so many variables as to what the the contribution or the cause the contribution might be.

12:09

marked down on behalf of accident. Yes, that's correct. Okay. See, the local authorities have the views on

12:16

generosity, they're happy to host authorities I think in terms of getting controlled growth for air quality, more generally, our concerns are set out in a local impact report. More recent statements on this by the applicant have been welcomed, in particular things like the willingness to discuss the matters of shorter term limits and thresholds, appropriate continuous monitoring methods, and the Hartfordshire host authorities expect to continue to engage with the applicant on these issues to reach an agreement on a suitable approach.

12:50

Similar questions previously, have you do have any timeline? Or at the moment? Is it just an ongoing discussion?

13:00

ongoing discussions.

13:07

And we've touched there on continuous monitoring.

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Obviously, you've talked about a process where the green control growth is based on annual monitoring. But much of the data is now real time continuous monitoring.

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Again, given that

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the kind of the speed of response is potentially important to controlling an issue. Why have you chosen to use annual monitoring rather than a more responsive real time monitoring set out, which would be arguably a more adaptive management type approach?

13:49

James manager on behalf of the applicants, the reason being that it's the annual objectives that are potentially most at risk being exceeded in study area, and therefore it's those that are most relevant to this study.

14:03

We have recommended the use of monitoring equipment which does allow continuous monitoring to be taken both for no to and or particulate matter. And it will be backed up with diffusion tubes for an OTU as well. So we're getting a duplicate methodology for that pollutants, along with colocation of the Indicative monitoring equipment at other automatic sites to allow that certainty for the data that's been collected, which we consider to be proportionate to the risk.

14:38

Can I ask Mark de to comment as well, please?

14:42

Thank you, Marty. On behalf of the applicant, I think as well, the other point I would make him really in response to your question is that we talked earlier about the way that the green control growth framework has had to take a slightly different approach rate quality because of some of the practical constraints around isolating the impact of the airport.

15:00

lot at the moment, the way that it is set up is that that happens at a slightly later stage coming on from the continuous monitoring. So it's quite my understanding is that from a technical perspective, it's quite difficult to isolate the airport's impact when you're looking at that continuous monitoring and seeing short term exceedances etc.

15:31

Local authorities have any views on the monitoring approach.

15:37

Andy Talbot, on behalf of Hartfordshire hosts authorities,

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there is concern regarding short term concentrations and peaks in those and potential acute health impacts.

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In this regard, we have we are suggesting to the applicant that they consider World Health Organization, interim target for PM 2.5 That 24 hour mean concentrations

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enable a more responsive approach to mitigating sources.

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There are means by which continuous monitoring data can be quickly process to look at where the likely sources are.

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So this is subject to ongoing some ongoing discussions with the with the applicant. Also, you know, we got concerns regarding the nature of the continuous monitoring equipment proposed.

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they're proposing and have proposed indicative techniques, which don't meet

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different equivalence criteria for reference methods and not very reliable in picking up short term peaks.

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So that's, that's two of our concerns regarding

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short term. This is the point you made in your written representation about 80 mesh or equivalent. Yes, yeah. And I'm conscious that the applicant has already provided a response to them, but if you could just reiterate that response here. I think it'd be helpful just for the purpose of the session.

17:47

Thanks Behringer, on behalf of applicants. As discussed, we are continuing this discussion with the Hartfordshire host authorities. And to reiterate the point that we've provided previously as discussed the chapter in Section paragraphs

18:03

seven point 7.7

18:05

ISO 76 has set out that we have set short term impacts and demonstrated there are no short term likely effects as a result of the scheme.

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In terms of the monitoring equipments, we have set out that we consider this to be a proportionate use of equipment can interrupt you a second. And if you are using equipment that isn't able to detect those short term

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peaks.

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Here's the basis from making that determination appropriate

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games management on behalf of the outcomes the equipment would provide

18:46

the variable time variable fluctuations in concentrations throughout the day

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which would be able to pick up when there are peaks and troughs in in pollutant concentrations.

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The monitoring equipment is indicative as noted, which is considered to be proportionate based on the cost of fully

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inserts, ratification ratified equipments. And

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when we consider the risk from pin concentrations as demonstrated within it as being very low. It wouldn't be proportionate to put out equipment to every single GCG site that's of that higher spec due to the cost.

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With the local authority,

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lights respond. Andy Talbots on behalf of Hartfordshire hosts authorities

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agreed that the

19:53

air quality assessment is looked at

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impacts in relation to annual mean PM 2.5

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Have concentrations. And that's understandable in terms of, you know, the legislated

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standards. But that doesn't prove that short term concentrations don't aren't causing issues at present.

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If you attempted to compare them against the who 24 hour mean, there might be a different picture, but I'm speculating and slightly there.

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Local authorities have any evidence that that is a problem.

20:42

Not that I'm aware of I mean, at present PM 2.5 is not widely monitored, but as we know, it is becoming of increasing concern as a pollutant. It's as a pollutant which is recognized there is no safe level.

20:59

And the government, as we know moving to a target towards a target of 10 micrograms of annual mean concentrations by 2040.

21:09

That's still higher than the new who guideline of five grams at the annual meeting.

21:19

Thank you.

21:28

Molly, we're on the subject of monitoring. In your response to join counselors written representations. I think you mentioned that there would be robust quality control standards in place can you articulate what those would look like?

21:44

Thanks, manager on behalf of the applicants Yes, best best practice for days of ratification in QC, QA QC procedures would be carried out following colocation with other automatic insert equipment.

22:01

And when you refer to best practice the following guidelines sorry, James manager on behalf of the applicant, the monitoring data and ratification would follow best practice set up by Defra.

22:24

Thank you

22:41

and

22:42

we touched on the subject of NBR. A moment ago.

22:47

Can you confirm what progress has been made in setting up ANPR to determine the airport's proportional contribution? And if no ANPR solution is in place? How else would the Applicant confirm the proportional contribution the airport

23:04

Mark day on behalf of the applicant. And so I think the question goes back to what we're discussing earlier about the practicality of trying to monitor the airport's contribution at all locations on an ongoing basis.

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It would be quite an extensive undertaking to implement a network of ANPR cameras up front which would do that on an ongoing basis across all locations. And that's why we set out the process that we

have where the work to determine the airport's contribution takes place once it has been registered that a threshold or a limit has been exceeded. So that will be done on a case by case basis in response to monitored air quality concentrations.

23:46

My experience of installing ANPR cameras is that it can be done on a sort of short term temporary basis relatively easily by traffic survey companies. There is a cost and some time associated with that it's not something that can be done sort of overnight but it is something that's done on a regular basis to collect traffic data to underpin transport assessments for example.

24:07

Thank you

24:09

local versus only Collins on ampere

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fuel funerals for the hi Archer House authorities no further comments on that. Okay, thank you so much. Dr. Luton Borough Council just it probably would have been useful to mention earlier but um, just to draw the ex's attention to the 2023 air quality status report which was submitted by Newton Borough Council to Deaf on the 30th of June. It's a public document but we can submit that in a post hearing submissions but the general the general

24:43

high level conclusion of the board is improving air quality within the borough Council's area. Okay. Yes, if you could submit them, please hold him thanks.

25:04

and paragraph 4.4 point one of the green control growth framework states that when legal limits change, this will trigger a review review within six months. Paragraph 4.4. Point two then explains that there'll be no absolute requirement to revise air quality thresholds to align with the new UK legal limits. I'm unclear but is this provision effectively suggesting the applicant wouldn't need to comply with UK legislation? And why would it be acceptable to wait for six months when a new legal provision has come into force?

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We'd be able to come back to you on episode Mark on behalf of the applicant will be able to come back to you on writing on that piece. Thank you. Just please

26:01

could you

26:03

could you just confirm the deadline, you'd come back? If we could roll that into the deadline for submission that we were going to make to you? Thank you.

26:13

And app to to the green control growth framework. Appendix D air quality monitoring plan explains that monitoring is continuous.

26:24

So I think we've actually covered this off in other questions, I didn't think we need to go into that detail. And we talked about the 20%. Figure earlier on,

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which is stated to be a reasonable estimate of risk. Could you explain

26:44

how you've determined that that is a reasonable estimate of risk.

26:52

Terms manager on behalf of the applicants changing of 20% is suitable based on the conference concentrations that you'd be expecting to see in future years and the low impacts that we're predicting from airport and scheme in particular, the 20% figure is based on accuracy of monitoring equipment that's proposed and the equipment which as we said earlier, is indicative and would be a lie, it would be in alignment with the government's insert program, which specifies a plus or minus 50% accuracy for peer monitoring. Therefore, sort of to avoid placing to greater weight on

27:28

a small absolute change in concentration, from indicative equipment to 20% Change is suitable metric, particularly when viewed alongside other monitoring that we'd be able to use in their local area.

27:42

And just double check, is it is it actually 20%? Or is it actually 25% Because of the 5% in table 4.2.

27:52

In this case, so James manager, about half the applicants in this case is 20% only.

27:59

So it's not a it's not in addition to so you have the 5% that identifies whether it's in scope, and then you have an additional 20% On top of that value. So you're you're taking 25% over the thresholds, Mark day on behalf of the applicant. So the 20% and the 5% will be used at different times and for different purposes. So they apply independently, okay.

28:28

And the green controlled growth explanatory note references the toolbox of interventions, which is a phrase that's come up a lot in last couple of days. And I wonder if you could explain what interventions

are in the toolbox for air quality, or signposts where these particular measures are in the application documents.

28:49

marked a on behalf of the applicant, we can provide something in writing if it will be of assistance. But I think in this case, because we are talking specifically about air quality emissions from surface access, the toolbox of measures is likely to overlap quite significantly with the toolbox that has been provided in respect of surface access, in very broad terms, that the things that are within the airport operators sort of direct control or influence are about encouraging fewer people to travel by car to and from the airport and more use of sustainable transport. And then sort of secondary to that for those people who then are going to travel by car to encourage them to use cleaner or zero emission vehicles.

29:27

In the traffic and transport issue specific hearing this morning, we also talked about some of the wide things that the airport operator may be able owner may be able to do through mechanisms such as the framework travel plan and in partnership with local authorities. And so there's the ability for them to also sort of contribute towards those wider area based schemes that have airport locations.

29:49

Thank you. I mean, obviously in terms of number of those measures that overlaps with the earlier discussion on the operational Air Quality Management Plan, and actually how many of those measures are

30:00

aspirational as opposed to measures that would actually committed

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so markedly on behalf of the applicant. Again, I'd probably go back to the point that the green controlled growth framework is intended to operate as a as a backstop. So the mitigation measures that is within the toolbox are not things that would necessarily be committed to now because the air quality assessment is showing no significant effects and therefore no mitigation being required. But we do have that toolbox that we can draw upon in future if it is needed, acknowledging that it's a 20 year expansion program, and that the mitigation measures and what's appropriate when may change over that period. Thank you. The local authorities have any comments

30:46

given Ross for the hot for Charles to authorities, no comment on this point. Thank you.

30:53

Appendix 219

30:55

Sorry, Appendix 209. Green controlled growth Appendix A draft ESG Terms of Reference section a 4.5. sets out reasons why exceedance may not be due to the airport. And these include significant

engineering work, roadworks and other construction activity not permanent in nature. Should this be worded to exclude work attributable to the airport

31:23

marked a on behalf of the applicant, we're happy to consider that and we'll respond in writing.

31:40

Just give me a second, I just need to scan through but I think we're pretty much at the end of the agenda.

32:28

I think that's everything for me for today.

32:32

We did have Roger Pittman wanting to come back in potentially so I don't know if he's with us now.

32:42

Or ask for the

32:44

Hartfordshire authorities. I believe that Roger is online. Roger, if you're able to hear us, would you be able to make some representations regarding the jettisoning of fuel, please.

32:55

Good afternoon. Can you hear me now please? Yes, we can. Wonderful, thank you.

33:02

Thank you, Dr. Hunt. And the issue that in relation to justice, even refusal, was an issue a couple of years back. I work as an external consultant on behalf of North House counsel. And I had to deal with a situation where a group of residents in Hitchin were reporting unusual odors, which turned out that it was very certainly due to a fuel dump. I reported that particular issue to the CIA and also to Luton that I received no responses whatsoever in terms of any feedback, or any follow up to that situation. So that leaves me with some concern related to how futile issues may be dealt with in future.

33:52

Thank you, so that remains

33:55

unresolved.

34:05

Baggage Claim for the applicant? Would it be possible to get more detail about the timing of that incident? And obviously, we would have to speak to the operator of the airport. And possibly we could make some contact with the CAA through our connections there. But we would need to know when this

alleged incident was supposed to have occurred with the local authorities be able to provide that information.

34:27

Yeah, right. On behalf of North Arts Council, yes. Happy to provide that.

34:32

Okay.

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Thank you, Mr. Pittman.

34:37

Could you confirm which deadline you'd be able to provide that information for?

34:42

Definitely for

34:45

Okay, thank you

34:56

so, we've not been notified that anyone else wishes to

35:00

raise any other business that's relevant to this hearing. But before we close, can I ask if there are any other matters that any other party wishes to raise?

35:09

The room? No. Online?

35:14

No.

35:16

In which case, I'll now hand over to Ms. Downing to deal with the action points and then Miss Holmes to close the hearing.

35:22

Sorry, Miss Davies to deal with the action points.

35:30

I've got 20 of them. Would you like me to read them all out? Or would you prefer to just publish them?

35:38

I think let's publish them.

35:46

So given the number of action points rather than go through these in detail now there'll be published on the project page of the national infrastructure website in the next day or two.

35:59

Before I know the items that are relevant to this hearing may remind you that the timetable for this examination requires that parties provide any post hearing documents on or before deadline three, which is the fifth of October may also remind you that a recording of this hearing will be placed on the inspections website as soon as practicable after this hearing.

36:17

The next event for this application will be issue specific hearing six, which will be examining biodiversity, water, land use landscape, and visual design and heritage and any other matters, and that will be held tomorrow morning. The agenda for which is available on the project page of the national infrastructure website. Before we close, I'd like to thank all of those participants for their time and assistance during the course of this hearing. We shall consider all of your responses carefully. And they will inform the examining authorities decision whether we need to do further written questions and offer the round of hearings and would that be necessary. The time is now for 22 and this issue specific hearing on air quality and related effects for the proposed London Luton Airport Expansion Project is now closed