

**LONDON LUTON AIRPORT EXPANSION (Ref. TR020001)**

**BUCKINGHAMSHIRE COUNCIL (“BC”)**

**DEADLINE 3: POST-HEARING SUBMISSIONS INCLUDING WRITTEN SUBMISSIONS OF ORAL CASES**

**ISH1 – draft DCO**

*Tuesday 26 September 2023 at 09:30*

1. BC makes two principal points in relation to the DCO arising from ISH1.

**Consultation on discharge of requirements**

2. This point was not one which BC had an express opportunity to raise at the ISH itself and so is set out in writing.
3. As drafted, certain requirements specify bodies to be consulted during the discharge process, others do not. Part 5 of Schedule 2, which sets out the discharge process, only refers to consultation in the context of further information (Requirement 36) by reference back to the consultees identified in the requirements. The discharge procedure does not provide an express opportunity to the discharging authority to consult as appears necessary to them at that stage.
4. In addition, Requirement 2 (amendments to approved details), under which a wide spectrum of important documents (including the approved parameters under Requirement 6 which relates to maximum dimensions of the authorised development) can be amended, does not specify any consultees.
5. BC submits that the discharging authority should have an express ability to consult within the discharging process (but without extending that process). BC submits the paragraph 35 should be amended as follows (amendments being underlined):

*“Requirement 35 – procedure for discharge of requirements*

*35.—(1) Where an application has been made to the discharging authority for any consent, agreement or approval required by a requirement (including consent, agreement or approval in respect of part of a requirement) in Part 1, Part 2 or Part 4 of this Schedule the discharging authority must consult any consultee specified in the requirement and may otherwise consult as it appears to the discharging authority appropriate and give notice to the undertaker of the decision on the application within a period of 8 weeks beginning with—*

*(a) the day immediately following that on which the application is received by the discharging authority;*

*(b) the day immediately following that on which further information has been supplied by the undertaker under paragraph 36 (further information); or*  
*(c) such longer period as may be agreed between the parties.*

*(2) In the event that the discharging authority does not determine an application within the period set out in sub-paragraph (1), the discharging authority is taken to have granted all parts of the application (without any condition or qualification at the end of that period).*

*(3) Any consultation under paragraph (1) above, shall give the consultee at least 21 days to respond starting on the date of the provision of the application to the consultee but always being within the overall time period under paragraph (1)."*

6. This flexibility is important, in particular, where Requirement 2 as currently drafted does not have any requirement to consult where the Applicant seeks to amend the parameters of the proposed development under Requirement 6, which has no in built requirement to consult (and as such Requirement 2(4) is no answer).

#### Green Controlled Growth

7. It is a key concern of BC that it is not included in the membership of the Environmental Scrutiny Group (ESG) as set out in Requirement 20(2). Many of BC's concerns would be addressed by the inclusion of BC in Requirement 20(2). It is inclusion in the ESG that will permit BC to represent its communities' best interests most effectively as described further in these submissions.
8. Requirement 20(6) requires the undertaker must establish Technical Panels, which will provide technical support to the ESG in relation to (a) air quality; (b) greenhouse gas emissions; (c) noise; and (d) surface access. These are areas where there are accepted impacts in BC's area. There is some dispute as to the extent of the impacts in particular with regards highways. The Applicant accepts that there is a significant impact on the ANOB in relation to tranquillity through noise impacts and including in the AONB in Buckinghamshire. Further and importantly, the GCG Framework is designed to be dynamic and over the period of operation of the authorised development, change is very likely and indeed there are material changes in the offing, namely airspace changes that could materially affect, e.g., the noise environment in Buckinghamshire. In such circumstances and where BC has previously been involved in the noise envelope design group and the London Luton Airport Consultative Committee ("LLACC") which has a 'Noise and Track' sub-committee, the resistance to BC's presence on the ESG and its Technical Panels is not understood. Given BC's involvement in the 'Passenger Services' sub-committee of the LLACC its participation in the surface access technical panel is also significant in terms of ensuring that the communities from Buckinghamshire including residents and businesses can take the opportunities afforded by the airport. In addition, BC has specific highways impacts points dealt with in ISH4 below.

9. BC also takes the view that the review mechanism in the GCG Framework is insufficient in that Requirement 25 only envisages review of the implementation of the GCG Framework every five years (see Requirement 25(1)). In BC's view, 5-year review periods are insufficient and could lead to negative impacts being felt by local communities across the full breadth of effects subject to the GCG Framework, for extended periods of time. The short point is that change and redirection is easier and more effective at an earlier stage. For example, in relation to surface access, in order for a Travel Plan to be successful (and in this regard the 5-year review of Travel Plans under Requirement 30(3) also needs amendment), measures are required to be implemented as early as possible in the process of the development in order to establish travel patterns and behaviours. Setting expectations and behaviours in this way is significantly more successful than attempting to change established and entrenched patterns. It is necessary to determine that the measures being implemented are achieving their aims quickly and to make any necessary adjustments early. The optimum position would be to have continuous monitoring; however, BC recognises the need to be pragmatic about monitoring and suggests annual monitoring until full airport passenger capacity is reached and 5-year reviews thereafter.
10. Changes required as a result:
- (i) *"25.—(1) The undertaker must undertake a review of the implementation of this Part 12 months following the end of the transition period set out in paragraph 18(4) (interpretation) and every ~~5~~-year following this initial review until full capacity under the authorised development is reached and thereafter every 5 years, and produce and submit to the ESG a report which sets out whether any improvements to the operation of this Part are considered necessary to ensure the efficient and effective operation of authorised development within the Limits.*
- (ii) *"...30 (3) Every ~~five~~-years following the date a travel plan was submitted for approval under sub- paragraph (1) until full capacity under the authorised development is reached and thereafter every 5 years, the undertaker must submit an updated travel plan to the relevant planning authority..."*
11. As to Requirement 21 (1) this should be amended (for the purpose of clarity only) as indicated below:
- "(1) The undertaker must prepare and submit to the ESG the first Monitoring Report no later than 31 July following the end of the first full calendar year after the date the notice is served in accordance with article 44(1) (interaction with LLAOL planning permission) of this Order and ~~then~~ thereafter a Monitoring Report on or before 31 July is required to be submitted each year."*
12. This approach accords with the Explanatory Memorandum (Rev.2) [AS-069, §4.27].

## **ISH2 – Need, Socio-Economic Matters, Greenhouse Gases and Climate Change**

*Wednesday 27 September 2023 at 09:30*

### Need

13. BC undertook to confirm that the Chris Smith Aviation Consultancy Report does not change the Council's position in relation to need. BC is not taking points against the Applicant's needs case.

### Socio-economic matters

14. BC is supportive of the economic benefits associated with expansion but keen to ensure that Buckinghamshire businesses and residents benefit as well. The extent to which these economic benefits are felt in Buckinghamshire, however, rests upon two key factors.
15. The first relates to opportunities to be involved in the shaping and delivery of the Employment and Training Strategy ("ETS") **[APP-215]**. It is based on the ETS Study area which includes Buckinghamshire **[APP-215, Figure 1.1 and §1.2.5]**. It expressly states that the Applicant will work with Local Government Partners across the study area **[APP-215, §3.3.1]**. The aim is to ensure that jobs and skills created as a result of the Proposed Development will generate meaningful benefits throughout the wider ETS Study Area **[APP-215, §4.1.1]**. On its own terms the inclusion of BC is required.
16. BC has specifically requested representation on the Local Economic Development Working Group ("LEDWG"), the creation of which is Initiative 1.1 of chapter 4 of the ETS to deliver Goal 1 (to maximise the impact of the Proposed Development through engagement with local government partners who can coordinate with their skills and growth strategies) **[APP-215, §4.4.2]**. This has been agreed by the Applicant (see Statement of Common Ground **[REP2-025, p.40, §3.7.2]**).
17. However, the Applicant is invited to consider how this is best secured in two respects:
  - (i) The Mitigation Route Map **[AS-047, EE-1 and EE-2]** seeks to secure only section 2 of the ETS and as such the scope needs to be widened to include the whole of the ETS and in particular the LEDWG; and
  - (ii) The Mitigation Route Map **[AS-047, EE-1 and EE-2]** identifies the mechanism for securing section 2 of the ETS as being through an agreement under section 106 of the Town and Country Planning Act 1990. This may work for the Host Authorities, but it will not for BC. As such BC invites the Applicant to consider a side agreement with BC inter alia to provide for BC membership of the LEDWG.
18. As to the Community First fund, Donna Wilkinson, Senior Economic Development Officer (BC) explained that it is currently proposed that the fund should be available in an area which includes Luton, Bedfordshire, parts of Hertfordshire and "*eastern parts of the Buckinghamshire district of Aylesbury Vale*" **[REP2-005, p.21, §9.1.2]**. The area to

which the Community First fund applies has been derived from “*historical data on the location of complaints received about airport operations, flight paths, areas containing higher levels of social deprivation and consideration of optimising a balance between an area large enough to be confident that all Community First funds should be capable of being used but not so wide that it dilutes the effectiveness of the fund in meeting its objective*”.

19. BC welcomes the inclusion of some parts of Buckinghamshire. Based on the social deprivation criteria, BC invites the Applicant to consider the inclusion of additional areas of the county, in particular the wards of Aylesbury North, Aylesbury North-West, Aylesbury South-West and Chesham. These are deprived wards which sit on the strategic route to the Airport from the west as identified in the Applicant’s Trip distribution plans [REP1-019]. These wards have been identified by the ‘Opportunity Bucks’ programme as areas of focus where health, work and education outcomes are below those experienced in other parts of the county. The Indices of Multiple Deprivation 2019 are the official relative measure of deprivation for small areas (Lower-layer Super Output Areas) across England. The overall Index of Multiple Deprivation 2019 combines indicators under seven different domains of deprivation: Income Deprivation; Employment Deprivation; Education Skills and Training Deprivation; Health Deprivation and Disability; Crime; Barriers to Housing and Services and Living Environment Deprivation. A lower rank indicates that an area is experiencing high levels of deprivation. The 32,844 LSOAs are also divided into 10 equal groups (or deciles) according to their deprivation rank. Those in decile 1 are within the most deprived 10% of LSOAs in England; those in decile 2 are within the 20% most deprived etc. Aylesbury North, Aylesbury North-West and Aylesbury South-West and Chesham are within the most deprived 40% of LSOAs in England. This amounts to deprivation levels higher than some of the other LSOAs included in the Community First zone. If one of the objectives is levelling up and the east west axis is of real importance, these wards should be included.
20. The second key factor (which time did not permit to be raised at the ISH) relates to public transport links between Buckinghamshire and London Luton Airport. The substance and detail of this point is for the traffic and transport ISH 4 and is addressed below. However, it is necessary to emphasise that there is an economic development perspective which further supports the need for better transport links. Without improvement, the lack of public transport will undermine the aims of the ETS and will limit the effectiveness of the activities it proposes. The ETS Study Area expressly includes Buckinghamshire. As set out in ISH4, the links to the Airport are insufficient. If residents of Buckinghamshire cannot travel to the Airport quickly, cost-effectively and at appropriate times, it undermines their ability to take up employment at the airport.
21. BC awaits confirmation from the Applicant in respect of the ETS and the LEDWG (see Action Point 7 of the ISH2 Action Points (Republished 4 October 2023)).

## Greenhouse Gases and Climate Change

22. David Johnson, Climate Response Team Leader, spoke on behalf of BC in relation to Greenhouse Gases and Climate Change.
23. In paragraph 12.11.7 of the Greenhouse Gases (GHG) chapter of the Environmental Statement [APP-038], the Applicant states that the UK Emissions Trading Scheme (“UK ETS”) and CORSIA will provide controlling mechanisms to prevent aviation emissions from exceeding carbon budgets in the event that “*any or all of the mitigation measures*” within the Jet Zero High Ambition Scenario are not implemented in full. This is an important note because it places a significant weight upon the UK ETS and CORSIA to ensure that the DCO under consideration does not prejudice the ability of future Government policy to stay within future carbon budgets.
24. Further, the Applicant later states in Table 12.23 of Chapter 12 – Greenhouse Gases - of the Environmental Statement [APP-038] that six sensitivity scenarios were considered for the GHG sensitivity analysis. Scenario 4 “*Next Generation Aircraft*” outlines that “*in other technical ... assessments ... [Zero Emissions Aircraft (ZEA) are] included as a sensitivity test.*” Before asserting that this is not necessary for the GHG assessment “*due to their explicit inclusion as an assumption*” within the Jet Zero Strategy. As such, the Applicant has not undertaken sensitivity analyses upon the delivery of ZEA’s, Sustainable Aviation Fuel, or incremental efficiency improvements within their GHG analyses. In light of this, the reality is that the application relies upon the UK ETS and CORSIA proceeding in line with the Jet Zero Strategy (High Ambition Scenario) to be allowed by the Secretary of State to conclude that the Authorised Development would not detrimentally impact the SoS’s ability to comply with future carbon budgets.
25. There are at least two key sets of assumptions within Jet Zero Strategy, outlined within the Analytical Annex, which are of relevance here. Firstly, that the price per tonne of CO<sub>2</sub> within UK ETS and CORSIA will converge between 2030 and 2050. The beginning and end points of this convergence are shown in the following:

	<b>2030</b>	<b>2050</b>
UK ETS	150	378
CORSIA	6	378
	<i>£/tCO<sub>2</sub>e</i>	

*Table 1: Price Convergence for UK ETS & CORSIA (Source: Jet Zero Analytical Annex)*

26. The above shows that the convergence assumed within Jet Zero is substantial, given that in 2030 the cost per tonne within UK ETS is 25 times more expensive than CORSIA; for this to reach a 1:1 ratio by 2050 will require “*significant international co-operation*” (Jet Zero Analytical Annex) and is recognised as a challenge within the same analytical annex.
27. Secondly, that CORSIA will be extended. It currently runs out in 2035. This is particularly relevant given the operational window of the Authorised Development which extends

well beyond 2035 and the fact that long haul flights, which would fall outside of the UK ETS, would not begin until 2037.

28. There is material uncertainty around these two key assumptions. That is not to challenge the Jet Zero Strategy but rather to recognise, as the Analytical Annex for the High Ambition Scenario itself does, that it is ambitious and that its assumptions are subject to material risk. Indeed, the recognition of this is found in Jet Zero and this aspect of the strategy cannot be overlooked.
29. As BC understands, the Applicant stated at the hearing that the pricing forecasts, which is built into its demand modelling of passenger movements through to 2050, uses a forecast provided by BEIS (now DESNZ). This, critically, is a forecast rather than government policy and as such cannot be relied upon in the same way that the Applicant contends that the Jet Zero Strategy may be. The Applicant suggested at the Hearing that they may have conducted sensitivity studies (a Monte Carlo Analysis was mentioned) upon the impact of the cost development of UK ETS and CORSIA taking a different path to the baseline forecast, but this has not been explicitly referred to or explained within the submission on GHGs. If the Applicant places such weight upon UK ETS and CORSIA, then the sensitivity studies conducted (and their impact upon cumulative GHG emissions) must be explained in detail.
30. The Applicant also stated at the hearing that the “right to fly” and to fly cheaply, was a key driver attracting positive weight to the application and should be given weight by the Inspectorate in their decision making. However, if the developments relied upon in the Jet Zero Strategy do not come forward as anticipated, the price of carbon will have been driven higher in order to maintain carbon budget commitments. A necessary corollary of this is that future low-cost air travel will be less accessible to the wider public or, putting it another way, low-cost air travel is contingent upon the delivery of the Jet Zero developments. If they do not come forward, prices will rise and this pillar of the Applicant’s argument may be undermined.
31. All of the above clearly shows that there is significantly greater uncertainty within the development of UK ETS and CORSIA than the GHG Chapter **[APP-038]** allows for. The assertion by the Applicant that UK ETS and CORSIA provide sufficient controlling mechanisms to render sensitivity analyses upon Jet Zero Strategy developments unnecessary (See Table 12.23 **[APP-038]**) is not sufficiently evidenced at this point.
32. It is BC’s view that the Applicant should:
  - (i) Make explicit the sensitivity analyses conducted on UK ETS and CORSIA price development within its models;
  - (ii) Show the effect of the above within the GHG assessment **[APP-038]**;
  - (iii) Show also how the sensitivity analyses above account for failure of any or all of the Jet Zero Strategy measures to come forward and show the effect upon both price and cumulative emissions of each or all of these measures not coming

forward (i.e. efficiency savings, SAF savings, ZEA savings (see Inset 12.4 [APP-038]);

- (iv) The above ((i), (ii) and (iii)) notwithstanding, BC believes that Table 12.23 within [APP-038] should be extended to include sensitivity analyses upon Efficiency savings, SAF savings and ZEA savings not coming forward upon cumulative carbon emissions; and
- (v) The above must demonstrate that the Proposed Development is robust to the sensitivities inherent within future technological development and that the Authorised Development would not increase GHG emissions to the extent that future Governments are unable to meet future carbon budgets.

### **ISH3 – Noise and vibration**

*Wednesday 27 September 2023 at 14:00*

- 33. Having been a part of the Noise Envelope Design Group (“NEDG”) and the Noise and Track sub-committee of the LLACC, BC wishes to continue its involvement in the operation and refinement of the Noise Envelope. It has historically been part of the NEDG because the noise envelope extends in BC’s area. The Applicant’s GCG Framework as currently conceived would prevent this. The remedy would be for BC to be a formal member of the ESG by means of adding BC to Requirement 20(2).
- 34. The Applicant has suggested that this is not appropriate because no significant noise effects in Buckinghamshire are predicted in the Environmental Statement. However, as set out above, the Applicant accepts significant adverse impacts to the AONB (which extends into Buckinghamshire), through impacts on tranquillity, which are caused by noise. Moreover, the noise envelope currently extends into Buckinghamshire and, more importantly, may be subject to (material) changes over time (airspace change). The GCG Framework is a dynamic structure. There is no justification to exclude BC on the basis of the assessment of effects, which are based on the current airspace configuration. Further, it is inconsistent with the approach of including BC in relevant forums to date.

### **ISH4 – Traffic and transport**

*Thursday 28 September 2023 at 09:30*

- 35. BC has the following key concerns and interests in relation to traffic and transport:
  - (i) The strategic modelling used has not been validated within the Buckinghamshire area.
  - (ii) The model results from which the impacts have been assessed within Buckinghamshire are not reliable without appropriate validation.
  - (iii) The B489 corridor is a sensitive route and is identified as a long-distance western approach route.



- (iv) An express route from Aylesbury to the airport is required in order to mitigate the impacts on the west-east route to the airport and to propagate the required shift in mode share.
- (v) The reinstatement of Bus Route 61 in order to provide local access to the airport including for the purpose of access to employment at the airport.
- (vi) Public transport has no certainty of delivery or how routes would be selected for delivery.

36. This leads to the following requirements:

- (i) The modelled outputs on the impacts on the western corridor through the Buckinghamshire villages to Aylesbury;
- (ii) Validation of the model on that route;
- (iii) Change of priority junction at the B489 and B488 Ivinghoe;
- (iv) Provision of a high-speed public transport link to Aylesbury;
- (v) Reinstatement of the Bus Route 61 providing connection back to the airport from villages in east Buckinghamshire.

#### Modelling and the Ivinghoe junction

37. The Trip Distribution Plans **[REP1-019]** (see, for example, Figure 27 – 2043 with Expansion (32mppa)) clearly show the west-east corridor to Aylesbury as experiencing an increase in traffic flows due to the Proposed Development. Whilst BC does not have the underlying data (which BC understands the Applicant to have agreed to provide in ISH4), the thickness of the line is equivalent or greater to the route, for example, to Harpenden and that route has been subject to some validation. The different approaches to the treatment by the Applicant to these two routes (as an example) is not justified. What the Trip Distribution Plans **[REP1-019]** show is that the west-east corridor is an important route from the west to the airport. The routes through the villages are not well suited for such usage and vehicles pass through locations that include receptors that will be sensitive to relatively small changes in use intensification, as well as increases in use by passengers of AM peak flights at the airport. Further, small increases in movement along this route is considered likely to lead to material safety concerns, recognising that there are elements of the route that are inherently unsafe due to their rural characteristics.
38. Changes to the priority junction at the B489 and B488 Ivinghoe would reduce the likelihood of airport traffic using the most unsuitable sections of the overall west-east route, thereby better protecting pedestrian and driver safety within the villages of Ivinghoe, Marsworth and Pitstone. Further, the prioritisation change would encourage

the main route to be further away from the villages, which offers the potential for an air quality improvement to the villages.

### Public transport

39. Public transport provision is a fundamental aspect of National Planning Policy Framework requirements to ensure that sustainable options are maximised.
40. It is also a key plank of the ETS. Goal 3 of the ETS [APP-215] sets out to reduce barriers to commuting to the airport and says the following. Paragraph 4.4.4 states: *“To ensure the employment needs of Luton airport are met, the airport needs to access as large a pool of potential workers as possible. To do this, the ETS would provide avenues for the airport operator and airport employers to work with partners to address transport barriers to work that many in the area face (distance, time, cost, convenience, and sustainability). In coordination with the vision and objectives embedded in the Surface Access Strategy [TRO20001/APP/7.12], improved accessibility with a focus on sustainable and active travel, technology and communications and new ways of working would also help meet wider economic and environmental ambitions of the ETS, including emphasising opportunities for local residents.”* Goal 3 is underpinned by Initiative 3.1 Coordination with the Airport Transport Forum (Operation).
41. Local bus services provide connectivity for employees and local residents to the airport. BC is seeking restoration of service 61. This was removed, largely as a consequence of the opening of the Busway severing the original route. It was not lost due to a lack of viability which appeared to be suggested by the Applicant in ISH4.
42. There are areas of deprivation within the Buckinghamshire administrative area, particularly within the Aylesbury area. Therefore, in order for the Applicant to achieve the stated goal of accessing as large a pool of people as possible within Buckinghamshire, public transport connections are essential.
43. Connection to Aylesbury via a high speed adapted bus or coach provides inter urban services that remove longer distance journeys and provide an alternative to the private car from the transport hub in Aylesbury. Without such connections residents of Aylesbury (c.120,000) will have little choice but to travel by car, which at the very least will not further the objectives of the Framework Travel Plan and undermine the claimed benefit of the modal shift/ sustainable surface access pleaded by the Applicant. In addition, car ownership in Aylesbury is relatively low, in particular amongst the young. Further, the three wards in Buckinghamshire with the lowest car ownership rates are to be found within Aylesbury (Aylesbury North, Aylesbury North West and Aylesbury South West). This highlights the need for the early delivery of public transport measures to be implemented to allow the maximum uptake of employment and training opportunities.
44. This is particularly so where the Applicant accepted in ISH4 the importance of the east-west links and the need to augment them by the provision of public transport to

complement the well-established links on the north-south axis (across all modes) to the airport.

#### Transport Related Impacts Monitoring and Mitigation Approach (TRIMMA)

45. There are three key points in relation to the TRIMMA. First, it includes both known mitigations included in the DCO (Type 1) but also further mitigation that is yet to be secured or identified (Type 2). BC's concerns relate to Type 2.
46. Second, Type 2 mitigation is to be managed through the Airport Transport Forum (ATF). It is for this reason that BC expressed a wish to be a member of the ATF. The Applicant has now invited, following the ISH, BC to be a member of the ATF for which BC is grateful. This provides Buckinghamshire's communities with a voice on the ATF to identify and raise the needs of those in Buckinghamshire to reach the Airport for employment or leisure.
47. Third, the ATF steering group will consider proposals for mitigation brought forward in relation to unseen issues arising by reason of the airport expansion. An example given during the ISH4 was proposals to address fly-parking (even though this is a known effect of the authorised development). The Applicant indicated that any such mitigation will be funded by the "Residual Impacts Fund". The size of this fund is not known. The mitigation to which it will be directed is not known. The cost of that mitigation is not known. The adequacy of the pot, therefore, cannot be assessed.

#### Sustainable Transport Fund ("STF")

48. The STF is fundamental as it is the mechanism / funding that underpins the delivery of the Travel Plan. As BC understands it, the STF is proposed to run until the airport reaches 32 mppa.
49. The amount estimated currently for the STF, based on a charge £0.25 per passenger parking transaction and £0.10 per drop off, is £11m (excluding inflation) over the duration of the fund. That appears to be a very small quantum to underpin the Travel Plan. For example, the re-instatement of Route 61, allied with the express route from Aylesbury to the airport is currently estimated cost c.£700,000 per annum to run (before taking into account revenue) (based on a 13hr day).
50. Additionally, as BC understands it, the charges are based on a similar scheme at Stansted. It is not immediately clear to BC why it is appropriate to simply transpose those charges to Luton. Luton and Stansted are quite different airports.
51. Accordingly, there is a real lack of certainty that east-west services will or could be supported by the STF. This is particularly important, where the Applicant appears to agree with BC that the east-west route is important. It plainly is (see Trip Distribution Maps **[REP1-019]**) and, as the Applicant said in ISH4, east-west routes are needed to complement the established links to the airport (via all modes) on the north-south axis.

52. There is a further issue as to the timing of the availability of funds. First, sustainable travel and mode share shift is about encouraging behavioural change. Behavioural change is most effective early. However, because the funding derives from car parking and drop offs, with no upfront funding proposed, there will be a “funding lag” which is a material concern given the need to embed behaviour change early. Essentially, this approach relies on unsustainable travel patterns in order to enable corrective action – this is contrary to sustainable travel policy, which would support pro-active provision of effective modal choices.
53. In short, there is a lack of certainty as to what will be funded in relation to the STF. This is a great concern given the importance of the Travel Plan and, moreover, certainty of the delivery of mode share shift is required for the ExA to be able to properly attribute material weight to its consideration as a benefit.

#### Travel Plan

54. BC made the point that whilst the Travel Plan measures would be surveyed annually, there is only proposed to be a review of the Travel Plan every five years. This is too long a period, especially where annual data is available. BC accepts that some transport measures take time to bed in and that there is no necessity for a formal review each year, but what is sought is assurance that changes and modifications to measures will be made as the need arises and not be deferred to 5-year reviews (see above comments in relation to the drafting of the DCO). The Travel Plan can and should be treated as an evolving document which is updated to reflect the annual surveys as necessary and record any changes that have been made in response to the annual survey and / or, importantly, to record that no changes have been made where that is the case. This has the advantage of being transparent and ensures that between formal reviews, the Applicant does actually consider making changes rather than only considering such changes at a formal review.

#### Conclusion on traffic and transport

55. Mindful of all these considerations, BC considers it imperative that significant public transport improvements and provisions are secured prior to the commencement of the Authorised Development and a full funding assessment is carried out to demonstrate that the funding arrangements proposed are capable of providing the necessary services set to meet the objectives of the Transport Assessment, the ETS and the Travel Plan.

#### **ISH5 – Air quality**

*Thursday 28 September 2023 at 14:00*

56. BC took an observational role. On the basis of the current assessment, BC is not taking any substantive points on air quality but reserves its position in order to be able to understand the effects of the forthcoming updated transport model on air quality matters.

**ISH6 – Biodiversity, Water, Land-use, Landscape and Visual, Design, Heritage and any other matters**

*Friday 29 September 2023 at 09:30*

57. BC took an observational role. Its principal interest in ISH6 related to landscape. Recent discussions with the Applicant have been helpful in this regard and BC has agreed to changes to the SoCG between the Applicant and BC which settles any issues BC had in relation to landscape and visual aspects.
  
58. BC was asked by the Examining Authority if it wished to be involved in discussion on the proposed extension to the AONB. BC replied that given BC's contentment with the position reached in the SoCG, it would not be necessary for BC to be involved. On reflection, BC would like to be involved given that the proposals include extending the AONB in Buckinghamshire. It would, therefore, be appropriate for BC to be involved in those discussions. BC will communicate this to the Applicant. It does not affect BC's contentment with the position reached in the SoCG with the Applicant, as submitted at Deadline 3.