

Principal Areas of Disagreement Summary Statement (PADSS) from Buckinghamshire Council (BC)		Version Number: 3 Submitted at: 05/10/2023		
Principal Issue in Question		Concern held	What needs to change/be amended/be included in order to satisfactorily address the concern	Likelihood of concern being addressed during Examination
2.1 Climate Change and Greenhouse Gases				
2.1.1	Insufficient sensitivity testing of Jet Zero Strategy (JZS) scenarios	Need to reflect the uncertainty and variables around delivering and achieving the Government's JZS for decarbonising aviation by 2050 within the greenhouse gas (GHG) assessment.	Sensitivity testing for Faster Growth and Next Generation Aircraft scenarios to be undertaken; GHG emissions to be assessed on a quantitative basis; and the cumulative emissions assessed accordingly.	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe.
2.1.2	Environmental Scrutiny Group (ESG) membership and remit and Technical Panel membership	Need to ensure the independence of the ESG, provide a route to influence mitigation proposals and address potential conflict of interest in Luton Borough Council's (LBC)'s role as owner and enforcer.	<p>BC to have a seat on the ESG and to have a position for a suitably qualified and experienced technical officer within the four Technical Panels relating to Air Quality, GHG, Noise and Surface Access.</p> <p>ESG to have a right of appeal to the Secretary of State.</p> <p>See point 2.10.3 in this PADSS regarding a change to the draft DCO (dDCO) Paragraph 20 [REP2-003].</p>	

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2.1.3	Addressing decommissioning	Ensuring that impacts from future decommissioning are taken into consideration as appropriate.	A requirement added to the DCO to ensure that a separate assessment is required for future de-commissioning.	
2.2. Transport and Highways				
2.2.1	Strategic Traffic Model, Local Model Validation Report (LMVR)	BC does not consider that the validation and calibration of the strategic model is of an adequate standard within Buckinghamshire to provide certainty of the traffic impacts within the County.	Journey time data and calibration and validation data required to confirm the transport model's appropriateness for the purposes of assessing development proposals within Buckinghamshire.	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe.
			Confirmation that long-stay survey data was included in the CAA trip rate data.	
			A Forecasting Model Report that confirms how growth has been calculated and applied within the model to ensure that growth within Buckinghamshire has been taken into account appropriately.	

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			An updated Local Model Validation Report (LMVR) that addresses the above points.	
2.2.2	Robustness of traffic assessment data re: A41/B489/B488 route by the Applicant.	Concerns regarding the level of confidence that can be applied to the assessment of the A41/B489/B488 route by the Applicant.	<p>Details of the link flows for the base year and future years with and without development for the B489, B488 and A41.</p> <p>Select link analysis of development traffic only for the B498, B488 and A41.</p> <p>Reassessment of the A41/B489/B488 route using the updated and validated traffic model.</p> <p>Mitigation and/or enhancement at the B488/B489 junction and other parts of the principal airport access route through Buckinghamshire.</p>	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe.
2.2.3	Lack of public transport services connecting Buckinghamshire and London Luton Airport	BC is concerned that the level of public transport provision is inadequate. As such, BC is concerned that the provision will not	Engage with BC to develop public transport offering for direct bus and/or coach services.	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the

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	support BC's requirements for sustainable transport and modal shift and reduced traffic derived air pollution. (For reference see 7.12 Surface Access Strategy – 6.4 Bus and Coach; 6.4.2; 7.12 Surface Access Strategy – 6.4 Bus and Coach; 6.4.4; 7.13 Framework Travel Plan – 5.2 Interventions and measures, table 5.1 Luton DART and Rail, 7.13 Framework Travel Plan – 5.2 Interventions and measures, table 5.2 Bus and Coach)	<p>The provision of a high speed, high quality, high frequency bus service between Aylesbury and the airport.</p> <p>Require restoration of a local bus route (61) connecting rural Buckinghamshire communities between Luton and Aylesbury on at least an hourly service frequency.</p> <p>Certainty of an appropriate Sustainable Transport Fund (STF), supported by detail of how the STF will be calculated.</p> <p>Certainty of mode shift, linked to specific targets and hold points and embedded in the STF.</p> <p>Update to the Framework Travel Plan (FTP ((APP-229, superseded by AS-131) to provide certainty of governance of the STF.</p>	Examination timeframe.	
2.2.4	Clarification of construction	Uncertainty of the full extent of the impacts of	Consultation on the further development of the	BC is willing to engage positively

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traffic impacts and controls in Buckinghamshire	construction traffic and activities from the Scheme on the Buckinghamshire highway network.	Construction Traffic Management Plan (CTMP), which should incorporate specific targets for each mode to expand on the current division between sustainable and unsustainable modes. 'Unsustainable' modes should be disaggregated into types, with associated data.	with the Applicant with a view to addressing its concerns within the Examination timeframe.
		Consultation on freight routing and suitable controls to be included within the CTMP. This needs to be informed by quantitative trip generation information to identify the source, route and type of construction HGV movements.	
		The Outline Construction Workers Travel Plan (CWTP) [APP-131] to be updated to show how the Buckinghamshire highway network is to be affected; with subsequent testing within the updated traffic modelling.	

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		<p>BC to be included within the Airport Transport Forum (ATF) as a Highway Authority.</p> <p>The draft DCO Schedule 2 Part 3, paragraph 24 [REP2-003] should set out the maximum timescales for delivery of any actions.</p> <p>Highlight which bodies are responsible for monitoring the findings of the Framework Travel Plan data collection and authorising changes to the strategy to address any failure to meet the targets set.</p>		
2.2.5	Clarification of the operational HGV movements in Buckinghamshire	For post-build movements, BC note that the increase in HGVs (rising from 133 currently to a projected 2043 figure of 268) is unlikely to impact upon local roads in Buckinghamshire. A large proportion of the projected HGV flows appear to serve the extended passenger	<p>Further information to identify the generation of operational HGV movements – routeing and quantum required.</p> <p>BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe.</p>	

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	terminal facilities – these do not identify Buckinghamshire as being a generator of these movements, but BC would welcome clarification of this.			
2.3 Noise and Vibration				
2.3.1	Noise envelope review process and integration of targets in the GCG Framework	The ANPS requires that suitable Noise Envelope review periods should be set. These are currently five years. BC is concerned that there could be a disconnect between the NEDG and the operator should the envelope prove ineffective in the short	An independent body, representing a separate entity from the ESG, should be tasked with reviewing the Noise Envelope after one year of operation and then more frequently than the five years currently proposed within the terms of reference.	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe.

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		term. In order to ensure the correct application and efficacy of the Noise Envelope, BC is seeking reassurance that the Noise Envelope will be subject to timely review at such time as changes in airspace are proposed (i.e. through FASI-S).	Highlight which bodies are responsible for monitoring the findings of the Green Controlled Growth (GCG) Framework's data collection and authorising changes to the strategy to address any failure to meet the targets set.	
2.3.2	Noise impacts on Chilterns AONB	BC will resist further noise disturbance to the Chilterns AONB.	Overflight of the Chilterns AONB to be included within the terms of reference of the body responsible for reviewing mitigation triggers in relation to impacts within the Noise Envelope.	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe.
2.3.3	Noise limits	The need to secure binding noise limits.	Work towards compliance with WHO Environmental Noise Guidelines 2018 for the European Region. BC asks that an independent body is formed to guarantee that the Noise Envelope and	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the

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			review process provides certainty that the noise impact from any airspace changes under the FASI-S will be no greater than that relied on should the DCO be granted.	Examination timeframe.
2.3.4	Governance of ESG	Concern about the independence of the Environmental Scrutiny Group due to the independent chair initially being nominated by the airport operator, following consultation with the London Luton Airport operator.	BC to have a seat on the ESG, with particular involvement in the GCG Framework and governance of the Noise Envelope.	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe.
2.3.5	Noise controls within CTMP	Confirmation of the noise impacts of Scheme construction on receptors within Buckinghamshire.	BC is seeking additional clarity on the controls that will be incorporated within the CTMP as it is developed.	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe.

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2.4 Air Quality				
2.4.1	Suitability of traffic modelling underpinning air quality assessment within Buckinghamshire	Lack of confidence in the air quality assessment conclusions relating to the air quality impacts on Aylesbury, including to the three AQMAs, due to the concerns regarding suitability of the traffic modelling outputs used.	<p>Updated traffic modelling, in accordance with the requirements of BC's Transport and Highways officers.</p> <p>Updated CTMP, in accordance with the requirements of BC's Transport and Highways officers.</p>	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe.
2.4.2	Confidence in the air quality assessment of the preferential airport access route through Buckinghamshire	Need to review the potential air quality impacts on sensitive receptors along the preferential access route to the airport – A41, B488, B489 – due to the concerns regarding suitability of the traffic modelling outputs used.	Updated air quality assessment, on a quantitative basis, for Aylesbury and sensitive receptors along the A41, B488, B489. Also, confirmation of any additional locations on the Buckinghamshire transport network where changes in traffic flows have the potential to affect air quality.	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe.
2.4.3	Securing modal shift to enhance air quality	Desirability of enhanced public transport provision to connect Buckinghamshire	Delivery of an express public transport service between Aylesbury and the Airport, in accordance with the	BC is willing to engage positively with the Applicant with a view to

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	residents to the airport both for leisure and commuting, to support modal shift in the interests of reduced traffic derived air pollution.	requirements of BC's Transport and Highways officers. Reinstatement of bus service 61, in accordance with the requirements of BC's Highways and Transport officers.	addressing its concerns within the Examination timeframe.	
2.5 Economy, Tourism and Employment				
2.5.1	Securing sustainable modes to access employment opportunities	Need to provide accessibility to employment opportunities at Luton Airport via sustainable modes.	Delivery of an express public transport service between Aylesbury and the Airport, in accordance with the requirements of BC's Transport and Highways officers. Reinstatement of bus service 61, in accordance with the requirements of BC's Highways and Transport officers.	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe.
2.5.2	Supply chain readiness and legacy	The need to maximise benefits to the supply chain, including securing a legacy of transferable skills.	BC wishes to partner with appropriate organisations, such as Bucks Business First, to work with the Applicant on supply chain readiness and accessibility of local businesses to suitable supply chain opportunities.	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe.

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			BC is keen to work with the Applicant to develop specific initiatives to support local procurement for inclusion in the further development of the Employment and Training Strategy (ETS).	
2.5.3	Securing local employment and training opportunities linked to job opportunities	<p>Need to develop and maintain skills within the local economy and tackle out-migration of skilled workers from Buckinghamshire, particularly young people.</p> <p>BC has concerns regarding the securing mechanism for the LEDWG and the broader ETS.</p>	<p>BC to be involved in the Local Economic Development Working Group (LEDWG), in order to be able to be part of the coordination of employment, training and skills strategies covering the ETS Study area. In particular, BC will look to promote opportunities to young people within the county. BC is also keen that the ETS targets the ten priority wards listed in the 'Opportunity Bucks' programme.</p> <p>Applicant should review the securing mechanism outlined in Mitigation Route Map which currently only secures Section 2 of the ETS through a S106</p>	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe.

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		Agreement, something that is not available to BC as a neighbouring authority.		
2.5.4	Effectiveness of the Communities First fund	BC has concerns regarding the effectiveness of Communities First fund, particularly for BC communities.	Additional clarity to be provided by the Applicant relating to the Communities First fund, including its overall effectiveness. The Council notes that whilst information has been provided by the Applicant on the aims of the Communities First fund, its coverage, administration and review, further detail would be beneficial. In particular, further clarity on how the 60/40 split between Luton and other areas has been determined and how the effectiveness of the fund will be defined, measured and reported upon.	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe.
2.5.5	Inclusion of further deprived wards within Buckinghamshire as	The proposal for a fund, available to registered charities, community groups, and town and parish councils to tackle deprivation, as set out in the Draft Compensation Policies, Measures and Community First [REP2-005] is welcomed.	The inclusion of the wards of Aylesbury North, Aylesbury North-West, Aylesbury South-West and Chesham in the coverage of the Communities First fund.	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe.

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		Whilst the Council welcomes the inclusion of some parts of Buckinghamshire. Based on the social deprivation criteria, the Council encourages consideration being given to the inclusion of additional areas of the county, specifically the wards of Aylesbury North, Aylesbury North-West, Aylesbury South-West and Chesham.		
2.6 Landscape and Visual				
2.6.1	Impact on the Chilterns AONB - tranquillity	The tranquillity of the AONB is not adequately assessed in the ES. The ES is ambiguous as to the potential effects on the Chilterns AONB and locations such as Ivinghoe Beacon regarding impacts on tranquillity. Whilst the Applicant has identified significant adverse effects on the AONB it is not clear from the	The Applicant should demonstrate that noise impact upon the AONB is better than Air Navigation Guidance and Civil Aviation Authority recommendations.	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe.

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		submitted information as to the extent of the area affected. BC request that this is addressed.		
2.6.2	Landscape impacts of CTMP	Potential for additional landscape impacts to be identified following further development of the CTMP	Construction landscape and visual impact should be scoped into further consideration in the ES (particularly in the AONB).	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe.
2.7 Heritage				
2.7.1	Impacts on Heritage Assets	Lack of clarity regarding the impact of the scheme on heritage assets.	Update traffic modelling, in accordance with the requirements of BC's Transport and Highways officers.	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe.
		BC has some doubt over the accuracy of the noise assessments submitted with the	Update noise modelling and consequential analysis of the data from the perspective of the heritage topic.	

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		DCO, as well as, the construction impact, with traffic routes undefined. Due to this ambiguity BC reserves its final position in respect of adverse noise impacts to heritage assets.	Update CTMP, in accordance with the requirements of BC's Transport and Highways officers Confirmation of the heritage impacts of the Scheme, following the above requested updates.
2.8 Health and Community			
2.8.1	Reflecting revised traffic modelling in downstream health analysis	Concerns regarding the lack of confidence in the application of strategic traffic modelling to the Buckinghamshire highway network and its consequential implications for the robustness of conclusions drawn from downstream analysis that informs the health and community assessment. Analysis to also reflect precedent for qualitative	Update traffic modelling, in accordance with the requirements of BC's Transport and Highways officers. Update CTMP and Surface Access Strategy, in accordance with BC's Transport and Highways officers. Information to be used to identify potentially sensitive health receptors in Buckinghamshire. Use of the traffic modelling for updated air quality assessment and noise assessment for receptors in Buckinghamshire. Qualitative assessment of the

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		assessment of the impacts of small changes in air quality and noise (as determinants of health) on human health.	health implications of changes in noise and particulates, specifically in the context of impacts on human health.	
2.8.2	Assessment of health impacts of construction traffic and activities	Impact of severance, noise, air quality and reduction of amenity caused by construction traffic, in-particular associated HGV movement within Buckinghamshire. Particular focus required on the Aylesbury AQMAs and receptors along the preferential access route to the Airport (A41, B488, B489).	Expansion of the study area for traffic related health and community impacts to include Buckinghamshire County highway network, following application of traffic modelling for the Buckinghamshire County highway network, in accordance with the requirements presented in the Transport and Highways sub-section. Use of updated traffic modelling to enable a greater confidence to be assigned to downstream topic analysis, particularly noise and air quality assessment, in accordance with the requirements presented in the relevant sub-sections of this document.	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe.

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			Review of suitable mitigation to address significant effects that may be identified following the updated analysis; including any relevant environmental appraisal of interventions that might be proposed (e.g. Off-Site highways works at Ivinghoe).	
2.8.3	Securing sustainable rural accessibility	Need to support Buckinghamshire rural communities' accessibility and connecting people with limited access to private vehicles to key services and employment.	<p>Delivery of an express public transport service between Aylesbury and the Airport, in accordance with the requirements of BC's Transport and Highways officers.</p> <p>Reinstatement of bus service 61, in accordance with the requirements of BC's Highways and Transport officers.</p>	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe.
2.8.4	Impacts on tranquillity and areas of high environmental quality	Impacts from increased noise (construction and operational traffic and aircraft) on areas valued for tranquillity and/or environmental quality: contributing to effects	Development of suitable delivery mechanisms and assurances for the delivery of mitigation, in collaboration with BC through inclusion in relevant working groups and direct Applicant engagement.	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the

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		<p>on tranquillity, reduced amenity, environmental quality and neighbourhood characteristics, and mental health and well-being.</p>	<p>Mechanism for the consideration of impacts from FASI-S on noise impacts to then be duly considered in the health assessment.</p> <p>Updated downstream topic analysis, using modelling as appropriate, to ensure that receptor sensitivity and impact magnitude is updated and the analysis of significance of effects is robust for Buckinghamshire health and community receptors.</p>	Examination timeframe.
2.9 Cumulative Effects Assessment				
2.9.1	Cumulative aircraft noise	There is no consideration of the potential cumulative impacts of aircraft noise for residents under Heathrow, Stansted and Luton flight paths.	Address the gap in the assessment relating to cumulative interactions from the potential intensification of usage of the Luton flight paths linked to the Scheme for residents variously beneath flight paths for Heathrow, Stansted and	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe.

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2.9.2	Means to include forthcoming airspace changes within cumulative assessment	BC raises concerns surrounding the change required to allocate more airspace for safe departures and arrivals across the south-east of England airports to allow expansion.	<p>Luton (I.e. without/prior to FASI-S).</p> <p>In future baseline scenarios, a need for the CEA to consider the mitigation approaches that might be necessary following reconfiguration of airspace on residents in Buckinghamshire, including cumulative aircraft noise for residents variously beneath flight paths for Heathrow, Stansted and Luton.</p> <p>Explanation of how the Applicant intends to integrate the CAA's CAP1616 and expansion whilst mitigating noise impacts. Consideration of how airspace change will impact local communities, including with possible implications for the area's heritage assets.</p>	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe.
2.9.3	Cumulative impacts of major	Buckinghamshire communities are already experiencing	Further analysis of the potential cumulative impacts of	BC is willing to engage positively with the Applicant

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	infrastructure projects	issues associated with groundworks and spoil destinations linked to HS2 and EWR.	construction activities with EWR and HS2.	with a view to addressing its concerns within the Examination timeframe.
2.9.4	Currency of the list of other developments considered in the cumulative assessment	Emphasis on the need to ensure that the scope of the CEA is revisited to ensure that information relating to other developments is updated as close to decision making as practicable; and to capture any changes that the Applicant proposes to the Scheme that introduce new areas of works (e.g. at Ivinghoe).	The Applicant should review and update the list of other developments considered in the cumulative assessment and provide time for these to be confirmed with the host and neighbouring authorities.	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe.

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2.10 Draft Development Consent Order				
2.10.1	<p>Extent of consultation in relation to potential amendments to the Limits of Works and the discharge of DCO Requirements</p> <p>(For reference see the following elements of the draft DCO: Article 6(3); paragraphs 2(1) and 2(4) of Part 1 of Schedule 2; paragraph 6 of Part 2 of Schedule 2; paragraph 10 of Part 2 of Schedule 2; paragraphs 31-33 of Part 4 of Schedule 2 and</p>	<p>When considering the implications of paragraph 36 (3) of Part 5 of Schedule 2 of the draft DCO on consultation, as part of the requirement discharge process, BC would emphasise the need to ensure that relevant consultees are stated within the wording of requirements, where considered necessary and appropriate. As currently written the draft DCO allows for the agreement of the aforementioned DCO requirements, as well as for works outside of the limit of works established by Article 6, without the need to consult outside of the</p>	<p>Amendments to the referenced article/paragraphs/requirements to include a requirement to consult with key external consultees including BC, where relevant. In the absence of details regarding any proposed future change it is not possible to rule out the need for external consultee input into the decision-making process.</p>	<p>BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe.</p>

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	paragraph 36(3) of Part 5)	relevant planning authority. Due to the uncertainty of the nature of any future changes BC has concerns that key consultee input could be absent from the decision-making process.		
2.10.2	Absence of a minimum consultation period	Absence of a minimum consultation period for applications made under Requirements.	BC would expect paragraph 35, of Part 5, of Schedule 2 of the dDCO [REP2-003] to make provision for a minimum consultation period for applications made under requirements, akin to the 21 days "consultation period" defined in Paragraph 18, of Part 3, of Schedule 2 of the dDCO. The Applicant should also ensure that an appropriate mechanism is included within the dDCO for extending this consultation period should further issues arise or if	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe.

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			insufficient information is made available to the consultee.	
2.10.3	Absence of Buckinghamshire Council from membership of the Environmental Scrutiny Group and its associated Technical Panels	Given the remit of the Environmental Scrutiny Group (ESG), particularly in relation to any approved increase in the Night quota cap (requirement/paragraph 27 of Part 4 of Schedule 2 of the draft DCO) and when considering the current uncertainty regarding the submitted traffic data, BC would request its inclusion in the ESG and its associated Technical Panels moving forward, in order to allow it to represent its communities' best interests effectively.	Amending of Requirement 20 of the draft DCO [REP2-003] to include Buckinghamshire Council as a member of the ESG. Amending the Terms of Reference for the Technical Panels to include Buckinghamshire Council as part of the Technical Panel additional members.	BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe.
2.10.4	Insufficient review periods associated with	The Council is concerned that the 5-year review period for	Amend paragraph 25(1) of Part 3 of Schedule 2 of the dDCO	BC is willing to engage positively with the Applicant

Principal Areas of Disagreement Summary Statement (PADSS) from Buckinghamshire Council (BC)		Version Number: 3 Submitted at: 05/10/2023	
Principal Issue in Question	Concern held	What needs to change/be amended/be included in order to satisfactorily address the concern	Likelihood of concern being addressed during Examination
the implementation of the Green Controlled Growth Framework and Travel Plans	the requirements pertaining to the implementation of the Green Controlled Framework and the approved Travel Plans are insufficient and could lead to negative impacts being felt by local communities for extended periods of time.	<p>[REP2-003] to “every 12 months following the initial review”.</p> <p>Amend paragraph 30(3) of Part 4 of Schedule 2 of the dDCO to “Every 12 months following the date a travel plan was submitted”.</p>	with a view to addressing its concerns within the Examination timeframe.